

By the Committee on Appropriations; and Senator Perry

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1 A bill to be entitled
2 An act relating to affordable housing; amending ss.
3 125.379 and 166.0451, F.S.; revising the criteria that
4 counties and municipalities must use when evaluating
5 real property as part of their inventory for disposal
6 of lands; providing that, as long as a parcel is in an
7 area suitable for residential development, it may be
8 found to be suitable for use as affordable housing,
9 even if the parcel does not meet certain other
10 criteria; amending s. 163.31801, F.S.; requiring that
11 additional information be submitted by specified
12 entities when submitting their annual financial
13 reports; amending ss. 253.0341, 337.25, and 373.089,
14 F.S.; revising the procedures under which the Board of
15 Trustees of the Internal Improvement Trust Fund, the
16 Department of Transportation, and the water management
17 districts must dispose of nonconservation surplus
18 lands; amending s. 420.507, F.S.; authorizing the
19 Florida Housing Finance Corporation to take one or
20 more specified actions against any applicant or
21 affiliate of an applicant upon a determination of good
22 cause and after service of an administrative complaint
23 and adequate notice; defining the term "good cause";
24 authorizing the corporation to require, as a condition
25 of financing a multifamily rental project, which may
26 include allocating competitive low-income housing tax
27 credits, that a certain agreement be recorded in the
28 official records of the county where the real property
29 is located; providing requirements for the term of

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30 such agreement; amending s. 420.5087, F.S.; revising
31 the criteria used by a review committee when
32 evaluating and selecting specified applications for
33 state apartment incentive loans; creating s. 420.56,
34 F.S.; providing legislative intent; providing a
35 process for certain entities to dispose of surplus
36 lands for use as affordable housing; creating s.
37 420.57, F.S.; creating the Hurricane Housing Recovery
38 Program to provide funds for certain affordable
39 housing recovery efforts; requiring the corporation to
40 administer the program and allocate resources to local
41 governments that meet certain criteria; specifying
42 requirements for receiving and using funds; requiring
43 participating local governments to submit a report;
44 requiring the corporation to compile the reports and
45 submit them to the Legislature; creating the Rental
46 Recovery Loan Program to provide funds for additional
47 rental housing due to specified impacts; providing a
48 rationale for the program; authorizing the corporation
49 to adopt rules to administer specified provisions;
50 authorizing the corporation to adopt emergency rules;
51 providing legislative findings; providing that the
52 corporation is not required to make specified
53 findings; exempting the emergency rules from a
54 specified provision; requiring the emergency rules to
55 remain in effect for a specified period after
56 adoption; authorizing the emergency rules to be
57 renewed during the pendency of procedures to adopt
58 rules addressing the subject of the emergency rules;

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59 amending s. 420.9071, F.S.; revising the definition of
60 the term "local housing incentive strategies";
61 amending s. 423.02, F.S.; exempting housing projects,
62 including certain property, of housing authorities or
63 their nonprofit instrumentalities from all taxes, user
64 fees, and special assessments of the state or any
65 city, town, county, or political subdivision of the
66 state; providing that, in lieu of such taxes, user
67 fees, or special assessments, a housing authority or
68 its nonprofit instrumentality may agree to make
69 payments to any city, town, county, or political
70 subdivision of the state for services, improvements,
71 or facilities furnished by such city, town, county, or
72 political subdivision for the benefit of a housing
73 project owned by the housing authority or its
74 nonprofit instrumentality; creating s. 553.7923, F.S.;
75 providing a local permit approval process for
76 affordable housing; providing an effective date.

77

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

79

80 Section 1. Subsection (1) of section 125.379, Florida
81 Statutes, is amended to read:

82 125.379 Disposition of county property for affordable
83 housing.—

84 (1) Beginning July 1, 2018 ~~By July 1, 2007,~~ and every 3
85 years thereafter, each county shall prepare an inventory list of
86 all real property within its jurisdiction to which the county
87 holds fee simple title that is appropriate for use as affordable

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88 housing. The real property must be evaluated on criteria that
89 include environmental suitability for construction, site
90 characteristics, current land use designation, current or
91 anticipated zoning, inclusion in at least one special district,
92 existing infrastructure, proximity to employment opportunities,
93 proximity to public transportation, and proximity to existing
94 services. As long as a parcel is in an area suitable for
95 residential development, it may be found to be suitable for use
96 as affordable housing, even if the parcel does not meet one or
97 more of these other criteria. The inventory list must include
98 the address and legal description of each such real property and
99 specify whether the property is vacant or improved. The
100 governing body of the county must review the inventory list at a
101 public hearing and may revise it at the conclusion of the public
102 hearing. The governing body of the county shall adopt a
103 resolution that includes an inventory list of such property
104 following the public hearing.

