

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 provide support for managing entities for certain
26 purposes; requiring the State Office on Homelessness

27 | to accept and administer moneys appropriated to it to
28 | provide annual challenge grants to certain lead
29 | agencies of homeless assistance continuums of care;
30 | removing the requirement that levels of grant awards
31 | be based upon the total population within the
32 | continuum of care catchment area and reflect the
33 | differing degrees of homelessness in the respective
34 | areas; allowing expenditures of leveraged funds or
35 | resources only for eligible activities subject to
36 | certain requirements; providing that preference for a
37 | grant award must be given to those lead agencies that
38 | have demonstrated the ability to leverage specified
39 | federal homeless-assistance funding with local
40 | government funding and private funding, for the
41 | provision of services to individuals experiencing
42 | homelessness; revising preference conditions relating
43 | to grant applicants; requiring the State Office on
44 | Homelessness, in conjunction with the Council on
45 | Homelessness, to establish specific objectives by
46 | which it may evaluate the outcomes of certain lead
47 | agencies; requiring that any funding through the State
48 | Office on Homelessness be distributed to lead agencies
49 | based on their performance and achievement of
50 | specified objectives; revising the factors that may be
51 | included as criteria for evaluating the performance of
52 | lead agencies; amending s. 420.623, F.S.; requiring

53 that managing entities be given an opportunity to
54 participate in local coalitions for the homeless;
55 amending s. 420.624, F.S.; revising requirements for
56 the local homeless assistance continuum of care plan;
57 providing that the components of a continuum of care
58 plan should include Rapid ReHousing; requiring that
59 specified components of a continuum of care plan be
60 coordinated and integrated with other specified
61 services and programs; creating s. 420.6265, F.S.;
62 providing legislative findings and intent relating to
63 Rapid ReHousing; providing a Rapid ReHousing
64 methodology; amending s. 420.9071, F.S.; revising the
65 definition of the term "rent subsidies"; conforming a
66 cross-reference; amending s. 420.9072, F.S.;
67 prohibiting a county or an eligible municipality from
68 expending its portion of the local housing
69 distribution to provide ongoing rent subsidies;
70 providing exceptions; amending s. 420.9075, F.S.;
71 providing that a certain partnership process of the
72 State Housing Initiatives Partnership Program should
73 involve lead agencies of local homeless assistance
74 continuums of care and managing entities; encouraging
75 counties and eligible municipalities to develop a
76 strategy within their local housing assistance plans
77 which provides program funds for reducing
78 homelessness; revising the criteria that apply to

79 awards made to sponsors or persons for the purpose of
80 providing housing; requiring that a specified report
81 submitted by counties and municipalities include a
82 description of efforts to reduce homelessness;
83 creating s. 420.9089, F.S.; providing legislative
84 findings and intent; amending s. 421.04, F.S.;

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

97
98 Be It Enacted by the Legislature of the State of Florida:

99
100 Section 1. Subsection (3) of section 420.5087, Florida
101 Statutes, is amended to read:

102 420.5087 State Apartment Incentive Loan Program.—There is
103 hereby created the State Apartment Incentive Loan Program for
104 the purpose of providing first, second, or other subordinated

105 mortgage loans or loan guarantees to sponsors, including for-
 106 profit, nonprofit, and public entities, to provide housing
 107 affordable to very-low-income persons.

108 (3) During the first 6 months of loan or loan guarantee
 109 availability, program funds shall be reserved for use by
 110 sponsors who provide the housing set-aside required in
 111 subsection (2) for the tenant groups designated in this
 112 subsection. The reservation of funds to each of these groups
 113 shall be determined using the most recent statewide very-low-
 114 income rental housing market study available at the time of
 115 publication of each notice of fund availability required by
 116 paragraph (6) (b). The reservation of funds within each notice of
 117 fund availability to the tenant groups in paragraphs (b)-(e)
 118 ~~(a), (b), and (e)~~ may not be less than 10 percent of the funds
 119 available at that time. Any increase in funding required to
 120 reach the 10-percent minimum must be taken from the tenant group
 121 that has the largest reservation. The reservation of funds
 122 within each notice of fund availability to the tenant group in
 123 paragraph (a) ~~(e)~~ may not be less than 5 percent of the funds
 124 available at that time. ~~The reservation of funds within each~~
 125 ~~notice of fund availability to the tenant group in paragraph (d)~~
 126 ~~may not be more than 10 percent of the funds available at that~~
 127 ~~time.~~ The tenant groups are:

- 128 (a) Commercial fishing workers and farmworkers;
- 129 (b) Families;
- 130 (c) Persons who are homeless;

131 (d) Persons with special needs; and

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

157 of the first mortgagee's having reviewed and approved the
158 sponsor's intent to apply for a loan. A nonprofit organization
159 or sponsor may not use the proceeds of the loan to pay for
160 administrative costs, routine maintenance, or new construction.

