

1                   A bill to be entitled  
2           An act relating to housing assistance; amending s.  
3           420.5087, F.S., relating to the State Apartment  
4           Incentive Loan Program; revising the reservation of  
5           program funds within each notice of fund availability  
6           to specified tenant groups; amending s. 420.622, F.S.;  
7           requiring that the State Office on Homelessness  
8           coordinate among certain agencies and providers to  
9           produce a statewide consolidated inventory for the  
10          state's entire system of homeless programs which  
11          incorporates regionally developed plans; directing the  
12          State Office on Homelessness to create a task force to  
13          make recommendations regarding the implementation of a  
14          statewide Homeless Management Information System  
15          subject to certain requirements; requiring the task  
16          force to include in its recommendations the  
17          development of a statewide, centralized coordinated  
18          assessment system; requiring the task force to submit  
19          a report to the Council on Homelessness by a specified  
20          date; deleting the requirement that the Council on  
21          Homelessness explore the potential of creating a  
22          statewide Management Information System and encourage  
23          future participation of certain award or grant  
24          recipients; requiring the State Office on Homelessness  
25          to accept and administer moneys appropriated to it to  
26          provide annual challenge grants to certain lead

27 agencies of homeless assistance continuums of care;  
28 removing the requirement that levels of grant awards  
29 be based upon the total population within the  
30 continuum of care catchment area and reflect the  
31 differing degrees of homelessness in the respective  
32 areas; allowing expenditures of leveraged funds or  
33 resources only for eligible activities subject to  
34 certain requirements; providing that preference for a  
35 grant award must be given to those lead agencies that  
36 have demonstrated the ability to leverage specified  
37 federal homeless-assistance funding with local  
38 government funding and private funding, for the  
39 provision of services to individuals experiencing  
40 homelessness; revising preference conditions relating  
41 to grant applicants; requiring the State Office on  
42 Homelessness, in conjunction with the Council on  
43 Homelessness, to establish specific objectives by  
44 which it may evaluate the outcomes of certain lead  
45 agencies; requiring that any funding through the State  
46 Office on Homelessness be distributed to lead agencies  
47 based on their performance and achievement of  
48 specified objectives; revising the factors that may be  
49 included as criteria for evaluating the performance of  
50 lead agencies; amending s. 420.624, F.S.; revising  
51 requirements for the local homeless assistance  
52 continuum of care plan; providing that the components

53 of a continuum of care plan should include Rapid  
54 ReHousing; requiring that specified components of a  
55 continuum of care plan be coordinated and integrated  
56 with other specified services and programs; creating  
57 s. 420.6265, F.S.; providing legislative findings and  
58 intent relating to Rapid ReHousing; providing a Rapid  
59 ReHousing methodology; amending s. 420.9071, F.S.;  
60 revising the definition of the term "rent subsidies";  
61 conforming a cross-reference; amending s. 420.9072,  
62 F.S.; prohibiting a county or an eligible municipality  
63 from expending its portion of the local housing  
64 distribution to provide ongoing rent subsidies;  
65 providing exceptions; amending s. 420.9075, F.S.;  
66 providing that a certain partnership process of the  
67 State Housing Initiatives Partnership Program should  
68 involve lead agencies of local homeless assistance  
69 continuums of care; encouraging counties and eligible  
70 municipalities to develop a strategy within their  
71 local housing assistance plans which provides program  
72 funds for reducing homelessness; revising the criteria  
73 that apply to awards made to sponsors or persons for  
74 the purpose of providing housing; requiring that a  
75 specified report submitted by counties and  
76 municipalities include a description of efforts to  
77 reduce homelessness; creating s. 420.9089, F.S.;  
78 providing legislative findings and intent; amending s.

79 421.04, F.S.; prohibiting a housing authority from  
 80 applying to the Federal Government to seize projects,  
 81 units, or vouchers of another established housing  
 82 authority; amending s. 421.05, F.S.; exempting housing  
 83 authorities from specified provisions with respect to  
 84 the payment of extra compensation claims, bonuses, and  
 85 severance pay; amending s. 421.091, F.S.; requiring a  
 86 full financial accounting and audit of public housing  
 87 agencies to be submitted to the Federal Government  
 88 pursuant to certain requirements; exempting housing  
 89 authorities from specified reporting requirements;  
 90 providing an effective date.

