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1
2 An act relating to housing assistance; amending s.
3 420.503, F.S.; redefining the term "service provider";
4 amending s. 420.507, F.S.; revising the powers that
5 the Florida Housing Finance Corporation may exercise
6 in developing and administering the State Apartment
7 Incentive Loan Program; deleting a specified timeframe
8 in which the corporation may preclude certain
9 applicants or affiliates of an applicant from further
10 participation in any of the corporation's programs;
11 authorizing the corporation to reserve a specified
12 minimum percentage of its annual appropriation from
13 the State Housing Trust Fund for certain housing
14 projects, subject to certain requirements; amending s.
15 420.5087, F.S.; requiring that State Apartment
16 Incentive Loan Program funds be made available through
17 a competitive solicitation process, subject to certain
18 requirements; requiring program funds be made
19 available for use by certain sponsors during the first
20 6 months of loan or loan guarantee availability,
21 subject to certain requirements; revising requirements
22 related to all state apartment incentive loans, with
23 the exception of certain loans made to housing
24 communities for the elderly; deleting provisions
25 related to the reservation of funds related to certain
26 tenant groups; conforming a cross-reference; amending
27 s. 420.511, F.S.; deleting a requirement that the
28 corporation's business plan and annual report
29 recognize certain fiscal periods; amending s. 420.622,

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30 F.S.; requiring that the State Office on Homelessness
31 coordinate among certain agencies and providers to
32 produce a statewide consolidated inventory for the
33 state's entire system of homeless programs which
34 incorporates regionally developed plans; requiring the
35 office, in consultation with the designated lead
36 agencies for a local homeless continuum of care and
37 with the Council on Homelessness, to develop the
38 system and process of data collection from all lead
39 agencies, subject to certain requirements; deleting
40 the requirement that the Council on Homelessness
41 explore the potential of creating a statewide Homeless
42 Management Information System and encourage future
43 participation of certain award or grant recipients;
44 requiring the State Office on Homelessness to accept
45 and administer moneys appropriated to it to provide
46 annual Challenge Grants to certain lead agencies of
47 homeless assistance continuums of care; removing the
48 requirement that levels of grant awards be based upon
49 the total population within the continuum of care
50 catchment area and reflect the differing degrees of
51 homelessness in the respective areas; revising the
52 requirement that a lead agency document the commitment
53 of local government and private organizations to
54 provide matching funds or in-kind support in an amount
55 equal to the grant requested; authorizing expenditures
56 of leveraged funds or resources only for eligible
57 activities, subject to certain requirements; revising
58 the preference given to certain lead agencies that

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59 have demonstrated the ability to leverage federal
60 homeless-assistance funding under the Stewart B.
61 McKinney Act; requiring the State Office on
62 Homelessness, in conjunction with the Council on
63 Homelessness, to establish specific objectives by
64 which it may evaluate the outcomes of certain lead
65 agencies; requiring that certain funding through the
66 State Office on Homelessness be distributed to lead
67 agencies based on their performance and achievement of
68 specified objectives; revising the factors that may be
69 included as criteria for evaluating the performance of
70 lead agencies; authorizing the State Office on
71 Homelessness to administer moneys appropriated to it
72 for distribution among certain local homeless
73 continuums of care; amending s. 420.624, F.S.;
74 revising requirements for the local homeless
75 assistance continuum of care plan; providing that the
76 components of a continuum of care plan should include
77 Rapid ReHousing; requiring that specified components
78 of a continuum of care plan be coordinated and
79 integrated with other specified services and programs;
80 creating s. 420.6265, F.S.; providing legislative
81 findings and intent relating to Rapid ReHousing;
82 providing a Rapid ReHousing methodology; amending s.
83 420.9071, F.S.; redefining the terms "local housing
84 incentive strategies" and "rent subsidies"; conforming
85 cross-references; amending s. 420.9072, F.S.;
86 increasing the number of days within which a review
87 committee is required to review a local housing

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88 assistance plan or plan revision after receiving it;
89 prohibiting a county or an eligible municipality from
90 expending its portion of the local housing
91 distribution to provide ongoing rent subsidies;
92 specifying exceptions; amending s. 420.9075, F.S.;
93 providing that a certain partnership process of the
94 State Housing Initiatives Partnership Program should
95 involve lead agencies of local homeless assistance
96 continuums of care; encouraging counties and eligible
97 municipalities to develop a strategy within their
98 local housing assistance plans which provides program
99 funds for reducing homelessness; authorizing local
100 governments to create certain regional partnerships to
101 address homeless housing needs identified in local
102 housing assistance plans; revising criteria and
103 administrative procedures governing each local housing
104 assistance plan; revising the criteria that apply to
105 awards made to sponsors or persons for the purpose of
106 providing housing; requiring that a specified report
107 submitted by counties and municipalities include a
108 description of efforts to reduce homelessness;
109 revising the manner in which a certain share that the
110 corporation distributes directly to a participating
111 eligible municipality is calculated; conforming cross-
112 references; amending s. 420.9076, F.S.; revising
113 requirements related to the creation and appointment
114 of members of affordable housing advisory committees;
115 revising requirements related to a report submitted by
116 each advisory committee to the local governing body on

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117 affordable housing incentives; requiring the
118 corporation, after issuance of a notice of
119 termination, to distribute directly to a participating
120 eligible municipality a county's share under certain
121 circumstances calculated in a specified manner;
122 creating s. 420.9089, F.S.; providing legislative
123 findings and intent; amending s. 421.04, F.S.;

124 prohibiting a housing authority from applying to the
125 Federal Government to seize projects, units, or
126 vouchers of another established housing authority;
127 amending s. 421.05, F.S.; exempting authorities from
128 s. 215.425, F.S.; amending s. 421.091, F.S.; requiring
129 a full financial accounting and audit of public
130 housing agencies to be submitted to the Federal
131 Government pursuant to certain requirements; exempting
132 housing authorities from specified reporting
133 requirements; providing an effective date.