161 Section 2. Paragraphs (a) and (b) of subsection (3) and
162 subsections (4), (5), and (6) of section 420.622, Florida
163 Statutes, are amended, and paragraph (p) is added to subsection
164 (3) of that section, to read:

165 420.622 State Office on Homelessness; Council on
166 Homelessness.—

167 (3) The State Office on Homelessness, pursuant to the
168 policies set by the council and subject to the availability of
169 funding, shall:

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

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

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

180 (b) Collect, maintain, and make available information
181 concerning persons who are homeless or at risk for homelessness,
182 including demographics information, current services and

183 resources available, the cost and availability of services and
184 programs, and the met and unmet needs of this population. All
185 entities that receive state funding must provide access to all
186 data they maintain in summary form, with no individual
187 identifying information, to assist the council in providing this
188 information. The State Office on Homelessness shall establish a
189 task force to make recommendations regarding the implementation
190 of a statewide Homeless Management Information System (HMIS).
191 The task force shall define the conceptual framework of such a
192 system; study existing statewide HMIS models; establish an
193 inventory of local HMIS systems, including providers and license
194 capacity; examine the aggregated reporting being provided by
195 local continuums of care; complete an analysis of current
196 continuum of care resources; and provide recommendations on the
197 costs and benefits of implementing a statewide HMIS. The task
198 force shall also make recommendations regarding the development
199 of a statewide, centralized coordinated assessment system in
200 conjunction with the implementation of a statewide HMIS. The
201 task force findings must be reported to the Council on
202 Homelessness no later than December 31, 2016. ~~The council shall~~
203 ~~explore the potential of creating a statewide Management~~
204 ~~Information System (MIS), encouraging the future participation~~
205 ~~of any bodies that are receiving awards or grants from the~~
206 ~~state, if such a system were adopted, enacted, and accepted by~~
207 ~~the state.~~
208 (p) Provide support to managing entities, as defined in s.

209 394.9082(2), to address the needs of individuals experiencing
210 homelessness within the managing entities' geographic service
211 area.

212 (4) The State Office on Homelessness, with the concurrence
213 of the Council on Homelessness, shall ~~may~~ accept and administer
214 moneys appropriated to it to provide annual "challenge grants"
215 to lead agencies of homeless assistance continuums of care
216 designated by the State Office on Homelessness pursuant to s.
217 420.624. The department shall establish varying levels of grant
218 awards up to \$500,000 per lead agency. ~~Award levels shall be~~
219 ~~based upon the total population within the continuum of care~~
220 ~~catchment area and reflect the differing degrees of homelessness~~
221 ~~in the catchment planning areas.~~ The department, in consultation
222 with the Council on Homelessness, shall specify a grant award
223 level in the notice of the solicitation of grant applications.

224 (a) To qualify for the grant, a lead agency must develop
225 and implement a local homeless assistance continuum of care plan
226 for its designated catchment area. The continuum of care plan
227 must implement a coordinated assessment or central intake system
228 to screen, assess, and refer persons seeking assistance to the
229 appropriate service provider. The lead agency shall also
230 document the commitment of local government and private
231 organizations to provide matching funds or in-kind support in an
232 amount equal to the grant requested. Expenditures of leveraged
233 funds or resources, including third-party cash or in-kind
234 contributions, are permitted only for eligible activities

235 committed on one project which have not been used as leverage or
236 match for any other project or program and must be certified
237 through a written commitment.

238 (b) Preference must be given to those lead agencies that
239 have demonstrated the ability of their continuum of care to
240 provide quality services to persons who are homeless ~~persons~~ and
241 the ability to leverage federal homeless-assistance funding
242 under the Stewart B. McKinney Act with local government funding
243 and private funding for the provision of services to persons who
244 are homeless ~~persons~~.