91

92 Be It Enacted by the Legislature of the State of Florida:

93

94 Section 1. Subsection (3) of section 420.5087, Florida  
 95 Statutes, is amended to read:

96 420.5087 State Apartment Incentive Loan Program.—There is  
 97 hereby created the State Apartment Incentive Loan Program for  
 98 the purpose of providing first, second, or other subordinated  
 99 mortgage loans or loan guarantees to sponsors, including for-  
 100 profit, nonprofit, and public entities, to provide housing  
 101 affordable to very-low-income persons.

102 (3) During the first 6 months of loan or loan guarantee  
 103 availability, program funds shall be reserved for use by  
 104 sponsors who provide the housing set-aside required in

105 subsection (2) for the tenant groups designated in this  
 106 subsection. The reservation of funds to each of these groups  
 107 shall be determined using the most recent statewide very-low-  
 108 income rental housing market study available at the time of  
 109 publication of each notice of fund availability required by  
 110 paragraph (6)(b). The reservation of funds within each notice of  
 111 fund availability to the tenant groups in paragraphs (b)-(e)  
 112 ~~(a), (b), and (e)~~ may not be less than 10 percent of the funds  
 113 available at that time. Any increase in funding required to  
 114 reach the 10-percent minimum must be taken from the tenant group  
 115 that has the largest reservation. The reservation of funds  
 116 within each notice of fund availability to the tenant group in  
 117 paragraph (a) ~~(e)~~ may not be less than 5 percent of the funds  
 118 available at that time. ~~The reservation of funds within each~~  
 119 ~~notice of fund availability to the tenant group in paragraph (d)~~  
 120 ~~may not be more than 10 percent of the funds available at that~~  
 121 ~~time.~~ The tenant groups are:  
 122 (a) Commercial fishing workers and farmworkers;  
 123 (b) Families;  
 124 (c) Persons who are homeless;  
 125 (d) Persons with special needs; and  
 126 (e) Elderly persons. Ten percent of the amount reserved  
 127 for the elderly shall be reserved to provide loans to sponsors  
 128 of housing for the elderly for the purpose of making building  
 129 preservation, health, or sanitation repairs or improvements  
 130 which are required by federal, state, or local regulation or

131 code, or lifesafety or security-related repairs or improvements  
132 to such housing. Such a loan may not exceed \$750,000 per housing  
133 community for the elderly. In order to receive the loan, the  
134 sponsor of the housing community must make a commitment to match  
135 at least 5 percent of the loan amount to pay the cost of such  
136 repair or improvement. The corporation shall establish the rate  
137 of interest on the loan, which may not exceed 3 percent, and the  
138 term of the loan, which may not exceed 15 years; however, if the  
139 lien of the corporation's encumbrance is subordinate to the lien  
140 of another mortgagee, then the term may be made coterminous with  
141 the longest term of the superior lien. The term of the loan  
142 shall be based on a credit analysis of the applicant. The  
143 corporation may forgive indebtedness for a share of the loan  
144 attributable to the units in a project reserved for extremely-  
145 low-income elderly by nonprofit organizations, as defined in s.  
146 420.0004(5), where the project has provided affordable housing  
147 to the elderly for 15 years or more. The corporation shall  
148 establish, by rule, the procedure and criteria for receiving,  
149 evaluating, and competitively ranking all applications for loans  
150 under this paragraph. A loan application must include evidence  
151 of the first mortgagee's having reviewed and approved the  
152 sponsor's intent to apply for a loan. A nonprofit organization  
153 or sponsor may not use the proceeds of the loan to pay for  
154 administrative costs, routine maintenance, or new construction.

155 Section 2. Paragraphs (a) and (b) of subsection (3) and  
156 subsections (4), (5), and (6) of section 420.622, Florida

157 Statutes, are amended to read:

158 420.622 State Office on Homelessness; Council on  
159 Homelessness.—

160 (3) The State Office on Homelessness, pursuant to the  
161 policies set by the council and subject to the availability of  
162 funding, shall:

163 (a) Coordinate among state, local, and private agencies  
164 and providers to produce a statewide consolidated inventory  
165 ~~program and financial plan~~ for the state's entire system of  
166 homeless programs which incorporates regionally developed plans.  
167 Such programs include, but are not limited to:

168 1. Programs authorized under the Stewart B. McKinney  
169 Homeless Assistance Act of 1987, 42 U.S.C. ss. 11371 et seq.,  
170 and carried out under funds awarded to this state; and

171 2. Programs, components thereof, or activities that assist  
172 persons who are homeless or at risk for homelessness.

