

By Senator Simmons

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1
2 A bill to be entitled
3 An act relating to housing assistance; amending s.
4 420.5087, F.S.; revising the reservation of funds
5 within each notice of fund availability to specified
6 tenant groups; amending s. 420.622, F.S.; requiring
7 that the State Office on Homelessness coordinate among
8 certain agencies and providers to produce a statewide
9 consolidated inventory for the state's entire system
10 of homeless programs which incorporates regionally
11 developed plans; directing the office to create a task
12 force to make recommendations regarding the
13 implementation of a statewide Homeless Management
14 Information System (HMIS), subject to certain
15 requirements; requiring the task force to include in
16 its recommendations the development of a statewide,
17 centralized coordinated assessment system; requiring
18 the task force to submit a report to the Council on
19 Homelessness by a specified date; deleting the
20 requirement that the Council on Homelessness explore
21 the potential of creating a statewide Homeless
22 Management Information System and encourage future
23 participation of certain award or grant recipients;
24 requiring the State Office on Homelessness to accept
25 and administer moneys appropriated to it to provide
26 annual Challenge Grants to certain lead agencies of
27 homeless assistance continuums of care; removing the
28 requirement that levels of grant awards be based upon
29 the total population within the continuum of care
30 catchment area and reflect the differing degrees of
31 homelessness in the respective areas; allowing
32 expenditures of leveraged funds or resources only for

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33 eligible activities, subject to certain requirements;
34 requiring the State Office on Homelessness, in
35 conjunction with the Council on Homelessness, to
36 establish specific objectives by which it may evaluate
37 the outcomes of certain lead agencies; requiring that
38 any funding through the State Office on Homelessness
39 be distributed to lead agencies based on their
40 performance and achievement of specified objectives;
41 revising the factors that may be included as criteria
42 for evaluating the performance of lead agencies;
43 amending s. 420.624, F.S.; revising requirements for
44 the local homeless assistance continuum of care plan;
45 providing that the components of a continuum of care
46 plan should include Rapid ReHousing; requiring that
47 specified components of a continuum of care plan be
48 coordinated and integrated with other specified
49 services and programs; creating s. 420.6265, F.S.;
50 providing legislative findings and intent relating to
51 Rapid ReHousing; providing a Rapid ReHousing
52 methodology; amending s. 420.9071, F.S.; conforming a
53 provision to changes made by the act; redefining the
54 term "rent subsidies"; amending s. 420.9072, F.S.;
55 prohibiting a county or an eligible municipality from
56 expending its portion of the local housing
57 distribution to provide ongoing rent subsidies;
58 specifying exceptions; amending s. 420.9075, F.S.;
59 providing that a certain partnership process of the
60 State Housing Initiatives Partnership Program should
61 involve lead agencies of local homeless assistance

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62 continuum of care; encouraging counties and eligible
63 municipalities to develop a strategy within their
64 local housing assistance plans which provides program
65 funds for reducing homelessness; revising the criteria
66 that apply to awards made to sponsors or persons for
67 the purpose of providing housing; requiring that a
68 specified report submitted by counties and
69 municipalities include a description of efforts to
70 reduce homelessness; creating s. 420.9089, F.S.;
71 providing legislative findings and intent; amending s.
72 421.04, F.S.; prohibiting a housing authority from
73 applying to the Federal Government to seize projects,
74 units, or vouchers of another established housing
75 authority; amending s. 421.05, F.S.; exempting
76 authorities from s. 215.425, F.S.; amending s.
77 421.091, F.S.; requiring a full financial accounting
78 and audit of public housing agencies to be submitted
79 to the Federal Government pursuant to certain
80 requirements; exempting housing authorities from
81 specified reporting requirements; providing an
82 effective date.