245 (c) Preference must be given to lead agencies in catchment
246 areas with the greatest need for the provision of housing and
247 services to persons who are ~~the~~ homeless, relative to the
248 population of the catchment area.

249 (d) The grant may be used to fund any of the housing,
250 program, or service needs included in the local homeless
251 assistance continuum of care plan. The lead agency may allocate
252 the grant to programs, services, or housing providers that
253 implement the local homeless assistance continuum care plan. The
254 lead agency may provide subgrants to a local agency to implement
255 programs or services or provide housing identified for funding
256 in the lead agency's application to the department. A lead
257 agency may spend a maximum of 8 percent of its funding on
258 administrative costs.

259 (e) The lead agency shall submit a final report to the
260 department documenting the outcomes achieved by the grant in

261 enabling persons who are homeless to return to permanent housing
262 thereby ending such person's episode of homelessness.

263 (5) The State Office on Homelessness, with the concurrence
264 of the Council on Homelessness, may administer moneys
265 appropriated to it to provide homeless housing assistance grants
266 annually to lead agencies for local homeless assistance
267 continuum of care, as recognized by the State Office on
268 Homelessness, to acquire, construct, or rehabilitate
269 transitional or permanent housing units for persons who are
270 homeless ~~persons~~. These moneys shall consist of any sums that
271 the state may appropriate, as well as money received from
272 donations, gifts, bequests, or otherwise from any public or
273 private source, which are intended to acquire, construct, or
274 rehabilitate transitional or permanent housing units for persons
275 who are homeless ~~persons~~.

276 (a) Grant applicants shall be ranked competitively.
277 Preference must be given to applicants who leverage additional
278 private funds and public funds, particularly federal funds
279 designated for the acquisition, construction, or rehabilitation
280 of transitional or permanent housing for persons who are
281 homeless ~~persons~~; who acquire, build, or rehabilitate the
282 greatest number of units; or ~~and~~ who acquire, build, or
283 rehabilitate in catchment areas having the greatest need for
284 housing for persons who are ~~the~~ homeless relative to the
285 population of the catchment area.

286 (b) Funding for any particular project may not exceed

287 | \$750,000.

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

292 | (d) No more than two grants may be awarded annually in any
293 | given local homeless assistance continuum of care catchment
294 | area.

295 | (e) A project may not be funded which is not included in
296 | the local homeless assistance continuum of care plan, as
297 | recognized by the State Office on Homelessness, for the
298 | catchment area in which the project is located.

299 | (f) The maximum percentage of funds that the State Office
300 | on Homelessness and each applicant may spend on administrative
301 | costs is 5 percent.

302 | (6) The State Office on Homelessness, in conjunction with
303 | the Council on Homelessness, shall establish performance
304 | measures and specific objectives by which it may ~~to~~ evaluate the
305 | ~~effective~~ performance and outcomes of lead agencies that receive
306 | grant funds. Any funding through the State Office on
307 | Homelessness shall be distributed to lead agencies based on
308 | their overall performance and their achievement of specified
309 | objectives. Each lead agency for which grants are made under
310 | this section shall provide the State Office on Homelessness a
311 | thorough evaluation of the effectiveness of the program in
312 | achieving its stated purpose. In evaluating the performance of

313 the lead agencies, the State Office on Homelessness shall base
 314 its criteria upon the program objectives, goals, and priorities
 315 that were set forth by the lead agencies in their proposals for
 316 funding. Such criteria may include, but not be limited to, the
 317 number of persons or households that are no longer homeless, the
 318 rate of recidivism to homelessness, and the number of persons
 319 who obtain gainful employment ~~homeless individuals provided~~
 320 ~~shelter, food, counseling, and job training.~~

321 Section 3. Paragraph (k) is added to subsection (1) of
 322 section 420.623, Florida Statutes, to read:

323 420.623 Local coalitions for the homeless.—

324 (1) ESTABLISHMENT.—The department shall establish local
 325 coalitions to plan, network, coordinate, and monitor the
 326 delivery of services to the homeless. Appropriate local groups
 327 and organizations involved in providing services for the
 328 homeless and interested business groups and associations shall
 329 be given an opportunity to participate in such coalitions,
 330 including, but not limited to:

331 (k) Managing entities, as defined in s. 394.9082(2).