173 (b) Collect, maintain, and make available information  
174 concerning persons who are homeless or at risk for homelessness,  
175 including demographics information, current services and  
176 resources available, the cost and availability of services and  
177 programs, and the met and unmet needs of this population. All  
178 entities that receive state funding must provide access to all  
179 data they maintain in summary form, with no individual  
180 identifying information, to assist the council in providing this  
181 information. The State Office on Homelessness shall establish a  
182 task force to make recommendations regarding the implementation

183 of a statewide Homeless Management Information System (HMIS).  
 184 The task force shall define the conceptual framework of such a  
 185 system; study existing statewide HMIS models; establish an  
 186 inventory of local HMIS systems, including providers and license  
 187 capacity; examine the aggregated reporting being provided by  
 188 local continuums of care; complete an analysis of current  
 189 continuum of care resources; and provide recommendations on the  
 190 costs and benefits of implementing a statewide HMIS. The task  
 191 force shall also make recommendations regarding the development  
 192 of a statewide, centralized coordinated assessment system in  
 193 conjunction with the implementation of a statewide HMIS. The  
 194 task force findings must be reported to the Council on  
 195 Homelessness no later than December 31, 2016. ~~The council shall~~  
 196 ~~explore the potential of creating a statewide Management~~  
 197 ~~Information System (MIS), encouraging the future participation~~  
 198 ~~of any bodies that are receiving awards or grants from the~~  
 199 ~~state, if such a system were adopted, enacted, and accepted by~~  
 200 ~~the state.~~

201 (4) The State Office on Homelessness, with the concurrence  
 202 of the Council on Homelessness, shall ~~may~~ accept and administer  
 203 moneys appropriated to it to provide annual "challenge grants"  
 204 to lead agencies of homeless assistance continuums of care  
 205 designated by the State Office on Homelessness pursuant to s.  
 206 420.624. The department shall establish varying levels of grant  
 207 awards up to \$500,000 per lead agency. ~~Award levels shall be~~  
 208 ~~based upon the total population within the continuum of care~~



209 ~~catchment area and reflect the differing degrees of homelessness~~  
210 ~~in the catchment planning areas.~~ The department, in consultation  
211 with the Council on Homelessness, shall specify a grant award  
212 level in the notice of the solicitation of grant applications.

213 (a) To qualify for the grant, a lead agency must develop  
214 and implement a local homeless assistance continuum of care plan  
215 for its designated catchment area. The continuum of care plan  
216 must implement a coordinated assessment or central intake system  
217 to screen, assess, and refer persons seeking assistance to the  
218 appropriate service provider. The lead agency shall also  
219 document the commitment of local government and private  
220 organizations to provide matching funds or in-kind support in an  
221 amount equal to the grant requested. Expenditures of leveraged  
222 funds or resources, including third-party cash or in-kind  
223 contributions, are permitted only for eligible activities  
224 committed on one project which have not been used as leverage or  
225 match for any other project or program and must be certified  
226 through a written commitment.

227 (b) Preference must be given to those lead agencies that  
228 have demonstrated the ability of their continuum of care to  
229 provide quality services to persons who are homeless ~~persons~~ and  
230 the ability to leverage federal homeless-assistance funding  
231 under the Stewart B. McKinney Act with local government funding  
232 and private funding for the provision of services to persons who  
233 are homeless ~~persons~~.

234 (c) Preference must be given to lead agencies in catchment

235 areas with the greatest need for the provision of housing and  
236 services to persons who are ~~the~~ homeless, relative to the  
237 population of the catchment area.

238 (d) The grant may be used to fund any of the housing,  
239 program, or service needs included in the local homeless  
240 assistance continuum of care plan. The lead agency may allocate  
241 the grant to programs, services, or housing providers that  
242 implement the local homeless assistance continuum care plan. The  
243 lead agency may provide subgrants to a local agency to implement  
244 programs or services or provide housing identified for funding  
245 in the lead agency's application to the department. A lead  
246 agency may spend a maximum of 8 percent of its funding on  
247 administrative costs.

248 (e) The lead agency shall submit a final report to the  
249 department documenting the outcomes achieved by the grant in  
250 enabling persons who are homeless to return to permanent housing  
251 thereby ending such person's episode of homelessness.