134
135 Be It Enacted by the Legislature of the State of Florida:

136
137 Section 1. Subsection (36) of section 420.503, Florida
138 Statutes, is amended to read:

139 420.503 Definitions.—As used in this part, the term:

140 (36) "Service provider," except as otherwise defined in s.
141 420.512(5), means a law firm, investment bank, certified public
142 accounting firm, auditor, trustee bank, credit underwriter,
143 homeowner loan servicer, or any other provider of services to
144 the corporation which offers to perform or performs services to
145 the corporation or other provider for fees in excess of \$35,000

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146 ~~\$25,000~~ in the aggregate during any fiscal year of the
147 corporation. The term includes the agents, officers, principals,
148 and professional employees of the service provider.

149 Section 2. Paragraphs (a) and (b) of subsection (22) of
150 section 420.507, Florida Statutes, are amended, present
151 paragraphs (d) through (i) of that subsection are redesignated
152 as (e) through (j), respectively, a new paragraph (d) is added
153 to that subsection, subsection (35) of that section is amended,
154 and subsection (50) is added to that section, to read:

155 420.507 Powers of the corporation.—The corporation shall
156 have all the powers necessary or convenient to carry out and
157 effectuate the purposes and provisions of this part, including
158 the following powers which are in addition to all other powers
159 granted by other provisions of this part:

160 (22) To develop and administer the State Apartment
161 Incentive Loan Program. In developing and administering that
162 program, the corporation may:

163 (a) Make first, second, and other subordinated mortgage
164 loans including variable or fixed rate loans subject to
165 contingent interest for all State Apartment Incentive Loans
166 provided in this chapter based upon available cash flow of the
167 projects. The corporation shall make loans exceeding 25 percent
168 of project cost only to nonprofit organizations and public
169 bodies that are able to secure grants, donations of land, or
170 contributions from other sources and to projects meeting the
171 criteria of subparagraph 1. Mortgage loans shall be made
172 available at the following rates of interest:

173 1. Zero to 3 percent interest for sponsors of projects that
174 set aside at least 80 percent of their total units for residents

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175 qualifying as farmworkers, commercial fishing workers, the
176 homeless as defined in s. 420.621, or persons with special needs
177 as defined in s. 420.0004(13) over the life of the loan.

178 2. Zero to 3 percent interest based on the pro rata share
179 of units set aside for homeless residents or persons with
180 special needs if the total of such units is less than 80 percent
181 of the units in the borrower's project.

182 3. One to 9 percent interest for sponsors of projects
183 targeted at populations other than farmworkers, commercial
184 fishing workers, ~~the homeless persons~~, or persons with special
185 needs.

186 (b) Make loans exceeding 25 percent of project cost when
187 the project serves extremely-low-income persons or projects as
188 provided in paragraph (d).

189 (d) In counties or rural areas of counties that do not have
190 existing units set aside for homeless persons, forgive
191 indebtedness for loans provided to create permanent rental
192 housing units for persons who are homeless, as defined in s.
193 420.621(5), or for persons residing in time-limited transitional
194 housing or institutions as a result of a lack of permanent,
195 affordable housing. Such developments must be supported by a
196 local homeless assistance continuum of care developed under s.
197 420.624; be developed by nonprofit applicants; be small
198 properties as defined by corporation rule; and be a project in
199 the local housing assistance continuum of care plan recognized
200 by the State Office on Homelessness.

201 (35) To preclude from further participation in any of the
202 corporation's programs, ~~for a period of up to 2 years~~, any
203 applicant or affiliate of an applicant which has made a material

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204 misrepresentation or engaged in fraudulent actions in connection
205 with any application for a corporation program.

206 (50) To reserve a minimum of 5 percent of its annual
207 appropriation from the State Housing Trust Fund for housing
208 projects designed and constructed to serve persons who have a
209 disabling condition, as defined in s. 420.0004, with first
210 priority given to projects serving persons who have a
211 developmental disability, as defined in s. 393.063. Funding
212 shall be provided as forgivable loans through a competitive
213 solicitation. Private nonprofit organizations whose primary
214 mission includes serving persons with a disabling condition
215 shall be eligible for these funds. In evaluating proposals for
216 these funds, the corporation shall consider the extent to which
217 funds from local and other sources will be used by the applicant
218 to leverage the funds provided under this section; employment
219 opportunities and supports that will be available to residents
220 of the proposed housing; a plan for residents to effectively
221 access community-based services, resources, and amenities; and
222 partnerships with other supportive services agencies.

223 Section 3. Subsections (1) and (3), paragraphs (b), (f),
224 and (k) of subsection (6), and subsection (10) of section
225 420.5087, Florida Statutes, are amended to read:

226 420.5087 State Apartment Incentive Loan Program.—There is
227 hereby created the State Apartment Incentive Loan Program for
228 the purpose of providing first, second, or other subordinated
229 mortgage loans or loan guarantees to sponsors, including for-
230 profit, nonprofit, and public entities, to provide housing
231 affordable to very-low-income persons.

232 (1) Program funds shall be made available through a

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233 competitive solicitation process ~~distributed over successive 3-~~
234 ~~year periods~~ in a manner that meets the need and demand for
235 very-low-income housing throughout the state. That need and
236 demand must be determined by using the most recent statewide
237 low-income rental housing market studies conducted every 3 years
238 ~~available at the beginning of each 3-year period~~. However, at
239 least 10 percent of the program funds, as calculated on an
240 annual basis, ~~distributed during a 3-year period~~ must be made
241 available ~~allocated~~ to each of the following categories of
242 counties, ~~as determined by using the population statistics~~
243 published in the most recent edition of the Florida Statistical
244 Abstract:

- 245 (a) Counties that have a population of 825,000 or more.
246 (b) Counties that have a population of more than 100,000
247 but less than 825,000.
248 (c) Counties that have a population of 100,000 or less.

249
250 Any increase in funding required to reach the 10-percent minimum
251 shall be taken from the county category that has the largest
252 portion of the funding allocation. The corporation shall adopt
253 rules that ~~which~~ establish an equitable process for distributing
254 any portion of the 10 percent of program funds made available
255 ~~allocated~~ to the county categories specified in this subsection
256 which remains unallocated ~~at the end of a 3-year period~~.
257 Counties that have a population of 100,000 or less shall be
258 given preference under these rules.