332 Section 4. Subsections (3), (7), and (8) of section
 333 420.624, Florida Statutes, are amended to read:

334 420.624 Local homeless assistance continuum of care.—

335 (3) Communities or regions seeking to implement a local
 336 homeless assistance continuum of care are encouraged to develop
 337 and annually update a written plan that includes a vision for
 338 the continuum of care, an assessment of the supply of and demand

339 for housing and services for the homeless population, and
 340 specific strategies and processes for providing the components
 341 of the continuum of care. The State Office on Homelessness, in
 342 conjunction with the Council on Homelessness, shall include in
 343 the plan a methodology for assessing performance and outcomes.

344 The State Office on Homelessness shall supply a standardized
 345 format for written plans, including the reporting of data.

346 (7) The components of a continuum of care plan should
 347 include:

348 (a) Outreach, intake, and assessment procedures in order
 349 to identify the service and housing needs of an individual or
 350 family and to link them with appropriate housing, services,
 351 resources, and opportunities;

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

354 (c) Transitional housing;

355 (d) Supportive services, designed to assist with the
 356 development of the skills necessary to secure and retain
 357 permanent housing;

358 (e) Permanent supportive housing;

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

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

361 (h)~~(g)~~ Linkages and referral mechanisms among all
 362 components to facilitate the movement of individuals and
 363 families toward permanent housing and self-sufficiency;

364 (i)~~(h)~~ Services and resources to prevent housed persons

365 from becoming or returning to homelessness; and
366 (j)~~(i)~~ An ongoing planning mechanism to address the needs
367 of all subgroups of the homeless population, including, but not
368 limited to:

- 369 1. Single adult males;
- 370 2. Single adult females;
- 371 3. Families with children;
- 372 4. Families with no children;
- 373 5. Unaccompanied children and youth;
- 374 6. Elderly persons;
- 375 7. Persons with drug or alcohol addictions;
- 376 8. Persons with mental illness;
- 377 9. Persons with dual or multiple physical or mental
378 disorders;
- 379 10. Victims of domestic violence; and
- 380 11. Persons living with HIV/AIDS.

381 (8) Continuum of care plans must promote participation by
382 all interested individuals and organizations and may not exclude
383 individuals and organizations on the basis of race, color,
384 national origin, sex, handicap, familial status, or religion.
385 Faith-based organizations must be encouraged to participate. To
386 the extent possible, these components shall ~~should~~ be
387 coordinated and integrated with other mainstream health, social
388 services, and employment programs for which homeless populations
389 may be eligible, including Medicaid, State Children's Health
390 Insurance Program, Temporary Assistance for Needy Families, Food

391 Assistance Program, and services funded through the Mental
392 Health and Substance Abuse Block Grant, the Workforce Investment
393 Act, and the welfare-to-work grant program.

394 Section 5. Section 420.6265, Florida Statutes, is created
395 to read:

396 420.6265 Rapid ReHousing.-

397 (1) LEGISLATIVE FINDINGS AND INTENT.-

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

402 (b) The Legislature also finds that, for most of the past
403 two decades, public and private solutions to homelessness have
404 focused on providing individuals and families who are
405 experiencing homelessness with emergency shelter and
406 transitional housing. While emergency shelter and transitional
407 housing programs may provide critical access to services for
408 individuals and families in crisis, such programs often fail to
409 address the long-term needs of individuals and families in
410 crisis.

411 (c) The Legislature further finds that most individuals
412 and families become homeless as a result of a financial crisis
413 that prevents individuals and families from paying rent or a
414 domestic conflict that results in one family member being
415 ejected or leaving without resources or a plan for housing.

416 (d) The Legislature further finds that Rapid ReHousing is

417 an alternative approach to the current system of emergency
418 shelter or transitional housing which tends to reduce the length
419 of time of homelessness and has proven to be cost effective.

420 (e) It is therefore the intent of the Legislature to
421 encourage homeless continuums of care to adopt the Rapid
422 ReHousing approach to preventing homelessness for individuals
423 and families who do not require the intense level of supports
424 provided in the permanent supportive housing model.