105 Section 2. Subsection (6) is added to section 163.31801,
106 Florida Statutes, to read:

107 163.31801 Impact fees; short title; intent; definitions;
108 ordinances levying impact fees.-

109 (6) In addition to the items that must be reported in the
110 annual financial reports under s. 218.32, counties,
111 municipalities, and special districts must report the following
112 data on all impact fees charged:

113 (a) The specific purpose of the impact fee, including the
114 specific infrastructure need to be met, such as transportation,
115 parks, water, sewer, and schools.

116 (b) The impact fee schedule policy, describing the method

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117 of calculating impact fees, such as flat fee, tiered scale based
118 on number of bedrooms, and tiered scale based on square footage.

119 (c) The amount assessed for each purpose and type of
120 dwelling.

121 (d) The total amount of impact fees charged by type of
122 dwelling.

123 (e) Each exception and waiver provided for affordable
124 housing developments.

125 Section 3. Subsection (1) of section 166.0451, Florida
126 Statutes, is amended to read:

127 166.0451 Disposition of municipal property for affordable
128 housing.—

129 (1) Beginning July 1, 2018 ~~By July 1, 2007,~~ and every 3
130 years thereafter, each municipality shall prepare an inventory
131 list of all real property within its jurisdiction to which the
132 municipality holds fee simple title that is appropriate for use
133 as affordable housing. Such real property shall be evaluated on
134 criteria that include the environmental suitability for
135 construction, site characteristics, currently designated land
136 use, current or anticipated zoning, inclusion in one or more
137 special districts, existing infrastructure, proximity to
138 employment opportunities, proximity to public transportation,
139 and proximity to existing services. As long as a parcel is in an
140 area suitable for residential development, it may be found to be
141 suitable for use as affordable housing, even if the parcel does
142 not meet one or more of these other criteria. The inventory list
143 must include the address and legal description of each such
144 property and specify whether the property is vacant or improved.
145 The governing body of the municipality must review the inventory

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146 list at a public hearing and may revise it at the conclusion of
147 the public hearing. Following the public hearing, the governing
148 body of the municipality shall adopt a resolution that includes
149 an inventory list of such property.

150 Section 4. Subsection (7) of section 253.0341, Florida
151 Statutes, is amended to read:

152 253.0341 Surplus of state-owned lands.-

153 (7) (a) The board of trustees must first offer
154 nonconservation surplus lands to the county and municipality
155 where the land is located for use as affordable housing as
156 identified by the Florida Housing Finance Corporation pursuant
157 to s. 420.56. All surplus buildings or land not needed for
158 affordable housing ~~Before a building or parcel of land is~~
159 ~~offered for lease or sale to a local or federal unit of~~
160 ~~government or a private party,~~ it shall first be offered for
161 lease to state agencies, state universities, and Florida College
162 System institutions, with priority consideration given to state
163 universities and Florida College System institutions. If a
164 surplus building or land is not used for affordable housing or
165 leased by a state agency, state university, or Florida College
166 System institution, the board of trustees shall offer the
167 building or land for lease or sale to a local or federal unit of
168 government or a private party.

169 (b) Within 60 days after the offer for lease of a surplus
170 building or parcel, a state university or Florida College System
171 institution that requests the lease must submit a plan for
172 review and approval by the Board of Trustees of the Internal
173 Improvement Trust Fund regarding the intended use, including
174 future use, of the building or parcel of land before approval of

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175 a lease. Within 60 days after the offer for lease of a surplus
176 building or parcel, a state agency that requests the lease of
177 such facility or parcel must submit a plan for review and
178 approval by the board of trustees regarding the intended use.
179 The state agency plan must, at a minimum, include the proposed
180 use of the facility or parcel, the estimated cost of renovation,
181 a capital improvement plan for the building, evidence that the
182 building or parcel meets an existing need that cannot otherwise
183 be met, and other criteria developed by rule by the board of
184 trustees. The board or its designee shall compare the estimated
185 value of the building or parcel to any submitted business plan
186 to determine if the lease or sale is in the best interest of the
187 state. The board of trustees shall adopt rules pursuant to
188 chapter 120 for the implementation of this section.