259 (3) During the first 6 months of loan or loan guarantee
260 availability, program funds shall be made available ~~reserved~~ for
261 use by sponsors who provide the housing set-aside required in

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262 subsection (2) for the tenant groups designated in this
263 subsection. The ~~reservation of funds~~ made available to each of
264 these groups shall be determined using the most recent statewide
265 very-low-income rental housing market study available at the
266 time of publication of each notice of fund availability required
267 by paragraph (6) (b). The ~~reservation of funds~~ made available
268 within each notice of fund availability to the tenant groups in
269 paragraphs (b)-(e) ~~(a), (b), and (e)~~ may not be less than 10
270 percent of the funds available at that time. Any increase in
271 funding required to reach the required ~~10-percent~~ minimum must
272 be taken from the tenant group that would receive ~~has~~ the
273 largest percentage of available funds in accordance with the
274 study ~~reservation~~. The ~~reservation of funds~~ made available
275 within each notice of fund availability to the tenant group in
276 paragraph (a) ~~(e)~~ may not be less than 5 percent of the funds
277 available at that time. ~~The reservation of funds within each~~
278 ~~notice of fund availability to the tenant group in paragraph (d)~~
279 ~~may not be more than 10 percent of the funds available at that~~
280 ~~time~~. The tenant groups are:

- 281 (a) Commercial fishing workers and farmworkers;
- 282 (b) Families;
- 283 (c) Persons who are homeless;
- 284 (d) Persons with special needs; and
- 285 (e) Elderly persons. Ten percent of the amount made
286 available ~~reserved~~ for the elderly shall ~~be reserved~~ to provide
287 loans to sponsors of housing for the elderly for the purpose of
288 making building preservation, health, or sanitation repairs or
289 improvements which are required by federal, state, or local
290 regulation or code, or lifesafety or security-related repairs or

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291 improvements to such housing. Such a loan may not exceed
292 \$750,000 per housing community for the elderly. In order to
293 receive the loan, the sponsor of the housing community must make
294 a commitment to match at least 5 percent of the loan amount to
295 pay the cost of such repair or improvement. The corporation
296 shall establish the rate of interest on the loan, which may not
297 exceed 3 percent, and the term of the loan, which may not exceed
298 15 years; however, if the lien of the corporation's encumbrance
299 is subordinate to the lien of another mortgagee, then the term
300 may be made coterminous with the longest term of the superior
301 lien. The term of the loan shall be based on a credit analysis
302 of the applicant. The corporation may forgive indebtedness for a
303 share of the loan attributable to the units in a project
304 reserved for extremely-low-income elderly by nonprofit
305 organizations, as defined in s. 420.0004(5), where the project
306 has provided affordable housing to the elderly for 15 years or
307 more. The corporation shall establish, by rule, the procedure
308 and criteria for receiving, evaluating, and competitively
309 ranking all applications for loans under this paragraph. A loan
310 application must include evidence of the first mortgagee's
311 having reviewed and approved the sponsor's intent to apply for a
312 loan. A nonprofit organization or sponsor may not use the
313 proceeds of the loan to pay for administrative costs, routine
314 maintenance, or new construction.

315 (6) On all state apartment incentive loans, except loans
316 made to housing communities for the elderly to provide for
317 lifesafety, building preservation, health, sanitation, or
318 security-related repairs or improvements, the following
319 provisions shall apply:

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320 (b) The corporation shall publish a notice of fund
321 availability in a publication of general circulation throughout
322 the state. Such notice shall be published at least 60 days prior
323 to the application deadline and shall provide notice of the
324 availability ~~temporary reservations~~ of funds established in
325 subsection (3).

326 (f) The review committee established by corporation rule
327 pursuant to this subsection shall make recommendations to the
328 board of directors of the corporation regarding program
329 participation under the State Apartment Incentive Loan Program.
330 The corporation board shall make the final decisions regarding
331 which applicants shall become program participants based on the
332 scores received in the competitive process, further review of
333 applications, and the recommendations of the review committee.
334 The corporation board shall approve or reject applications for
335 loans and shall determine the tentative loan amount available to
336 each applicant selected for participation in the program. The
337 actual loan amount shall be determined pursuant to rule adopted
338 pursuant to s. 420.507(22)(i) ~~s. 420.507(22)(h)~~.

339 (k) Rent controls shall ~~not be allowed on any project~~
340 ~~except as required in conjunction with the issuance of tax-~~
341 ~~exempt bonds or federal low-income housing tax credits and~~
342 ~~except when the sponsor has committed to set aside units for~~
343 ~~extremely low-income persons, in which case rents shall be set~~
344 ~~restricted~~ at the income set-aside levels committed to by the
345 sponsor at the level applicable income limitations established
346 by the corporation for federal low-income tax credits.

347 ~~(10)(a) Notwithstanding subsection (3), for the 2015-2016~~
348 ~~fiscal year, the reservation of funds for the tenant groups~~

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349 ~~within each notice of fund availability shall be:~~

350 ~~1. Not less than 10 percent of the funds available at that~~
351 ~~time for the following tenant groups:~~

352 ~~a. Families;~~

353 ~~b. Persons who are homeless;~~

354 ~~c. Persons with special needs; and~~

355 ~~d. Elderly persons.~~

356 ~~2. Not less than 5 percent of the funds available at that~~
357 ~~time for the commercial fishing workers and farmworkers tenant~~
358 ~~group.~~

359 ~~(b) This subsection expires July 1, 2016.~~

360 Section 4. Subsection (5) of section 420.511, Florida
361 Statutes, is amended to read:

362 420.511 Strategic business plan; long-range program plan;
363 annual report; audited financial statements.—

364 (5) The Auditor General shall conduct an operational audit
365 of the accounts and records of the corporation and provide a
366 written report on the audit to the President of the Senate and
367 the Speaker of the House of Representatives by December 1, 2016.
368 ~~Both the corporation's business plan and annual report must~~
369 ~~recognize the different fiscal periods under which the~~
370 ~~corporation, the state, the Federal Government, and local~~
371 ~~governments operate.~~