425 (2) RAPID REHOUSING METHODOLOGY.—

426 (a) The Rapid ReHousing approach to homelessness differs
427 from traditional approaches to addressing homelessness by
428 focusing on each individual's or family's barriers to returning
429 to housing. By using this approach, communities can
430 significantly reduce the amount of time that individuals and
431 families are homeless and prevent further episodes of
432 homelessness.

433 (b) In Rapid ReHousing, an individual or family is
434 identified as being homeless, temporary assistance is provided
435 to allow the individual or family to obtain permanent housing as
436 quickly as possible, and, if needed, assistance is provided to
437 allow the individual or family to retain housing.

438 (c) The objective of Rapid ReHousing is to provide
439 assistance for as short a time as possible so that the
440 individual or family receiving assistance does not develop a
441 dependency on the assistance.

442 Section 6. Subsections (25) and (26) of section 420.9071,

443 Florida Statutes, are amended to read:

444 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
445 term:

446 (25) "Recaptured funds" means funds that are recouped by a
447 county or eligible municipality in accordance with the recapture
448 provisions of its local housing assistance plan pursuant to s.
449 420.9075(5)(i) ~~s. 420.9075(5)(h)~~ from eligible persons or
450 eligible sponsors, which funds were not used for assistance to
451 an eligible household for an eligible activity, when there is a
452 default on the terms of a grant award or loan award.

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

457 Section 7. Subsection (7) of section 420.9072, Florida
458 Statutes, is amended, subsections (8) and (9) are renumbered as
459 subsections (9) and (10), respectively, and a new subsection (8)
460 is added to that section, to read:

461 420.9072 State Housing Initiatives Partnership Program.—
462 The State Housing Initiatives Partnership Program is created for
463 the purpose of providing funds to counties and eligible
464 municipalities as an incentive for the creation of local housing
465 partnerships, to expand production of and preserve affordable
466 housing, to further the housing element of the local government
467 comprehensive plan specific to affordable housing, and to
468 increase housing-related employment.

469 (7) A county or an eligible municipality must expend its
 470 portion of the local housing distribution only to implement a
 471 local housing assistance plan or as provided in this subsection.
 472 ~~A county or an eligible municipality may not expend its portion~~
 473 ~~of the local housing distribution to provide rent subsidies;~~
 474 ~~however, this does not prohibit the use of funds for security~~
 475 ~~and utility deposit assistance.~~

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

479 (a) Security and utility deposit assistance.

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

481 (c) A rent subsidy program for very-low-income families
 482 with at least one person with special needs as defined in s.
 483 420.0004 or one individual experiencing homelessness as defined
 484 in s. 420.621. The period of rental assistance may not exceed 12
 485 months for an eligible household.

486 Section 8. Paragraph (a) of subsection (2) and subsection
 487 (5) of section 420.9075, Florida Statutes, are amended,
 488 paragraph (f) is added to subsection (3), and paragraph (i) is
 489 added to subsection (10) of that section, to read:

490 420.9075 Local housing assistance plans; partnerships.—

491 (2) (a) Each county and each eligible municipality
 492 participating in the State Housing Initiatives Partnership
 493 Program shall encourage the involvement of appropriate public
 494 sector and private sector entities as partners in order to

495 combine resources to reduce housing costs for the targeted
 496 population. This partnership process should involve:

- 497 1. Lending institutions.
- 498 2. Housing builders and developers.
- 499 3. Nonprofit and other community-based housing and service
 500 organizations.
- 501 4. Providers of professional services relating to
 502 affordable housing.
- 503 5. Advocates for low-income persons, including, but not
 504 limited to, persons who are homeless people, the elderly, and
 505 migrant farmworkers.
- 506 6. Real estate professionals.
- 507 7. Other persons or entities who can assist in providing
 508 housing or related support services.
- 509 8. Lead agencies of local homeless assistance continuums
 510 of care.
- 511 9. Managing entities, as defined in s. 394.9082(2).

512 (3)

513 (f) Each county and each eligible municipality is
 514 encouraged to develop a strategy within its local housing
 515 assistance plan which provides program funds for reducing
 516 homelessness.

517 (5) The following criteria apply to awards made to
 518 eligible sponsors or eligible persons for the purpose of
 519 providing eligible housing:

520 (a) At least 65 percent of the funds made available in

521 each county and eligible municipality from the local housing
 522 distribution must be reserved for home ownership for eligible
 523 persons.