252 (5) The State Office on Homelessness, with the concurrence  
253 of the Council on Homelessness, may administer moneys  
254 appropriated to it to provide homeless housing assistance grants  
255 annually to lead agencies for local homeless assistance  
256 continuum of care, as recognized by the State Office on  
257 Homelessness, to acquire, construct, or rehabilitate  
258 transitional or permanent housing units for persons who are  
259 homeless ~~persons~~. These moneys shall consist of any sums that  
260 the state may appropriate, as well as money received from

261 donations, gifts, bequests, or otherwise from any public or  
262 private source, which are intended to acquire, construct, or  
263 rehabilitate transitional or permanent housing units for persons  
264 who are homeless ~~persons~~.

265 (a) Grant applicants shall be ranked competitively.  
266 Preference must be given to applicants who leverage additional  
267 private funds and public funds, particularly federal funds  
268 designated for the acquisition, construction, or rehabilitation  
269 of transitional or permanent housing for persons who are  
270 homeless ~~persons~~; who acquire, build, or rehabilitate the  
271 greatest number of units; or ~~and~~ who acquire, build, or  
272 rehabilitate in catchment areas having the greatest need for  
273 housing for persons who are ~~the~~ homeless relative to the  
274 population of the catchment area.

275 (b) Funding for any particular project may not exceed  
276 \$750,000.

277 (c) Projects must reserve, for a minimum of 10 years, the  
278 number of units acquired, constructed, or rehabilitated through  
279 homeless housing assistance grant funding to serve persons who  
280 are homeless at the time they assume tenancy.

281 (d) No more than two grants may be awarded annually in any  
282 given local homeless assistance continuum of care catchment  
283 area.

284 (e) A project may not be funded which is not included in  
285 the local homeless assistance continuum of care plan, as  
286 recognized by the State Office on Homelessness, for the

287 catchment area in which the project is located.

288 (f) The maximum percentage of funds that the State Office  
289 on Homelessness and each applicant may spend on administrative  
290 costs is 5 percent.

291 (6) The State Office on Homelessness, in conjunction with  
292 the Council on Homelessness, shall establish performance  
293 measures and specific objectives by which it may ~~to~~ evaluate the  
294 ~~effective~~ performance and outcomes of lead agencies that receive  
295 grant funds. Any funding through the State Office on  
296 Homelessness shall be distributed to lead agencies based on  
297 their overall performance and their achievement of specified  
298 objectives. Each lead agency for which grants are made under  
299 this section shall provide the State Office on Homelessness a  
300 thorough evaluation of the effectiveness of the program in  
301 achieving its stated purpose. In evaluating the performance of  
302 the lead agencies, the State Office on Homelessness shall base  
303 its criteria upon the program objectives, goals, and priorities  
304 that were set forth by the lead agencies in their proposals for  
305 funding. Such criteria may include, but not be limited to, the  
306 number of persons or households that are no longer homeless, the  
307 rate of recidivism to homelessness, and the number of persons  
308 who obtain gainful employment ~~homeless individuals provided~~  
309 ~~shelter, food, counseling, and job training.~~

310 Section 3. Subsections (3), (7), and (8) of section  
311 420.624, Florida Statutes, are amended to read:

312 420.624 Local homeless assistance continuum of care.—

313 (3) Communities or regions seeking to implement a local  
 314 homeless assistance continuum of care are encouraged to develop  
 315 and annually update a written plan that includes a vision for  
 316 the continuum of care, an assessment of the supply of and demand  
 317 for housing and services for the homeless population, and  
 318 specific strategies and processes for providing the components  
 319 of the continuum of care. The State Office on Homelessness, in  
 320 conjunction with the Council on Homelessness, shall include in  
 321 the plan a methodology for assessing performance and outcomes.  
 322 The State Office on Homelessness shall supply a standardized  
 323 format for written plans, including the reporting of data.

324 (7) The components of a continuum of care plan should  
 325 include:

326 (a) Outreach, intake, and assessment procedures in order  
 327 to identify the service and housing needs of an individual or  
 328 family and to link them with appropriate housing, services,  
 329 resources, and opportunities;

330 (b) Emergency shelter, in order to provide a safe, decent  
 331 alternative to living in the streets;

332 (c) Transitional housing;

333 (d) Supportive services, designed to assist with the  
 334 development of the skills necessary to secure and retain  
 335 permanent housing;

336 (e) Permanent supportive housing;

337 (f) Rapid ReHousing, as specified in s. 420.6265;

338 (g) ~~(f)~~ Permanent housing;