372 Section 5. Paragraphs (a) and (b) of subsection (3) and
373 subsections (4), (5), and (6) of section 420.622, Florida
374 Statutes, are amended, and subsection (10) is added to that
375 section, to read:

376 420.622 State Office on Homelessness; Council on
377 Homelessness.—

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378 (3) The State Office on Homelessness, pursuant to the
379 policies set by the council and subject to the availability of
380 funding, shall:

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

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

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

391 (b) Collect, maintain, and make available information
392 concerning persons who are homeless or at risk for homelessness,
393 including demographics information, current services and
394 resources available, the cost and availability of services and
395 programs, and the met and unmet needs of this population. All
396 entities that receive state funding must provide access to all
397 data they maintain in summary form, with no individual
398 identifying information, to assist the council in providing this
399 information. The State Office on Homelessness, in consultation
400 with the designated lead agencies for a local homeless continuum
401 of care and with the Council on Homelessness, shall develop the
402 system and process of data collection from all lead agencies for
403 the purpose of analyzing trends and assessing impacts in the
404 statewide homeless delivery system. Any statewide homelessness
405 survey and database system must comply with all state and
406 federal statutory and regulatory confidentiality requirements

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407 ~~The council shall explore the potential of creating a statewide~~
408 ~~Management Information System (MIS), encouraging the future~~
409 ~~participation of any bodies that are receiving awards or grants~~
410 ~~from the state, if such a system were adopted, enacted, and~~
411 ~~accepted by the state.~~

412 (4) The State Office on Homelessness, with the concurrence
413 of the Council on Homelessness, shall ~~may~~ accept and administer
414 moneys appropriated to it to provide annual "Challenge Grants"
415 to lead agencies of homeless assistance continuums of care
416 designated by the State Office on Homelessness pursuant to s.
417 420.624. The department shall establish varying levels of grant
418 awards up to \$500,000 per lead agency. ~~Award levels shall be~~
419 ~~based upon the total population within the continuum of care~~
420 ~~catchment area and reflect the differing degrees of homelessness~~
421 ~~in the catchment planning areas.~~ The department, in consultation
422 with the Council on Homelessness, shall specify a grant award
423 level in the notice of the solicitation of grant applications.

424 (a) To qualify for the grant, a lead agency must develop
425 and implement a local homeless assistance continuum of care plan
426 for its designated catchment area. The continuum of care plan
427 must implement a coordinated assessment or central intake system
428 to screen, assess, and refer persons seeking assistance to the
429 appropriate service provider. The lead agency shall also
430 document the commitment of local government or ~~and~~ private
431 organizations to provide matching funds or in-kind support in an
432 amount equal to the grant requested. Expenditures of leveraged
433 funds or resources, including third-party cash or in-kind
434 contributions, are authorized only for eligible activities
435 committed on one project which have not been used as leverage or

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436 match for any other project or program and must be certified
437 through a written commitment.

438 (b) Preference must be given to those lead agencies that
439 have demonstrated the ability of their continuum of care to
440 provide quality services to homeless persons and the ability to
441 leverage federal homeless-assistance funding under the Stewart
442 B. McKinney Act with local government funding or ~~and~~ private
443 funding for the provision of services to homeless persons.

444 (c) Preference must be given to lead agencies in catchment
445 areas with the greatest need for the provision of housing and
446 services to the homeless, relative to the population of the
447 catchment area.

448 (d) The grant may be used to fund any of the housing,
449 program, or service needs included in the local homeless
450 assistance continuum of care plan. The lead agency may allocate
451 the grant to programs, services, or housing providers that
452 implement the local homeless assistance continuum care plan. The
453 lead agency may provide subgrants to a local agency to implement
454 programs or services or provide housing identified for funding
455 in the lead agency's application to the department. A lead
456 agency may spend a maximum of 8 percent of its funding on
457 administrative costs.

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

462 (5) The State Office on Homelessness, with the concurrence
463 of the Council on Homelessness, may administer moneys
464 appropriated to it to provide homeless housing assistance grants

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465 annually to lead agencies for local homeless assistance
466 continuum of care, as recognized by the State Office on
467 Homelessness, to acquire, construct, or rehabilitate
468 transitional or permanent housing units for homeless persons.
469 These moneys shall consist of any sums that the state may
470 appropriate, as well as money received from donations, gifts,
471 bequests, or otherwise from any public or private source, which
472 are intended to acquire, construct, or rehabilitate transitional
473 or permanent housing units for homeless persons.

474 (a) Grant applicants shall be ranked competitively.
475 Preference must be given to applicants who leverage additional
476 private funds and public funds, particularly federal funds
477 designated for the acquisition, construction, or rehabilitation
478 of transitional or permanent housing for homeless persons; who
479 acquire, build, or rehabilitate the greatest number of units; or
480 ~~and~~ who acquire, build, or rehabilitate in catchment areas
481 having the greatest need for housing for the homeless relative
482 to the population of the catchment area.

483 (b) Funding for any particular project may not exceed
484 \$750,000.

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

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

492 (e) A project may not be funded which is not included in
493 the local homeless assistance continuum of care plan, as

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494 recognized by the State Office on Homelessness, for the
495 catchment area in which the project is located.

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

499 (6) The State Office on Homelessness, in conjunction with
500 the Council on Homelessness, shall establish performance
501 measures and specific objectives by which it may ~~to~~ evaluate the
502 effective performance and outcomes of lead agencies that receive
503 grant funds. Challenge Grants made through the State Office on
504 Homelessness shall be distributed to lead agencies based on
505 their overall performance and their achievement of specified
506 objectives. Each lead agency for which grants are made under
507 this section shall provide the State Office on Homelessness a
508 thorough evaluation of the effectiveness of the program in
509 achieving its stated purpose. In evaluating the performance of
510 the lead agencies, the State Office on Homelessness shall base
511 its criteria upon the program objectives, goals, and priorities
512 that were set forth by the lead agencies in their proposals for
513 funding. Such criteria may include, but are not ~~be~~ limited to,
514 the number of persons or households that are no longer homeless,
515 the rate of recidivism to homelessness, and the number of
516 persons who obtain gainful employment ~~homeless individuals~~
517 ~~provided shelter, food, counseling, and job training.~~

518 (10) The State Office on Homelessness may administer moneys
519 appropriated to it for distribution among the 28 local homeless
520 continuums of care designated by the Department of Children and
521 Families.