83

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

85

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

88 420.5087 State Apartment Incentive Loan Program.—There is
89 hereby created the State Apartment Incentive Loan Program for
90 the purpose of providing first, second, or other subordinated

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

94 (3) During the first 6 months of loan or loan guarantee
95 availability, program funds shall be reserved for use by
96 sponsors who provide the housing set-aside required in
97 subsection (2) for the tenant groups designated in this
98 subsection. The reservation of funds to each of these groups
99 shall be determined using the most recent statewide very-low-
100 income rental housing market study available at the time of
101 publication of each notice of fund availability required by
102 paragraph (6) (b). The reservation of funds within each notice of
103 fund availability to the tenant groups in paragraphs (b)-(e)
104 ~~(a), (b), and (c)~~ may not be less than 10 percent of the funds
105 available at that time. Any increase in funding required to
106 reach the 10-percent minimum must be taken from the tenant group
107 that has the largest reservation. The reservation of funds
108 within each notice of fund availability to the tenant group in
109 paragraph (a) ~~(c)~~ may not be less than 5 percent of the funds
110 available at that time. ~~The reservation of funds within each~~
111 ~~notice of fund availability to the tenant group in paragraph (d)~~
112 ~~may not be more than 10 percent of the funds available at that~~
113 ~~time.~~ The tenant groups are:

- 114 (a) Commercial fishing workers and farmworkers;
115 (b) Families;
116 (c) Persons who are homeless;
117 (d) Persons with special needs; and
118 (e) Elderly persons. Ten percent of the amount reserved for
119 the elderly shall be reserved to provide loans to sponsors of

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

148 Section 2. Paragraphs (a) and (b) of subsection (3) and

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149 subsections (4), (5), and (6) of section 420.622, Florida
150 Statutes, are amended to read:

151 420.622 State Office on Homelessness; Council on
152 Homelessness.—

153 (3) The State Office on Homelessness, pursuant to the
154 policies set by the council and subject to the availability of
155 funding, shall:

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

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

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

166 (b) Collect, maintain, and make available information
167 concerning persons who are homeless or at risk for homelessness,
168 including demographics information, current services and
169 resources available, the cost and availability of services and
170 programs, and the met and unmet needs of this population. All
171 entities that receive state funding must provide access to all
172 data they maintain in summary form, with no individual
173 identifying information, to assist the council in providing this
174 information. The State Office on Homelessness shall establish a
175 task force to make recommendations regarding the implementation
176 of a statewide Homeless Management Information System (HMIS).
177 The task force shall define the conceptual framework of such a

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

194 (4) The State Office on Homelessness, with the concurrence
195 of the Council on Homelessness, shall ~~may~~ accept and administer
196 moneys appropriated to it to provide annual "Challenge Grants"
197 to lead agencies of homeless assistance continuums of care
198 designated by the State Office on Homelessness pursuant to s.
199 420.624. The department shall establish varying levels of grant
200 awards up to \$500,000 per lead agency. ~~Award levels shall be~~
201 ~~based upon the total population within the continuum of care~~
202 ~~catchment area and reflect the differing degrees of homelessness~~
203 ~~in the catchment planning areas.~~ The department, in consultation
204 with the Council on Homelessness, shall specify a grant award
205 level in the notice of the solicitation of grant applications.

206 (a) To qualify for the grant, a lead agency must develop

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

220 (b) Preference must be given to those lead agencies that
221 have demonstrated the ability of their continuum of care to
222 provide quality services to homeless persons and the ability to
223 leverage federal homeless-assistance funding under the Stewart
224 B. McKinney Act and private funding for the provision of
225 services to homeless persons.

226 (c) Preference must be given to lead agencies in catchment
227 areas with the greatest need for the provision of housing and
228 services to the homeless, relative to the population of the
229 catchment area.

230 (d) The grant may be used to fund any of the housing,
231 program, or service needs included in the local homeless
232 assistance continuum of care plan. The lead agency may allocate
233 the grant to programs, services, or housing providers that
234 implement the local homeless assistance continuum care plan. The
235 lead agency may provide subgrants to a local agency to implement

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236 programs or services or provide housing identified for funding
237 in the lead agency's application to the department. A lead
238 agency may spend a maximum of 8 percent of its funding on
239 administrative costs.

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

244 (5) The State Office on Homelessness, with the concurrence
245 of the Council on Homelessness, may administer moneys
246 appropriated to it to provide homeless housing assistance grants
247 annually to lead agencies for local homeless assistance
248 continuum of care, as recognized by the State Office on
249 Homelessness, to acquire, construct, or rehabilitate
250 transitional or permanent housing units for homeless persons.
251 These moneys shall consist of any sums that the state may
252 appropriate, as well as money received from donations, gifts,
253 bequests, or otherwise from any public or private source, which
254 are intended to acquire, construct, or rehabilitate transitional
255 or permanent housing units for homeless persons.