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

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

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

535 (e)~~(d)~~ The sales price or value of new or existing
 536 eligible housing may not exceed 90 percent of the average area
 537 purchase price in the statistical area in which the eligible
 538 housing is located. Such average area purchase price may be that
 539 calculated for any 12-month period beginning not earlier than
 540 the fourth calendar year prior to the year in which the award
 541 occurs or as otherwise established by the United States
 542 Department of the Treasury.

543 (f)~~(e)~~1. All units constructed, rehabilitated, or
 544 otherwise assisted with the funds provided from the local
 545 housing assistance trust fund must be occupied by very-low-
 546 income persons, low-income persons, and moderate-income persons

547 | except as otherwise provided in this section.

548 | 2. At least 30 percent of the funds deposited into the
549 | local housing assistance trust fund must be reserved for awards
550 | to very-low-income persons or eligible sponsors who will serve
551 | very-low-income persons and at least an additional 30 percent of
552 | the funds deposited into the local housing assistance trust fund
553 | must be reserved for awards to low-income persons or eligible
554 | sponsors who will serve low-income persons. This subparagraph
555 | does not apply to a county or an eligible municipality that
556 | includes, or has included within the previous 5 years, an area
557 | of critical state concern designated or ratified by the
558 | Legislature for which the Legislature has declared its intent to
559 | provide affordable housing. The exemption created by this act
560 | expires on July 1, 2013, and shall apply retroactively.

561 | (g)~~(f)~~ Loans shall be provided for periods not exceeding
562 | 30 years, except for deferred payment loans or loans that extend
563 | beyond 30 years which continue to serve eligible persons.

564 | (h)~~(g)~~ Loans or grants for eligible rental housing
565 | constructed, rehabilitated, or otherwise assisted from the local
566 | housing assistance trust fund must be subject to recapture
567 | requirements as provided by the county or eligible municipality
568 | in its local housing assistance plan unless reserved for
569 | eligible persons for 15 years or the term of the assistance,
570 | whichever period is longer. Eligible sponsors that offer rental
571 | housing for sale before 15 years or that have remaining
572 | mortgages funded under this program must give a first right of

573 refusal to eligible nonprofit organizations for purchase at the
574 current market value for continued occupancy by eligible
575 persons.

576 (i)~~(h)~~ Loans or grants for eligible owner-occupied housing
577 constructed, rehabilitated, or otherwise assisted from proceeds
578 provided from the local housing assistance trust fund shall be
579 subject to recapture requirements as provided by the county or
580 eligible municipality in its local housing assistance plan.

581 (j)~~(i)~~ The total amount of monthly mortgage payments or
582 the amount of monthly rent charged by the eligible sponsor or
583 her or his designee must be made affordable.

584 (k)~~(j)~~ The maximum sales price or value per unit and the
585 maximum award per unit for eligible housing benefiting from
586 awards made pursuant to this section must be established in the
587 local housing assistance plan.

588 (l)~~(k)~~ The benefit of assistance provided through the
589 State Housing Initiatives Partnership Program must accrue to
590 eligible persons occupying eligible housing. This provision
591 shall not be construed to prohibit use of the local housing
592 distribution funds for a mixed income rental development.

593 (m)~~(l)~~ Funds from the local housing distribution not used
594 to meet the criteria established in paragraph (a) or paragraph
595 (c) ~~(b)~~ or not used for the administration of a local housing
596 assistance plan must be used for housing production and finance
597 activities, including, but not limited to, financing
598 preconstruction activities or the purchase of existing units,

599 providing rental housing, and providing home ownership training
600 to prospective home buyers and owners of homes assisted through
601 the local housing assistance plan.

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

605 2. When preconstruction due-diligence activities conducted
606 as part of a preservation strategy show that preservation of the
607 units is not feasible and will not result in the production of
608 an eligible unit, such costs shall be deemed a program expense
609 rather than an administrative expense if such program expenses
610 do not exceed 3 percent of the annual local housing
611 distribution.