522 Section 6. Subsections (3), (7), and (8) of section

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523 420.624, Florida Statutes, are amended to read:

524 420.624 Local homeless assistance continuum of care.—

525 (3) Communities or regions seeking to implement a local
526 homeless assistance continuum of care are encouraged to develop
527 and annually update a written plan that includes a vision for
528 the continuum of care, an assessment of the supply of and demand
529 for housing and services for the homeless population, and
530 specific strategies and processes for providing the components
531 of the continuum of care. The State Office on Homelessness, in
532 conjunction with the Council on Homelessness, shall include in
533 the plan a methodology for assessing performance and outcomes.

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

536 (7) The components of a continuum of care plan should
537 include:

538 (a) Outreach, intake, and assessment procedures in order to
539 identify the service and housing needs of an individual or
540 family and to link them with appropriate housing, services,
541 resources, and opportunities;

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

544 (c) Transitional housing;

545 (d) Supportive services, designed to assist with the
546 development of the skills necessary to secure and retain
547 permanent housing;

548 (e) Permanent supportive housing;

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

550 (g) Permanent housing;

551 (h) Linkages and referral mechanisms among all

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552 components to facilitate the movement of individuals and
553 families toward permanent housing and self-sufficiency;
554 (i)~~(h)~~ Services and resources to prevent housed persons
555 from becoming or returning to homelessness; and
556 (j)~~(i)~~ An ongoing planning mechanism to address the needs
557 of all subgroups of the homeless population, including but not
558 limited to:
559 1. Single adult males;
560 2. Single adult females;
561 3. Families with children;
562 4. Families with no children;
563 5. Unaccompanied children and youth;
564 6. Elderly persons;
565 7. Persons with drug or alcohol addictions;
566 8. Persons with mental illness;
567 9. Persons with dual or multiple physical or mental
568 disorders;
569 10. Victims of domestic violence; and
570 11. Persons living with HIV/AIDS.
571 (8) Continuum of care plans must promote participation by
572 all interested individuals and organizations and may not exclude
573 individuals and organizations on the basis of race, color,
574 national origin, sex, handicap, familial status, or religion.
575 Faith-based organizations must be encouraged to participate. To
576 the extent possible, these components must ~~should~~ be coordinated
577 and integrated with other mainstream health, social services,
578 and employment programs for which homeless populations may be
579 eligible, including Medicaid, State Children's Health Insurance
580 Program, Temporary Assistance for Needy Families, Food

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

584 Section 7. Section 420.6265, Florida Statutes, is created
585 to read:

586 420.6265 Rapid ReHousing.—

587 (1) LEGISLATIVE FINDINGS AND INTENT.—

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

592 (b) The Legislature also finds that public and private
593 solutions to homelessness in the past have focused on providing
594 individuals and families who are experiencing homelessness with
595 emergency shelter, transitional housing, or a combination of
596 both. While emergency shelter and transitional housing programs
597 may provide critical access to services for individuals and
598 families in crisis, the programs often fail to address their
599 long-term needs.

600 (c) The Legislature further finds that most households
601 become homeless as a result of a financial crisis that prevents
602 individuals and families from paying rent or a domestic conflict
603 that results in one member being ejected or leaving without
604 resources or a plan for housing.

605 (d) The Legislature further finds that Rapid ReHousing is
606 an alternative approach to the current system of emergency
607 shelter or transitional housing which tends to reduce the length
608 of time a person is homeless and has proven to be cost
609 effective.

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610 (e) It is therefore the intent of the Legislature to
611 encourage homeless continuums of care to adopt the Rapid
612 ReHousing approach to preventing homelessness for individuals
613 and families who do not require the intense level of supports
614 provided in the permanent supportive housing model.

615 (2) RAPID REHOUSING METHODOLOGY.—

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

622 (b) In Rapid ReHousing, an individual or family is
623 identified as being homeless, temporary assistance is provided
624 to allow the individual or family to obtain permanent housing as
625 quickly as possible, and, if needed, assistance is provided to
626 allow the individual or family to retain housing.

627 (c) The objective of Rapid ReHousing is to provide
628 assistance for as short a term as possible so that the
629 individual or family receiving assistance does not develop a
630 dependency on the assistance.

631 Section 8. Subsections (16), (25), and (26) of section
632 420.9071, Florida Statutes, are amended to read:

633 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
634 term:

635 (16) "Local housing incentive strategies" means local
636 regulatory reform or incentive programs to encourage or
637 facilitate affordable housing production, which include at a
638 minimum, assurance that permits ~~as defined in s. 163.3164~~ for

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639 affordable housing projects are expedited to a greater degree
640 than other projects, as provided in s. 163.3177(6)(f)3.; an
641 ongoing process for review of local policies, ordinances,
642 regulations, and plan provisions that increase the cost of
643 housing prior to their adoption; and a schedule for implementing
644 the incentive strategies. Local housing incentive strategies may
645 also include other regulatory reforms, such as those enumerated
646 in s. 420.9076 or those recommended by the affordable housing
647 advisory committee in its triennial evaluation of the
648 implementation of affordable housing incentives, and adopted by
649 the local governing body.

650 (25) "Recaptured funds" means funds that are recouped by a
651 county or eligible municipality in accordance with the recapture
652 provisions of its local housing assistance plan pursuant to s.
653 420.9075(5)(j) ~~s. 420.9075(5)(h)~~ from eligible persons or
654 eligible sponsors, which funds were not used for assistance to
655 an eligible household for an eligible activity, when there is a
656 default on the terms of a grant award or loan award.