339        (h)~~(g)~~ Linkages and referral mechanisms among all  
 340 components to facilitate the movement of individuals and  
 341 families toward permanent housing and self-sufficiency;  
 342        (i)~~(h)~~ Services and resources to prevent housed persons  
 343 from becoming or returning to homelessness; and  
 344        (j)~~(i)~~ An ongoing planning mechanism to address the needs  
 345 of all subgroups of the homeless population, including, but not  
 346 limited to:  
 347            1. Single adult males;  
 348            2. Single adult females;  
 349            3. Families with children;  
 350            4. Families with no children;  
 351            5. Unaccompanied children and youth;  
 352            6. Elderly persons;  
 353            7. Persons with drug or alcohol addictions;  
 354            8. Persons with mental illness;  
 355            9. Persons with dual or multiple physical or mental  
 356 disorders;  
 357            10. Victims of domestic violence; and  
 358            11. Persons living with HIV/AIDS.  
 359        (8) Continuum of care plans must promote participation by  
 360 all interested individuals and organizations and may not exclude  
 361 individuals and organizations on the basis of race, color,  
 362 national origin, sex, handicap, familial status, or religion.  
 363 Faith-based organizations must be encouraged to participate. To  
 364 the extent possible, these components shall ~~should~~ be

365 coordinated and integrated with other mainstream health, social  
366 services, and employment programs for which homeless populations  
367 may be eligible, including Medicaid, State Children's Health  
368 Insurance Program, Temporary Assistance for Needy Families, Food  
369 Assistance Program, and services funded through the Mental  
370 Health and Substance Abuse Block Grant, the Workforce Investment  
371 Act, and the welfare-to-work grant program.

372 Section 4. Section 420.6265, Florida Statutes, is created  
373 to read:

374 420.6265 Rapid ReHousing.—

375 (1) LEGISLATIVE FINDINGS AND INTENT.—

376 (a) The Legislature finds that Rapid ReHousing is a  
377 strategy of using temporary financial assistance and case  
378 management to quickly move an individual or family out of  
379 homelessness and into permanent housing.

380 (b) The Legislature also finds that, for most of the past  
381 two decades, public and private solutions to homelessness have  
382 focused on providing individuals and families who are  
383 experiencing homelessness with emergency shelter and  
384 transitional housing. While emergency shelter and transitional  
385 housing programs may provide critical access to services for  
386 individuals and families in crisis, such programs often fail to  
387 address the long-term needs of individuals and families in  
388 crisis.

389 (c) The Legislature further finds that most individuals  
390 and families become homeless as a result of a financial crisis

391 that prevents individuals and families from paying rent or a  
392 domestic conflict that results in one family member being  
393 ejected or leaving without resources or a plan for housing.

394 (d) The Legislature further finds that Rapid ReHousing is  
395 an alternative approach to the current system of emergency  
396 shelter or transitional housing which tends to reduce the length  
397 of time of homelessness and has proven to be cost effective.

398 (e) It is therefore the intent of the Legislature to  
399 encourage homeless continuums of care to adopt the Rapid  
400 ReHousing approach to preventing homelessness for individuals  
401 and families who do not require the intense level of supports  
402 provided in the permanent supportive housing model.

403 (2) RAPID REHOUSING METHODOLOGY.—

404 (a) The Rapid ReHousing approach to homelessness differs  
405 from traditional approaches to addressing homelessness by  
406 focusing on each individual's or family's barriers to returning  
407 to housing. By using this approach, communities can  
408 significantly reduce the amount of time that individuals and  
409 families are homeless and prevent further episodes of  
410 homelessness.

411 (b) In Rapid ReHousing, an individual or family is  
412 identified as being homeless, temporary assistance is provided  
413 to allow the individual or family to obtain permanent housing as  
414 quickly as possible, and, if needed, assistance is provided to  
415 allow the individual or family to retain housing.

416 (c) The objective of Rapid ReHousing is to provide



417 assistance for as short a time as possible so that the  
418 individual or family receiving assistance does not develop a  
419 dependency on the assistance.

420 Section 5. Subsections (25) and (26) of section 420.9071,  
421 Florida Statutes, are amended to read:

422 420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
423 term:

424 (25) "Recaptured funds" means funds that are recouped by a  
425 county or eligible municipality in accordance with the recapture  
426 provisions of its local housing assistance plan pursuant to s.  
427 420.9075(5)(i) ~~s. 420.9075(5)(h)~~ from eligible persons or  
428 eligible sponsors, which funds were not used for assistance to  
429 an eligible household for an eligible activity, when there is a  
430 default on the terms of a grant award or loan award.