256 (a) Grant applicants shall be ranked competitively.
257 Preference must be given to applicants who leverage additional
258 private funds and public funds, particularly federal funds
259 designated for the acquisition, construction, or rehabilitation
260 of transitional or permanent housing for homeless persons; who
261 acquire, build, or rehabilitate the greatest number of units; or
262 ~~and~~ who acquire, build, or rehabilitate in catchment areas
263 having the greatest need for housing for the homeless relative
264 to the population of the catchment area.

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265 (b) Funding for any particular project may not exceed
266 \$750,000.

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

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

274 (e) A project may not be funded which is not included in
275 the local homeless assistance continuum of care plan, as
276 recognized by the State Office on Homelessness, for the
277 catchment area in which the project is located.

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

281 (6) The State Office on Homelessness, in conjunction with
282 the Council on Homelessness, shall establish performance
283 measures and specific objectives by which it may ~~to~~ evaluate the
284 effective performance and outcomes of lead agencies that receive
285 grant funds. Any funding through the State Office on
286 Homelessness shall be distributed to lead agencies based on
287 their overall performance and their achievement of specified
288 objectives. Each lead agency for which grants are made under
289 this section shall provide the State Office on Homelessness a
290 thorough evaluation of the effectiveness of the program in
291 achieving its stated purpose. In evaluating the performance of
292 the lead agencies, the State Office on Homelessness shall base
293 its criteria upon the program objectives, goals, and priorities

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294 that were set forth by the lead agencies in their proposals for
295 funding. Such criteria may include, but not be limited to, the
296 number of persons or households that are no longer homeless, the
297 rate of recidivism to homelessness, and the number of persons
298 who obtain gainful employment ~~homeless individuals provided~~
299 ~~shelter, food, counseling, and job training.~~

300 Section 3. Subsections (3), (7), and (8) of section
301 420.624, Florida Statutes, are amended to read:

302 420.624 Local homeless assistance continuum of care.—

303 (3) Communities or regions seeking to implement a local
304 homeless assistance continuum of care are encouraged to develop
305 and annually update a written plan that includes a vision for
306 the continuum of care, an assessment of the supply of and demand
307 for housing and services for the homeless population, and
308 specific strategies and processes for providing the components
309 of the continuum of care. The State Office on Homelessness, in
310 conjunction with the Council on Homelessness, shall include in
311 the plan a methodology for assessing performance and outcomes.
312 The State Office on Homelessness shall supply a standardized
313 format for written plans, including the reporting of data.

314 (7) The components of a continuum of care plan should
315 include:

316 (a) Outreach, intake, and assessment procedures in order to
317 identify the service and housing needs of an individual or
318 family and to link them with appropriate housing, services,
319 resources, and opportunities;

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

322 (c) Transitional housing;

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323 (d) Supportive services, designed to assist with the
324 development of the skills necessary to secure and retain
325 permanent housing;

326 (e) Permanent supportive housing;

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

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

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

332 (i)~~(h)~~ Services and resources to prevent housed persons
333 from becoming or returning to homelessness; and

334 (j)~~(i)~~ An ongoing planning mechanism to address the needs
335 of all subgroups of the homeless population, including but not
336 limited to:

- 337 1. Single adult males;
- 338 2. Single adult females;
- 339 3. Families with children;
- 340 4. Families with no children;
- 341 5. Unaccompanied children and youth;
- 342 6. Elderly persons;
- 343 7. Persons with drug or alcohol addictions;
- 344 8. Persons with mental illness;
- 345 9. Persons with dual or multiple physical or mental
346 disorders;
- 347 10. Victims of domestic violence; and
- 348 11. Persons living with HIV/AIDS.

349 (8) Continuum of care plans must promote participation by
350 all interested individuals and organizations and may not exclude
351 individuals and organizations on the basis of race, color,

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352 national origin, sex, handicap, familial status, or religion.
353 Faith-based organizations must be encouraged to participate. To
354 the extent possible, these components must ~~should~~ be coordinated
355 and integrated with other mainstream health, social services,
356 and employment programs for which homeless populations may be
357 eligible, including Medicaid, State Children's Health Insurance
358 Program, Temporary Assistance for Needy Families, Food
359 Assistance Program, and services funded through the Mental
360 Health and Substance Abuse Block Grant, the Workforce Investment
361 Act, and the welfare-to-work grant program.