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

661 Section 9. Paragraph (b) of subsection (3) and subsection
662 (7) of section 420.9072, Florida Statutes, are amended to read:

663 420.9072 State Housing Initiatives Partnership Program.—The
664 State Housing Initiatives Partnership Program is created for the
665 purpose of providing funds to counties and eligible
666 municipalities as an incentive for the creation of local housing
667 partnerships, to expand production of and preserve affordable

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668 housing, to further the housing element of the local government
669 comprehensive plan specific to affordable housing, and to
670 increase housing-related employment.

671 (3)

672 (b) Within 45 ~~30~~ days after receiving a plan, the review
673 committee shall review the plan and either approve it or
674 identify inconsistencies with the requirements of the program.
675 The corporation shall assist a local government in revising its
676 plan if it initially proves to be inconsistent with program
677 requirements. A plan that is revised by the local government to
678 achieve consistency with program requirements shall be reviewed
679 within 45 ~~30~~ days after submission. The deadlines for submitting
680 original and revised plans shall be established by corporation
681 rule; however, the corporation shall not require submission of a
682 new local housing assistance plan to implement amendments to
683 this act until the currently effective plan expires.

684 (7) (a) A county or an eligible municipality must expend its
685 portion of the local housing distribution only to implement a
686 local housing assistance plan or as provided in this subsection.
687 ~~A county or an eligible municipality may not expend its portion~~
688 ~~of the local housing distribution to provide rent subsidies;~~
689 ~~however, this does not prohibit the use of funds for security~~
690 ~~and utility deposit assistance.~~

691 (b) A county or an eligible municipality may not expend its
692 portion of the local housing distribution to provide ongoing
693 rent subsidies, except for:

- 694 1. Security and utility deposit assistance.
695 2. Eviction prevention not to exceed 6 months' rent.
696 3. A rent subsidy program for very-low-income households

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697 with at least one adult who is a person with special needs as
698 defined in s. 420.0004 or homeless as defined in s. 420.621. The
699 period of rental assistance may not exceed 12 months for any
700 eligible household.

701 Section 10. Paragraph (a) of subsection (2) of section
702 420.9075, Florida Statutes, is amended, paragraphs (f) and (g)
703 are added to subsection (3) of that section, paragraph (e) of
704 subsection (4) of that section is amended, present paragraph (b)
705 of subsection (5) of that section is redesignated as paragraph
706 (c), present paragraphs (c) through (l) of that subsection are
707 redesignated as paragraphs (e) through (n), respectively, new
708 paragraphs (b) and (d) are added to that subsection, present
709 paragraph (l) of that subsection is amended, paragraph (i) is
710 added to subsection (10) of that section, and paragraph (b) of
711 subsection (13) of that section is amended, to read:

712 420.9075 Local housing assistance plans; partnerships.—

713 (2) (a) Each county and each eligible municipality
714 participating in the State Housing Initiatives Partnership
715 Program shall encourage the involvement of appropriate public
716 sector and private sector entities as partners in order to
717 combine resources to reduce housing costs for the targeted
718 population. This partnership process should involve:

- 719 1. Lending institutions.
- 720 2. Housing builders and developers.
- 721 3. Nonprofit and other community-based housing and service
722 organizations.
- 723 4. Providers of professional services relating to
724 affordable housing.
- 725 5. Advocates for low-income persons, including, but not

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726 limited to, homeless people, the elderly, and migrant
727 farmworkers.

728 6. Real estate professionals.

729 7. Other persons or entities who can assist in providing
730 housing or related support services.

731 8. Lead agencies of local homeless assistance continuums of
732 care.

733 (3)

734 (f) Each county and each eligible municipality is
735 encouraged to develop a strategy within its local housing
736 assistance plan which provides program funds for reducing
737 homelessness.

738 (g) Local governments may create regional partnerships
739 across jurisdictional boundaries through the pooling of
740 appropriated funds to address homeless housing needs identified
741 in local housing assistance plans.

742 (4) Each local housing assistance plan is governed by the
743 following criteria and administrative procedures:

744 (e) The staff or entity that has administrative authority
745 for implementing a local housing assistance plan assisting
746 rental developments shall annually monitor and determine tenant
747 eligibility or, to the extent another governmental entity or
748 corporation program provides periodic ~~the same~~ monitoring and
749 determination, a municipality, county, or local housing
750 financing authority may rely on such monitoring and
751 determination of tenant eligibility. However, any loan or grant
752 in the original amount of \$10,000 ~~3,000~~ or less is ~~shall not be~~
753 subject to these annual monitoring and determination of tenant
754 eligibility requirements.

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755 (5) The following criteria apply to awards made to eligible
756 sponsors or eligible persons for the purpose of providing
757 eligible housing:

758 (b) Up to 25 percent of the funds made available in each
759 county and eligible municipality from the local housing
760 distribution may be reserved for rental housing for eligible
761 persons or for the purposes enumerated in s. 420.9072(7)(b).

762 (d) Each local government must use a minimum of 20 percent
763 of its local housing distribution to serve persons with special
764 needs as defined in s. 420.0004. A local government must certify
765 that it will meet this requirement through existing approved
766 strategies in the local housing assistance plan or submit a new
767 local housing assistance plan strategy for this purpose to the
768 corporation for approval to ensure that the plan meets this
769 requirement. The first priority of these special needs funds
770 must be to serve persons with developmental disabilities as
771 defined in s. 393.063, with an emphasis on home modifications,
772 including technological enhancements and devices, which will
773 allow homeowners to remain independent in their own homes and
774 maintain their homeownership.

775 (n)~~(l)~~ Funds from the local housing distribution not used
776 to meet the criteria established in paragraph (a) or paragraph
777 (c) ~~(b)~~ or not used for the administration of a local housing
778 assistance plan must be used for housing production and finance
779 activities, including, but not limited to, financing
780 preconstruction activities or the purchase of existing units,
781 providing rental housing, and providing home ownership training
782 to prospective home buyers and owners of homes assisted through
783 the local housing assistance plan.