612 3. If both an award under the local housing assistance
613 plan and federal low-income housing tax credits are used to
614 assist a project and there is a conflict between the criteria
615 prescribed in this subsection and the requirements of s. 42 of
616 the Internal Revenue Code of 1986, as amended, the county or
617 eligible municipality may resolve the conflict by giving
618 precedence to the requirements of s. 42 of the Internal Revenue
619 Code of 1986, as amended, in lieu of following the criteria
620 prescribed in this subsection with the exception of paragraphs
621 (a) and (f) ~~(e)~~ of this subsection.

622 4. Each county and each eligible municipality may award
623 funds as a grant for construction, rehabilitation, or repair as
624 part of disaster recovery or emergency repairs or to remedy

625 accessibility or health and safety deficiencies. Any other
626 grants must be approved as part of the local housing assistance
627 plan.

628 (10) Each county or eligible municipality shall submit to
629 the corporation by September 15 of each year a report of its
630 affordable housing programs and accomplishments through June 30
631 immediately preceding submittal of the report. The report shall
632 be certified as accurate and complete by the local government's
633 chief elected official or his or her designee. Transmittal of
634 the annual report by a county's or eligible municipality's chief
635 elected official, or his or her designee, certifies that the
636 local housing incentive strategies, or, if applicable, the local
637 housing incentive plan, have been implemented or are in the
638 process of being implemented pursuant to the adopted schedule
639 for implementation. The report must include, but is not limited
640 to:

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

642 Section 9. Section 420.9089, Florida Statutes, is created
643 to read:

644 420.9089 National Housing Trust Fund.—The Legislature
645 finds that more funding for housing to assist individuals and
646 families who are experiencing homelessness is needed and
647 encourages the state entity designated to administer funds made
648 available to the state from the National Housing Trust Fund to
649 propose an allocation plan that includes strategies to reduce
650 homelessness in this state. These strategies to address

651 homelessness shall be in addition to strategies under s.
652 420.5087.

653 Section 10. Subsection (4) is added to section 421.04,
654 Florida Statutes, to read:

655 421.04 Creation of housing authorities.—

656 (4) Regardless of the date of its creation, a housing
657 authority may not apply to the Federal Government to seize a
658 project, unit, or voucher of another established housing
659 authority, regardless of each housing authority's areas of
660 operation.

661 Section 11. Subsection (2) of section 421.05, Florida
662 Statutes, is amended to read:

663 421.05 Appointment, qualifications, and tenure of
664 commissioners; hiring of employees.—

665 (2) The powers of each authority shall be vested in the
666 commissioners thereof in office from time to time. A majority of
667 the commissioners constitutes ~~shall constitute~~ a quorum of the
668 authority for the purpose of conducting its business and
669 exercising its powers and for all other purposes. Action may be
670 taken by the authority upon a vote of a majority of the
671 commissioners present, unless in any case the bylaws of the
672 authority require a larger number. The mayor with the
673 concurrence of the governing body shall designate ~~which of the~~
674 ~~commissioners appointed shall be the first chair~~ from among the
675 appointed commissioners, but when the office of the chair of the
676 authority thereafter becomes vacant, the authority shall select

677 a chair from among the ~~its~~ commissioners. An authority shall
678 also select from among the ~~its~~ commissioners a vice chair, ~~and~~
679 it may employ a secretary, who shall be the executive director,
680 technical experts, and such other officers, agents, and
681 employees, permanent and temporary, as it may require and shall
682 determine their qualifications, duties, and compensation.
683 Accordingly, an authority is exempt from s. 215.425. For such
684 ~~legal services as it may require,~~ An authority may call upon the
685 chief law officer of the city or may employ its own counsel and
686 legal staff for legal services. An authority may delegate to one
687 or more of its agents or employees such powers or duties as it
688 may deem proper.

689 Section 12. Subsection (1) of section 421.091, Florida
690 Statutes, is amended to read:

691 421.091 Financial accounting and investments; fiscal
692 year.—

693 (1) A complete and full financial accounting and audit in
694 accordance with federal audit standards of public housing
695 agencies shall be made biennially by a certified public
696 accountant and submitted to the Federal Government in accordance
697 with its policies. Housing authorities are otherwise exempt from
698 the reporting requirements of s. 218.32. A copy of such audit
699 ~~shall be filed with the governing body and with the Auditor~~
700 ~~General.~~

701 Section 13. This act shall take effect July 1, 2016.