189 Section 5. Subsection (3) is amended, and subsection (12)
190 is added to section 337.25, Florida Statutes, to read:

191 337.25 Acquisition, lease, and disposal of real and
192 personal property.—

193 (3) Beginning July 1, 2018, the department shall evaluate
194 all of its land not within a transportation corridor or within
195 the right-of-way of a transportation facility at least every 10
196 years, on a rotating basis, to determine whether the property
197 should be retained. ~~The inventory of real property that was~~
198 ~~acquired by the state after December 31, 1988, that has been~~
199 ~~owned by the state for 10 or more years, and that is not within~~
200 ~~a transportation corridor or within the right-of-way of a~~
201 ~~transportation facility shall be evaluated to determine the~~
202 ~~necessity for retaining the property.~~ If the property is not
203 needed for the construction, operation, and maintenance of a

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204 transportation facility or is not located within a
205 transportation corridor, the department may dispose of the
206 property pursuant to subsection (4).

207 (12) Except in a conveyance transacted under paragraphs
208 (4) (a), (c), and (e), the department must first offer parcels of
209 nonconservation surplus land to the county and municipality
210 where the land is located for use as affordable housing as
211 identified by the Florida Housing Finance Corporation pursuant
212 to s. 420.56.

213 Section 6. Subsection (1) is amended, and subsection (9) is
214 added to section 373.089, Florida Statutes, to read:

215 373.089 Sale or exchange of lands, or interests or rights
216 in lands.—The governing board of the district may sell lands, or
217 interests or rights in lands, to which the district has acquired
218 title or to which it may hereafter acquire title in the
219 following manner:

220 (1) Beginning on July 1, 2018, the district shall review
221 all lands and interests or rights in lands every 10 years, on a
222 rotating basis, to determine whether the lands are still needed
223 for the purpose for which they were acquired. Any lands, or
224 interests or rights in lands, determined by the governing board
225 to be surplus may be sold by the district, at any time, for the
226 highest price obtainable; however, in no case shall the selling
227 price be less than the appraised value of the lands, or
228 interests or rights in lands, as determined by a certified
229 appraisal obtained within 360 days before the effective date of
230 a contract for sale.

231 (9) The governing board must first offer nonconservation
232 surplus lands to the county and municipality where the land is

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233 located for use as affordable housing as identified by the
234 Florida Housing Finance Corporation pursuant to s. 420.56.
235 Districts must only offer nonconservation surplus lands
236 originally acquired using state funds.
237

238 If the Board of Trustees of the Internal Improvement Trust Fund
239 declines to accept title to the lands offered under this
240 section, the land may be disposed of by the district under the
241 provisions of this section.

242 Section 7. Subsections (35) and (46) of section 420.507,
243 Florida Statutes, are amended to read:

244 420.507 Powers of the corporation.—The corporation shall
245 have all the powers necessary or convenient to carry out and
246 effectuate the purposes and provisions of this part, including
247 the following powers which are in addition to all other powers
248 granted by other provisions of this part:

249 (35) Upon a determination of good cause and after service
250 of an administrative complaint and adequate notice, to take one
251 or more of the following actions against any applicant or
252 affiliate of an applicant:

253 (a) Preclude such applicant or affiliate from applying for
254 funding from any corporation program for a specified period;

255 (b) Revoke any funding previously awarded by the
256 corporation for any development for which construction or
257 rehabilitation has not commenced; and

258 (c) Suspend any funding, credit underwriting procedures, or
259 application review for any development for which construction or
260 rehabilitation has not commenced, from the time an
261 administrative complaint is filed until a final order is issued

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262 in regard to that complaint. For purposes of this subsection,
263 the term "good cause" means that the applicant or affiliate of
264 an applicant:

265 1. Has made a material misrepresentation or engaged in
266 fraudulent actions in connection with any application for a
267 corporation program;

268 2. Has been convicted or found guilty of, or entered a plea
269 of guilty or nolo contendere to, regardless of adjudication, a
270 crime in any jurisdiction which directly relates to the
271 financing, construction, or management of affordable housing or
272 the fraudulent procurement of state or federal funds. The record
273 of a conviction certified or authenticated in such form as to be
274 admissible in evidence under the laws of this state shall be
275 admissible as prima facie evidence of such guilt;