362 Section 4. Section 420.6265, Florida Statutes, is created
363 to read:

364 420.6265 Rapid ReHousing.-

365 (1) LEGISLATIVE FINDINGS AND INTENT.-

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

370 (b) The Legislature also finds that public and private
371 solutions to homelessness in the past have focused on providing
372 individuals and families who are experiencing homelessness with
373 emergency shelter, transitional housing, or a combination of
374 both. While emergency shelter and transitional housing programs
375 may provide critical access to services for individuals and
376 families in crisis, the programs often fail to address their
377 long-term needs.

378 (c) The Legislature further finds that most households
379 become homeless as a result of a financial crisis that prevents
380 individuals and families from paying rent or a domestic conflict

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381 that results in one member being ejected or leaving without
382 resources or a plan for housing.

383 (d) The Legislature further finds that Rapid ReHousing is
384 an alternative approach to the current system of emergency
385 shelter or transitional housing which tends to reduce the length
386 of time a person is homeless and has proven to be cost
387 effective.

388 (e) It is therefore the intent of the Legislature to
389 encourage homeless continuums of care to adopt the Rapid
390 ReHousing approach to preventing homelessness for individuals
391 and families who do not require the intense level of supports
392 provided in the permanent supportive housing model.

393 (2) RAPID REHOUSING METHODOLOGY.—

394 (a) The Rapid ReHousing response to homelessness differs
395 from traditional approaches to addressing homelessness by
396 focusing on each individual's or family's barriers to housing.
397 By using this approach, communities can significantly reduce the
398 amount of time that individuals and families are homeless and
399 prevent further episodes of homelessness.

400 (b) In Rapid ReHousing, an individual or family is
401 identified as being homeless, temporary assistance is provided
402 to allow the individual or family to obtain permanent housing as
403 quickly as possible, and, if needed, assistance is provided to
404 allow the individual or family to retain housing.

405 (c) The objective of Rapid ReHousing is to provide
406 assistance for as short a term as possible so that the
407 individual or family receiving assistance does not develop a
408 dependency on the assistance.

409 Section 5. Subsections (25) and (26) of section 420.9071,

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410 Florida Statutes, are amended to read:

411 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
412 term:

413 (25) "Recaptured funds" means funds that are recouped by a
414 county or eligible municipality in accordance with the recapture
415 provisions of its local housing assistance plan pursuant to s.
416 420.9075(5)(i) ~~s. 420.9075(5)(h)~~ from eligible persons or
417 eligible sponsors, which funds were not used for assistance to
418 an eligible household for an eligible activity, when there is a
419 default on the terms of a grant award or loan award.

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

424 Section 6. Subsection (7) of section 420.9072, Florida
425 Statutes, is amended, present subsections (8) and (9) of that
426 section are redesignated as subsections (9) and (10),
427 respectively, and a new subsection (8) is added to that section,
428 to read:

429 420.9072 State Housing Initiatives Partnership Program.—The
430 State Housing Initiatives Partnership Program is created for the
431 purpose of providing funds to counties and eligible
432 municipalities as an incentive for the creation of local housing
433 partnerships, to expand production of and preserve affordable
434 housing, to further the housing element of the local government
435 comprehensive plan specific to affordable housing, and to
436 increase housing-related employment.

437 (7) A county or an eligible municipality must expend its
438 portion of the local housing distribution only to implement a

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439 local housing assistance plan or as provided in this subsection.
440 ~~A county or an eligible municipality may not expend its portion~~
441 ~~of the local housing distribution to provide rent subsidies;~~
442 ~~however, this does not prohibit the use of funds for security~~
443 ~~and utility deposit assistance.~~

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

447 (a) Security and utility deposit assistance.

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

449 (c) A rent subsidy program for very-low-income households
450 with at least one adult who is a person with special needs as
451 defined in s. 420.0004 or homeless as defined in s. 420.621. The
452 period of rental assistance may not exceed 12 months for any
453 eligible household.