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

787 2. When preconstruction due-diligence activities conducted
788 as part of a preservation strategy show that preservation of the
789 units is not feasible and will not result in the production of
790 an eligible unit, such costs shall be deemed a program expense
791 rather than an administrative expense if such program expenses
792 do not exceed 3 percent of the annual local housing
793 distribution.

794 3. If both an award under the local housing assistance plan
795 and federal low-income housing tax credits are used to assist a
796 project and there is a conflict between the criteria prescribed
797 in this subsection and the requirements of s. 42 of the Internal
798 Revenue Code of 1986, as amended, the county or eligible
799 municipality may resolve the conflict by giving precedence to
800 the requirements of s. 42 of the Internal Revenue Code of 1986,
801 as amended, in lieu of following the criteria prescribed in this
802 subsection with the exception of paragraphs (a) and (g) ~~(e)~~ of
803 this subsection.

804 4. Each county and each eligible municipality may award
805 funds as a grant for construction, rehabilitation, or repair as
806 part of disaster recovery or emergency repairs or to remedy
807 accessibility or health and safety deficiencies. Any other
808 grants must be approved as part of the local housing assistance
809 plan.

810 (10) Each county or eligible municipality shall submit to
811 the corporation by September 15 of each year a report of its
812 affordable housing programs and accomplishments through June 30

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813 immediately preceding submittal of the report. The report shall
814 be certified as accurate and complete by the local government's
815 chief elected official or his or her designee. Transmittal of
816 the annual report by a county's or eligible municipality's chief
817 elected official, or his or her designee, certifies that the
818 local housing incentive strategies, or, if applicable, the local
819 housing incentive plan, have been implemented or are in the
820 process of being implemented pursuant to the adopted schedule
821 for implementation. The report must include, but is not limited
822 to:

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

824 (13)

825 (b) If, as a result of its review of the annual report, the
826 corporation determines that a county or eligible municipality
827 has failed to implement a local housing incentive strategy, or,
828 if applicable, a local housing incentive plan, it shall send a
829 notice of termination of the local government's share of the
830 local housing distribution by certified mail to the affected
831 county or eligible municipality.

832 1. The notice must specify a date of termination of the
833 funding if the affected county or eligible municipality does not
834 implement the plan or strategy and provide for a local response.
835 A county or eligible municipality shall respond to the
836 corporation within 30 days after receipt of the notice of
837 termination.

838 2. The corporation shall consider the local response that
839 extenuating circumstances precluded implementation and grant an
840 extension to the timeframe for implementation. Such an extension
841 shall be made in the form of an extension agreement that

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842 provides a timeframe for implementation. The chief elected
843 official of a county or eligible municipality or his or her
844 designee shall have the authority to enter into the agreement on
845 behalf of the local government.

846 3. If the county or the eligible municipality has not
847 implemented the incentive strategy or entered into an extension
848 agreement by the termination date specified in the notice, the
849 local housing distribution share terminates, and any uncommitted
850 local housing distribution funds held by the affected county or
851 eligible municipality in its local housing assistance trust fund
852 shall be transferred to the Local Government Housing Trust Fund
853 to the credit of the corporation to administer.

854 4.a. If the affected local government fails to meet the
855 timeframes specified in the agreement, the corporation shall
856 terminate funds. The corporation shall send a notice of
857 termination of the local government's share of the local housing
858 distribution by certified mail to the affected local government.
859 The notice shall specify the termination date, and any
860 uncommitted funds held by the affected local government shall be
861 transferred to the Local Government Housing Trust Fund to the
862 credit of the corporation to administer.

863 b. If the corporation terminates funds to a county, but an
864 eligible municipality receiving a local housing distribution
865 pursuant to an interlocal agreement maintains compliance with
866 program requirements, the corporation shall thereafter
867 distribute directly to the participating eligible municipality
868 its share calculated in the manner provided in ss. 420.9072
869 and 420.9073.

870 c. Any county or eligible municipality whose local

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871 distribution share has been terminated may subsequently elect to
872 receive directly its local distribution share by adopting the
873 ordinance, resolution, and local housing assistance plan in the
874 manner and according to the procedures provided in ss. 420.907-
875 420.9079.

876 Section 11. Subsection (2), paragraph (a) of subsection
877 (4), and paragraph (b) of subsection (7) of section 420.9076,
878 Florida Statutes, are amended to read:

879 420.9076 Adoption of affordable housing incentive
880 strategies; committees.-

881 (2) The governing board of a county or municipality shall
882 appoint the members of the affordable housing advisory committee
883 ~~by resolution~~. Pursuant to the terms of any interlocal
884 agreement, a county and municipality may create and jointly
885 appoint an advisory committee ~~to prepare a joint plan~~. The local
886 action ordinance adopted pursuant to s. 420.9072 which creates
887 the advisory committee and appoints ~~or the resolution appointing~~
888 the advisory committee members must name at least 8 but not more
889 than 11 ~~provide for 11~~ committee members and specify their
890 terms. The committee must consist of one representative from at
891 least six of the categories below ~~include~~:

892 (a) A ~~One~~ citizen who is actively engaged in the
893 residential home building industry in connection with affordable
894 housing.

895 (b) A ~~One~~ citizen who is actively engaged in the banking or
896 mortgage banking industry in connection with affordable housing.

897 (c) A ~~One~~ citizen who is a representative of those areas of
898 labor actively engaged in home building in connection with
899 affordable housing.

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900 (d) A ~~One~~ citizen who is actively engaged as an advocate
901 for low-income persons in connection with affordable housing.

902 (e) A ~~One~~ citizen who is actively engaged as a for-profit
903 provider of affordable housing.

904 (f) A ~~One~~ citizen who is actively engaged as a not-for-
905 profit provider of affordable housing.

906 (g) A ~~One~~ citizen who is actively engaged as a real estate
907 professional in connection with affordable housing.

908 (h) A ~~One~~ citizen who actively serves on the local planning
909 agency pursuant to s. 163.3174. If the local planning agency is
910 comprised of the governing board of the county or municipality,
911 the governing board may appoint a designee who is knowledgeable
912 in the local planning process.

913 (i) A ~~One~~ citizen who resides within the jurisdiction of
914 the local governing body making the appointments.