276 3. Has been excluded from federal or state procurement
277 programs for any reason; or

278 4. Has offered or given consideration with respect to a
279 local contribution in violation of corporation rules ~~To preclude~~
280 ~~from further participation in any of the corporation's programs,~~
281 ~~any applicant or affiliate of an applicant which has made a~~
282 ~~material misrepresentation or engaged in fraudulent actions in~~
283 ~~connection with any application for a corporation program.~~

284 (46) To require, as a condition of financing a multifamily
285 rental project, which may include allocating competitive low-
286 income housing tax credits, that an agreement be recorded in the
287 official records of the county where the real property is
288 located, which requires that the project be used for housing
289 defined as affordable in s. 420.0004(3) by persons defined in s.
290 420.0004(9), (11), (12), and (17). The term of such agreement

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291 may not extend beyond the period of time required by 26 U.S.C.
292 42(h) (6) (D) (ii) (II), unless the corporation affirms at the time
293 of the initial credit underwriting that the project will remain
294 economically feasible beyond such period. Such an agreement is a
295 state land use regulation that limits the highest and best use
296 of the property within the meaning of s. 193.011(2).

297 Section 8. Paragraph (c) of subsection (6) of section
298 420.5087, Florida Statutes, is amended to read:

299 420.5087 State Apartment Incentive Loan Program.—There is
300 hereby created the State Apartment Incentive Loan Program for
301 the purpose of providing first, second, or other subordinated
302 mortgage loans or loan guarantees to sponsors, including for-
303 profit, nonprofit, and public entities, to provide housing
304 affordable to very-low-income persons.

305 (6) On all state apartment incentive loans, except loans
306 made to housing communities for the elderly to provide for
307 lifesafety, building preservation, health, sanitation, or
308 security-related repairs or improvements, the following
309 provisions shall apply:

310 (c) The corporation shall provide by rule for the
311 establishment of a review committee for the competitive
312 evaluation and selection of applications submitted in this
313 program, including, but not limited to, the following criteria:

314 1. Tenant income and demographic targeting objectives of
315 the corporation.

316 2. Targeting objectives of the corporation which will
317 ensure an equitable distribution of loans between rural and
318 urban areas.

319 3. Sponsor's agreement to reserve the units for persons or

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320 families who have incomes below 50 percent of the state or local
321 median income, whichever is higher, for a time period that
322 exceeds the minimum required by federal law or this part.

323 4. Sponsor's agreement to reserve more than:

324 a. Twenty percent of the units in the project for persons
325 or families who have incomes that do not exceed 50 percent of
326 the state or local median income, whichever is higher; or

327 b. Forty percent of the units in the project for persons or
328 families who have incomes that do not exceed 60 percent of the
329 state or local median income, whichever is higher, without
330 requiring a greater amount of the loans as provided in this
331 section.

332 5. Provision for tenant counseling.

333 6. Sponsor's agreement to accept rental assistance
334 certificates or vouchers as payment for rent.

335 7. Projects requiring the least amount of a state apartment
336 incentive loan compared to overall project cost, except that the
337 share of the loan attributable to units serving extremely-low-
338 income persons must be excluded from this requirement.

339 8. Local government contributions and local government
340 comprehensive planning and activities that promote affordable
341 housing and policies that promote access to public
342 transportation, reduce the need for onsite parking where
343 appropriate, and expedite permits for affordable housing
344 projects as provided in s. 553.7923.

345 9. Project feasibility.

346 10. Economic viability of the project.

347 11. Commitment of first mortgage financing.

348 12. Sponsor's prior experience.

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349 13. Sponsor's ability to proceed with construction.

350 14. Projects that directly implement or assist welfare-to-
351 work transitioning.

352 15. Projects that reserve units for extremely-low-income
353 persons.

354 16. Projects that include green building principles, storm-
355 resistant construction, or other elements that reduce long-term
356 costs relating to maintenance, utilities, or insurance.

357 17. Job-creation rate of the developer and general
358 contractor, as provided in s. 420.507(47).

359 Section 9. Section 420.56, Florida Statutes, is created to
360 read:

361 420.56 Disposal of surplus lands for use as affordable
362 housing.-

363 (1) It is intent of the Legislature to make all suitable
364 surplus lands designated as nonconservation available for
365 affordable housing before making the parcels available for
366 purchase by other governmental entities or the public.