454 Section 7. Paragraph (a) of subsection (2) of section
455 420.9075, Florida Statutes, is amended, paragraph (f) is added
456 to subsection (3) of that section, subsection (5) of that
457 section is amended, and paragraph (i) is added to subsection
458 (10) of that section, to read:

459 420.9075 Local housing assistance plans; partnerships.-

460 (2) (a) Each county and each eligible municipality
461 participating in the State Housing Initiatives Partnership
462 Program shall encourage the involvement of appropriate public
463 sector and private sector entities as partners in order to
464 combine resources to reduce housing costs for the targeted
465 population. This partnership process should involve:

466 1. Lending institutions.

467 2. Housing builders and developers.

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468 3. Nonprofit and other community-based housing and service
469 organizations.

470 4. Providers of professional services relating to
471 affordable housing.

472 5. Advocates for low-income persons, including, but not
473 limited to, homeless people, the elderly, and migrant
474 farmworkers.

475 6. Real estate professionals.

476 7. Other persons or entities who can assist in providing
477 housing or related support services.

478 8. Lead agencies of local homeless assistance continuums of
479 care.

480 (3)

481 (f) Each county and each eligible municipality is
482 encouraged to develop a strategy within its local housing
483 assistance plan which provides program funds for reducing
484 homelessness.

485 (5) The following criteria apply to awards made to eligible
486 sponsors or eligible persons for the purpose of providing
487 eligible housing:

488 (a) At least 65 percent of the funds made available in each
489 county and eligible municipality from the local housing
490 distribution must be reserved for home ownership for eligible
491 persons.

492 (b) Up to 25 percent of the funds made available in each
493 county and eligible municipality from the local housing
494 distribution may be reserved for rental housing for eligible
495 persons or for the purposes enumerated in s. 420.9072(8).

496 (c) ~~(b)~~ At least 75 percent of the funds made available in

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497 each county and eligible municipality from the local housing
498 distribution must be reserved for construction, rehabilitation,
499 or emergency repair of affordable, eligible housing.

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

503 (e)~~(d)~~ The sales price or value of new or existing eligible
504 housing may not exceed 90 percent of the average area purchase
505 price in the statistical area in which the eligible housing is
506 located. Such average area purchase price may be that calculated
507 for any 12-month period beginning not earlier than the fourth
508 calendar year before ~~prior to~~ the year in which the award occurs
509 or as otherwise established by the United States Department of
510 the Treasury.

511 (f)~~(e)~~1. All units constructed, rehabilitated, or otherwise
512 assisted with the funds provided from the local housing
513 assistance trust fund must be occupied by very-low-income
514 persons, low-income persons, and moderate-income persons except
515 as otherwise provided in this section.

516 2. At least 30 percent of the funds deposited into the
517 local housing assistance trust fund must be reserved for awards
518 to very-low-income persons or eligible sponsors who will serve
519 very-low-income persons and at least an additional 30 percent of
520 the funds deposited into the local housing assistance trust fund
521 must be reserved for awards to low-income persons or eligible
522 sponsors who will serve low-income persons. This subparagraph
523 does not apply to a county or an eligible municipality that
524 includes, or has included within the previous 5 years, an area
525 of critical state concern designated or ratified by the

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526 Legislature for which the Legislature has declared its intent to
527 provide affordable housing. The exemption created by this act
528 expires on July 1, 2013, and shall apply retroactively.

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

532 (h)~~(g)~~ Loans or grants for eligible rental housing
533 constructed, rehabilitated, or otherwise assisted from the local
534 housing assistance trust fund must be subject to recapture
535 requirements as provided by the county or eligible municipality
536 in its local housing assistance plan unless reserved for
537 eligible persons for 15 years or the term of the assistance,
538 whichever period is longer. Eligible sponsors that offer rental
539 housing for sale before 15 years or that have remaining
540 mortgages funded under this program must give a first right of
541 refusal to eligible nonprofit organizations for purchase at the
542 current market value for continued occupancy by eligible
543 persons.

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

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

552 (k)~~(j)~~ The maximum sales price or value per unit and the
553 maximum award per unit for eligible housing benefiting from
554 awards made pursuant to this section must be established in the

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555 local housing assistance plan.