431 (26) "Rent subsidies" means ongoing monthly rental  
432 assistance. ~~The term does not include initial assistance to~~  
433 ~~tenants, such as grants or loans for security and utility~~  
434 ~~deposits.~~

435 Section 6. Subsection (7) of section 420.9072, Florida  
436 Statutes, is amended, subsections (8) and (9) are renumbered as  
437 subsections (9) and (10), respectively, and a new subsection (8)  
438 is added to that section, to read:

439 420.9072 State Housing Initiatives Partnership Program.—  
440 The State Housing Initiatives Partnership Program is created for  
441 the purpose of providing funds to counties and eligible  
442 municipalities as an incentive for the creation of local housing

443 partnerships, to expand production of and preserve affordable  
 444 housing, to further the housing element of the local government  
 445 comprehensive plan specific to affordable housing, and to  
 446 increase housing-related employment.

447 (7) A county or an eligible municipality must expend its  
 448 portion of the local housing distribution only to implement a  
 449 local housing assistance plan or as provided in this subsection.  
 450 ~~A county or an eligible municipality may not expend its portion~~  
 451 ~~of the local housing distribution to provide rent subsidies;~~  
 452 ~~however, this does not prohibit the use of funds for security~~  
 453 ~~and utility deposit assistance.~~

454 (8) A county or an eligible municipality may not expend  
 455 its portion of the local housing distribution to provide ongoing  
 456 rent subsidies, except for:

457 (a) Security and utility deposit assistance.

458 (b) Eviction prevention not to exceed 6 months' rent.

459 (c) A rent subsidy program for very-low-income families  
 460 with at least one person with special needs as defined in s.  
 461 420.0004 or one individual experiencing homelessness as defined  
 462 in s. 420.621. The period of rental assistance may not exceed 12  
 463 months for an eligible household.

464 Section 7. Paragraph (a) of subsection (2) and subsection  
 465 (5) of section 420.9075, Florida Statutes, are amended,  
 466 paragraph (f) is added to subsection (3), and paragraph (i) is  
 467 added to subsection (10) of that section, to read:

468 420.9075 Local housing assistance plans; partnerships.—

469           (2) (a) Each county and each eligible municipality  
 470 participating in the State Housing Initiatives Partnership  
 471 Program shall encourage the involvement of appropriate public  
 472 sector and private sector entities as partners in order to  
 473 combine resources to reduce housing costs for the targeted  
 474 population. This partnership process should involve:

- 475           1. Lending institutions.
- 476           2. Housing builders and developers.
- 477           3. Nonprofit and other community-based housing and service  
 478 organizations.
- 479           4. Providers of professional services relating to  
 480 affordable housing.
- 481           5. Advocates for low-income persons, including, but not  
 482 limited to, persons who are homeless ~~people~~, the elderly, and  
 483 migrant farmworkers.
- 484           6. Real estate professionals.
- 485           7. Other persons or entities who can assist in providing  
 486 housing or related support services.
- 487           8. Lead agencies of local homeless assistance continuums  
 488 of care.

489           (3)

490           (f) Each county and each eligible municipality is  
 491 encouraged to develop a strategy within its local housing  
 492 assistance plan which provides program funds for reducing  
 493 homelessness.

494           (5) The following criteria apply to awards made to

495 eligible sponsors or eligible persons for the purpose of  
 496 providing eligible housing:

497 (a) At least 65 percent of the funds made available in  
 498 each county and eligible municipality from the local housing  
 499 distribution must be reserved for home ownership for eligible  
 500 persons.

501 (b) Up to 25 percent of the funds made available in each  
 502 county and eligible municipality from the local housing  
 503 distribution may be reserved for rental housing for eligible  
 504 persons or for the purposes listed in s. 420.9072(8).

505 (c)~~(b)~~ At least 75 percent of the funds made available in  
 506 each county and eligible municipality from the local housing  
 507 distribution must be reserved for construction, rehabilitation,  
 508 or emergency repair of affordable, eligible housing.

509 (d)~~(e)~~ Not more than 20 percent of the funds made  
 510 available in each county and eligible municipality from the  
 511 local housing distribution may be used for manufactured housing.