915 (j) A ~~One~~ citizen who represents employers within the
916 jurisdiction.

917 (k) A ~~One~~ citizen who represents essential services
918 personnel, as defined in the local housing assistance plan.

919
920 ~~If a county or eligible municipality whether due to its small~~
921 ~~size, the presence of a conflict of interest by prospective~~
922 ~~appointees, or other reasonable factor, is unable to appoint a~~
923 ~~citizen actively engaged in these activities in connection with~~
924 ~~affordable housing, a citizen engaged in the activity without~~
925 ~~regard to affordable housing may be appointed. Local governments~~
926 ~~that receive the minimum allocation under the State Housing~~
927 ~~Initiatives Partnership Program may elect to appoint an~~
928 ~~affordable housing advisory committee with fewer than 11~~

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929 ~~representatives if they are unable to find representatives who~~
930 ~~meet the criteria of paragraphs (a) (k).~~

931 (4) Triennially, the advisory committee shall review the
932 established policies and procedures, ordinances, land
933 development regulations, and adopted local government
934 comprehensive plan of the appointing local government and shall
935 recommend specific actions or initiatives to encourage or
936 facilitate affordable housing while protecting the ability of
937 the property to appreciate in value. The recommendations may
938 include the modification or repeal of existing policies,
939 procedures, ordinances, regulations, or plan provisions; the
940 creation of exceptions applicable to affordable housing; or the
941 adoption of new policies, procedures, regulations, ordinances,
942 or plan provisions, including recommendations to amend the local
943 government comprehensive plan and corresponding regulations,
944 ordinances, and other policies. At a minimum, each advisory
945 committee shall submit a report to the local governing body that
946 includes recommendations on, and triennially thereafter
947 evaluates the implementation of, affordable housing incentives
948 in the following areas:

949 (a) The processing of approvals of development orders or
950 ~~permits, as defined in s. 163.3164,~~ for affordable housing
951 projects is expedited to a greater degree than other projects,
952 as provided in s. 163.3177(6)(f)3.

953
954 The advisory committee recommendations may also include other
955 affordable housing incentives identified by the advisory
956 committee. Local governments that receive the minimum allocation
957 under the State Housing Initiatives Partnership Program shall

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958 perform the initial review but may elect to not perform the
959 triennial review.

960 (7) The governing board of the county or the eligible
961 municipality shall notify the corporation by certified mail of
962 its adoption of an amendment of its local housing assistance
963 plan to incorporate local housing incentive strategies. The
964 notice must include a copy of the approved amended plan.

965 (b) If a county fails to timely adopt an amended local
966 housing assistance plan to incorporate local housing incentive
967 strategies but an eligible municipality receiving a local
968 housing distribution pursuant to an interlocal agreement within
969 the county does timely adopt an amended local housing assistance
970 plan to incorporate local housing incentive strategies, the
971 corporation, after issuance ~~receipt~~ of a notice of termination,
972 shall thereafter distribute directly to the participating
973 eligible municipality its share calculated in the manner
974 provided in s. 420.9073 ~~s. 420.9072~~.

975 Section 12. Section 420.9089, Florida Statutes, is created
976 to read:

977 420.9089 National Housing Trust Fund.—The Legislature finds
978 that more funding for housing to assist individuals and families
979 who are experiencing homelessness or who are at risk of
980 homelessness is needed and encourages the state entity
981 designated to administer funds made available to the state from
982 the National Housing Trust Fund to propose an allocation plan
983 that includes strategies to reduce homelessness and the risk of
984 homelessness in this state. These strategies shall be in
985 addition to strategies developed under s. 420.5087.

986 Section 13. Subsection (4) is added to section 421.04,

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987 Florida Statutes, to read:

988 421.04 Creation of housing authorities.—

989 (4) Regardless of the date of its creation, a housing
990 authority may not apply to the Federal Government to seize any
991 projects, units, or vouchers of another established housing
992 authority, irrespective of each housing authority's areas of
993 operation.

994 Section 14. Subsection (2) of section 421.05, Florida
995 Statutes, is amended to read:

996 421.05 Appointment, qualifications, and tenure of
997 commissioners; hiring of employees.—

998 (2) The powers of each authority shall be vested in the
999 commissioners thereof in office from time to time. A majority of
1000 the commissioners shall constitute a quorum of the authority for
1001 the purpose of conducting its business and exercising its powers
1002 and for all other purposes. Action may be taken by the authority
1003 upon a vote of a majority of the commissioners present, unless
1004 in any case the bylaws of the authority require a larger number.
1005 The mayor with the concurrence of the governing body shall
1006 designate ~~which of the commissioners appointed shall be the~~
1007 first chair from among the appointed commissioners, but when the
1008 office of the chair of the authority thereafter becomes vacant,
1009 the authority shall select a chair from among the ~~its~~
1010 commissioners. An authority shall also select from among the ~~its~~
1011 commissioners a vice chair, ~~and~~ and it may employ a secretary, who
1012 shall be the executive director, technical experts, and such
1013 other officers, agents, and employees, permanent and temporary,
1014 as it may require and shall determine their qualifications,
1015 duties, and compensation. Accordingly, authorities are exempt

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1016 from s. 215.425. ~~For such legal services as it may require,~~ An
1017 authority may call upon the chief law officer of the city or may
1018 employ its own counsel and legal staff for legal services. An
1019 authority may delegate to one or more of its agents or employees
1020 such powers or duties as it may deem proper.

1021 Section 15. Subsection (1) of section 421.091, Florida
1022 Statutes, is amended to read:

1023 421.091 Financial accounting and investments; fiscal year.—

1024 (1) A complete and full financial accounting and audit in
1025 accordance with federal audit standards of public housing
1026 agencies shall be made biennially by a certified public
1027 accountant and submitted to the Federal Government in accordance
1028 with its policies. Housing authorities are otherwise exempt from
1029 the reporting requirements of s. 218.32. ~~A copy of such audit~~
1030 ~~shall be filed with the governing body and with the Auditor~~
1031 ~~General.~~

1032 Section 16. This act shall take effect July 1, 2016.