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

561 (m) ~~(l)~~ Funds from the local housing distribution not used
562 to meet the criteria established in paragraph (a) or paragraph
563 (c) ~~(b)~~ or not used for the administration of a local housing
564 assistance plan must be used for housing production and finance
565 activities, including, but not limited to, financing
566 preconstruction activities or the purchase of existing units,
567 providing rental housing, and providing home ownership training
568 to prospective home buyers and owners of homes assisted through
569 the local housing assistance plan.

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

573 2. When preconstruction due-diligence activities conducted
574 as part of a preservation strategy show that preservation of the
575 units is not feasible and will not result in the production of
576 an eligible unit, such costs shall be deemed a program expense
577 rather than an administrative expense if such program expenses
578 do not exceed 3 percent of the annual local housing
579 distribution.

580 3. If both an award under the local housing assistance plan
581 and federal low-income housing tax credits are used to assist a
582 project and there is a conflict between the criteria prescribed
583 in this subsection and the requirements of s. 42 of the Internal

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584 Revenue Code of 1986, as amended, the county or eligible
585 municipality may resolve the conflict by giving precedence to
586 the requirements of s. 42 of the Internal Revenue Code of 1986,
587 as amended, in lieu of following the criteria prescribed in this
588 subsection with the exception of paragraphs (a) and (f) ~~(e)~~ of
589 this subsection.

590 4. Each county and each eligible municipality may award
591 funds as a grant for construction, rehabilitation, or repair as
592 part of disaster recovery or emergency repairs or to remedy
593 accessibility or health and safety deficiencies. Any other
594 grants must be approved as part of the local housing assistance
595 plan.

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

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

610 Section 8. Section 420.9089, Florida Statutes, is created
611 to read:

612 420.9089 National Housing Trust Fund.—The Legislature finds

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613 that more funding for housing to assist the homeless is needed
614 and encourages the state entity designated to administer funds
615 made available to the state from the National Housing Trust Fund
616 to propose an allocation plan that includes strategies to reduce
617 homelessness in this state. These strategies to address
618 homelessness shall be in addition to strategies under s.
619 420.5087.

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

622 421.04 Creation of housing authorities.—

623 (4) Regardless of the date of its creation, a housing
624 authority may not apply to the Federal Government to seize any
625 projects, units, or vouchers of another established housing
626 authority, irrespective of each housing authority's areas of
627 operation.

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

630 421.05 Appointment, qualifications, and tenure of
631 commissioners; hiring of employees.—

632 (2) The powers of each authority shall be vested in the
633 commissioners thereof in office from time to time. A majority of
634 the commissioners shall constitute a quorum of the authority for
635 the purpose of conducting its business and exercising its powers
636 and for all other purposes. Action may be taken by the authority
637 upon a vote of a majority of the commissioners present, unless
638 in any case the bylaws of the authority require a larger number.
639 The mayor with the concurrence of the governing body shall
640 designate ~~which of the commissioners appointed shall be the~~
641 first chair from among the appointed commissioners, but when the

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642 office of the chair of the authority thereafter becomes vacant,
643 the authority shall select a chair from among the ~~its~~
644 commissioners. An authority shall also select from among the ~~its~~
645 commissioners a vice chair, ~~and~~ and it may employ a secretary, who
646 shall be the executive director, technical experts, and such
647 other officers, agents, and employees, permanent and temporary,
648 as it may require and shall determine their qualifications,
649 duties, and compensation. Accordingly, authorities are exempt
650 from s. 215.425. ~~For such legal services as it may require,~~ An
651 authority may call upon the chief law officer of the city or may
652 employ its own counsel and legal staff for legal services. An
653 authority may delegate to one or more of its agents or employees
654 such powers or duties as it may deem proper.

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

657 421.091 Financial accounting and investments; fiscal year.-

658 (1) A complete and full financial accounting and audit in
659 accordance with federal audit standards of public housing
660 agencies shall be made biennially by a certified public
661 accountant and submitted to the Federal Government in accordance
662 with its policies. Housing authorities are otherwise exempt from
663 the reporting requirements of s. 218.32. ~~A copy of such audit~~
664 ~~shall be filed with the governing body and with the Auditor~~
665 ~~General.~~

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