512 (e)~~(d)~~ The sales price or value of new or existing  
 513 eligible housing may not exceed 90 percent of the average area  
 514 purchase price in the statistical area in which the eligible  
 515 housing is located. Such average area purchase price may be that  
 516 calculated for any 12-month period beginning not earlier than  
 517 the fourth calendar year prior to the year in which the award  
 518 occurs or as otherwise established by the United States  
 519 Department of the Treasury.

520 (f)~~(e)~~1. All units constructed, rehabilitated, or

521 otherwise assisted with the funds provided from the local  
522 housing assistance trust fund must be occupied by very-low-  
523 income persons, low-income persons, and moderate-income persons  
524 except as otherwise provided in this section.

525 2. At least 30 percent of the funds deposited into the  
526 local housing assistance trust fund must be reserved for awards  
527 to very-low-income persons or eligible sponsors who will serve  
528 very-low-income persons and at least an additional 30 percent of  
529 the funds deposited into the local housing assistance trust fund  
530 must be reserved for awards to low-income persons or eligible  
531 sponsors who will serve low-income persons. This subparagraph  
532 does not apply to a county or an eligible municipality that  
533 includes, or has included within the previous 5 years, an area  
534 of critical state concern designated or ratified by the  
535 Legislature for which the Legislature has declared its intent to  
536 provide affordable housing. The exemption created by this act  
537 expires on July 1, 2013, and shall apply retroactively.

538 (g)~~(f)~~ Loans shall be provided for periods not exceeding  
539 30 years, except for deferred payment loans or loans that extend  
540 beyond 30 years which continue to serve eligible persons.

541 (h)~~(g)~~ Loans or grants for eligible rental housing  
542 constructed, rehabilitated, or otherwise assisted from the local  
543 housing assistance trust fund must be subject to recapture  
544 requirements as provided by the county or eligible municipality  
545 in its local housing assistance plan unless reserved for  
546 eligible persons for 15 years or the term of the assistance,

547 | whichever period is longer. Eligible sponsors that offer rental  
548 | housing for sale before 15 years or that have remaining  
549 | mortgages funded under this program must give a first right of  
550 | refusal to eligible nonprofit organizations for purchase at the  
551 | current market value for continued occupancy by eligible  
552 | persons.

553 |       (i)~~(h)~~ Loans or grants for eligible owner-occupied housing  
554 | constructed, rehabilitated, or otherwise assisted from proceeds  
555 | provided from the local housing assistance trust fund shall be  
556 | subject to recapture requirements as provided by the county or  
557 | eligible municipality in its local housing assistance plan.

558 |       (j)~~(i)~~ The total amount of monthly mortgage payments or  
559 | the amount of monthly rent charged by the eligible sponsor or  
560 | her or his designee must be made affordable.

561 |       (k)~~(j)~~ The maximum sales price or value per unit and the  
562 | maximum award per unit for eligible housing benefiting from  
563 | awards made pursuant to this section must be established in the  
564 | local housing assistance plan.

565 |       (l)~~(k)~~ The benefit of assistance provided through the  
566 | State Housing Initiatives Partnership Program must accrue to  
567 | eligible persons occupying eligible housing. This provision  
568 | shall not be construed to prohibit use of the local housing  
569 | distribution funds for a mixed income rental development.

570 |       (m)~~(l)~~ Funds from the local housing distribution not used  
571 | to meet the criteria established in paragraph (a) or paragraph  
572 | (c) ~~(b)~~ or not used for the administration of a local housing

573 assistance plan must be used for housing production and finance  
574 activities, including, but not limited to, financing  
575 preconstruction activities or the purchase of existing units,  
576 providing rental housing, and providing home ownership training  
577 to prospective home buyers and owners of homes assisted through  
578 the local housing assistance plan.

579 1. Notwithstanding the provisions of paragraphs (a) and  
580 (c) ~~(b)~~, program income as defined in s. 420.9071(24) may also  
581 be used to fund activities described in this paragraph.

582 2. When preconstruction due-diligence activities conducted  
583 as part of a preservation strategy show that preservation of the  
584 units is not feasible and will not result in the production of  
585 an eligible unit, such costs shall be deemed a program expense  
586 rather than an administrative expense if such program expenses  
587 do not exceed 3 percent of the annual local housing  
588 distribution.

589 3. If both an award under the local housing assistance  
590 plan and federal low-income housing tax credits are used to  
591 assist a project and there is a conflict between the criteria  
592 prescribed in this subsection and the requirements of s. 42 of  
593 the Internal Revenue Code of 1986, as amended, the county or  
594 eligible municipality may resolve the conflict by giving  
595 precedence to the requirements of s. 42 of the Internal Revenue  
596 Code of 1986, as amended, in lieu of following the criteria  
597 prescribed in this subsection with the exception of paragraphs  
598 (a) and (f) ~~(e)~~ of this subsection.

599           4. Each county and each eligible municipality may award  
 600 funds as a grant for construction, rehabilitation, or repair as  
 601 part of disaster recovery or emergency repairs or to remedy  
 602 accessibility or health and safety deficiencies. Any other  
 603 grants must be approved as part of the local housing assistance  
 604 plan.

605           (10) Each county or eligible municipality shall submit to  
 606 the corporation by September 15 of each year a report of its  
 607 affordable housing programs and accomplishments through June 30  
 608 immediately preceding submittal of the report. The report shall  
 609 be certified as accurate and complete by the local government's  
 610 chief elected official or his or her designee. Transmittal of  
 611 the annual report by a county's or eligible municipality's chief  
 612 elected official, or his or her designee, certifies that the  
 613 local housing incentive strategies, or, if applicable, the local  
 614 housing incentive plan, have been implemented or are in the  
 615 process of being implemented pursuant to the adopted schedule  
 616 for implementation. The report must include, but is not limited  
 617 to:

618           (i) A description of efforts to reduce homelessness.

619           Section 8. Section 420.9089, Florida Statutes, is created  
 620 to read:

621           420.9089 National Housing Trust Fund.—The Legislature  
 622 finds that more funding for housing to assist individuals and  
 623 families who are experiencing homelessness is needed and  
 624 encourages the state entity designated to administer funds made



625 available to the state from the National Housing Trust Fund to  
626 propose an allocation plan that includes strategies to reduce  
627 homelessness in this state. These strategies to address  
628 homelessness shall be in addition to strategies under s.  
629 420.5087.

630 Section 9. Subsection (4) is added to section 421.04,  
631 Florida Statutes, to read:

632 421.04 Creation of housing authorities.—

633 (4) Regardless of the date of its creation, a housing  
634 authority may not apply to the Federal Government to seize a  
635 project, unit, or voucher of another established housing  
636 authority, regardless of each housing authority's areas of  
637 operation.

638 Section 10. Subsection (2) of section 421.05, Florida  
639 Statutes, is amended to read:

640 421.05 Appointment, qualifications, and tenure of  
641 commissioners; hiring of employees.—

642 (2) The powers of each authority shall be vested in the  
643 commissioners thereof in office from time to time. A majority of  
644 the commissioners constitutes ~~shall constitute~~ a quorum of the  
645 authority for the purpose of conducting its business and  
646 exercising its powers and for all other purposes. Action may be  
647 taken by the authority upon a vote of a majority of the  
648 commissioners present, unless in any case the bylaws of the  
649 authority require a larger number. The mayor with the  
650 concurrence of the governing body shall designate ~~which of the~~

651 ~~commissioners appointed shall be the first chair~~ from among the  
 652 appointed commissioners, but when the office of the chair of the  
 653 authority thereafter becomes vacant, the authority shall select  
 654 a chair from among the ~~its~~ commissioners. An authority shall  
 655 also select from among the ~~its~~ commissioners a vice chair,† and  
 656 it may employ a secretary, who shall be the executive director,  
 657 technical experts, and such other officers, agents, and  
 658 employees, permanent and temporary, as it may require and shall  
 659 determine their qualifications, duties, and compensation.  
 660 Accordingly, an authority is exempt from s. 215.425. ~~For such~~  
 661 ~~legal services as it may require,~~ An authority may call upon the  
 662 chief law officer of the city or may employ its own counsel and  
 663 legal staff for legal services. An authority may delegate to one  
 664 or more of its agents or employees such powers or duties as it  
 665 may deem proper.

666 Section 11. Subsection (1) of section 421.091, Florida  
 667 Statutes, is amended to read:

668 421.091 Financial accounting and investments; fiscal  
 669 year.—

670 (1) A complete and full financial accounting and audit in  
 671 accordance with federal audit standards of public housing  
 672 agencies shall be made biennially by a certified public  
 673 accountant and submitted to the Federal Government in accordance  
 674 with its policies. Housing authorities are otherwise exempt from  
 675 the reporting requirements of s. 218.32. ~~A copy of such audit~~  
 676 ~~shall be filed with the governing body and with the Auditor~~

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677 | ~~General.~~

678 |       Section 12. This act shall take effect July 1, 2016.