367 (2) The Department of Environmental Protection acting on
368 the behalf of the Board of Trustees of the Internal Improvement
369 Trust Fund, the Department of Transportation, and each water
370 management district shall notify the corporation when
371 nonconservation land becomes available for surplus as part of
372 the entity's regular review of lands under the provisions of s.
373 253.0341, s. 337.25, or s. 373.089 before making the parcel
374 available for any other use, including for purchase by other
375 governmental entities or the public. Water management districts
376 must only identify nonconservation surplus lands originally
377 acquired using state funds.

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378 (3) In consultation with the Department of Environmental
379 Protection, the Department of Transportation, and the water
380 management districts, the corporation must issue an advisory
381 opinion as to whether these surplus lands may be suitable for
382 affordable housing. The corporation shall first determine
383 whether the parcel is within a special district set up to
384 revitalize a community. Only parcels determined to be outside
385 these areas will be further evaluated for suitability. The
386 corporation's evaluation shall consider at least the following
387 criteria: the property's environmental suitability for
388 construction; current and anticipated land use and zoning;
389 existing and anticipated infrastructure on the land, such as
390 roads, water, sewer, and electricity; access to grocery stores;
391 access to employment opportunities; access to public
392 transportation; and access to community services, such as public
393 libraries, health care, and employment centers. As long as a
394 parcel is in an area suitable for residential development, it
395 may be found by the corporation to be suitable for use as
396 affordable housing, even if the parcel does not meet one or more
397 of these or other criteria.

398 (4) If the corporation issues an advisory opinion finding
399 that the nonconservation surplus land may be suitable for
400 affordable housing, the entity seeking to dispose of the parcel
401 must first offer the land to the county and municipality where
402 the land is located, to be used for affordable housing, before
403 the entity offers the land to other governmental entities or the
404 public. If the county and municipality where the parcel is
405 located do not wish to use the parcel for affordable housing,
406 the entity may dispose of the parcel as otherwise provided by

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407 law or herein.

408 (5) The Board of Trustees of the Internal Improvement Trust
409 Fund, the Department of Transportation, and the water management
410 districts may sell the parcels identified by the corporation for
411 affordable housing for less than the appraised value to any
412 party so long as the agency places an encumbrance on the parcels
413 to ensure the purchaser uses the land for affordable housing for
414 a period of not less than 99 years.

415 (6) (a) The Board of Trustees of the Internal Improvement
416 Trust Fund, the Department of Transportation, and the water
417 management districts are exempt from the disposal procedures of
418 ss. 253.0341(8) and (9), 337.25(4) and (7), 373.089(1), (2),
419 (3), and (8) when disposing of nonconservation surplus lands
420 under this section.

421 (b) The sale price of land parcels disposed of pursuant to
422 this section shall be determined by the entity disposing of the
423 parcels. The Department of Transportation, the Board of Trustees
424 of the Internal Improvement Trust Fund, and the water management
425 districts must consider at least one appraisal of the property
426 or, if the estimated value of the land is \$500,000 or less, a
427 comparable sales analysis or a broker's opinion of value;
428 however, if a property owned by the Department of Transportation
429 was acquired with federal participation and the estimated value
430 of the property is more than \$25,000, an appraisal of the
431 property must be considered.

432 Section 10. Section 420.57, Florida Statutes, is created to
433 read:

434 420.57 Hurricane recovery programs.—

435 (1) The Hurricane Housing Recovery Program is created to

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436 provide funds to local governments for affordable housing
437 recovery efforts, similar to the State Housing Initiatives
438 Partnership Program as set forth in ss. 420.907-420.9079.
439 Subject to a specific appropriation as authorized by the General
440 Appropriations Act, the Florida Housing Finance Corporation
441 shall administer the program. Notwithstanding ss. 420.9072 and
442 420.9073, the Florida Housing Finance Corporation shall allocate
443 resources to local governments according to a need-based formula
444 that reflects housing damage estimates and population impacts
445 resulting from hurricanes. Eligible local governments must
446 submit a strategy outlining proposed recovery actions, household
447 income levels and number of residential units to be served, and
448 funding requests. Program funds shall be used to serve
449 households with incomes up to 120 percent of area median income,
450 except that at least 30 percent of program funds should be
451 reserved for households with incomes up to 50 percent of area
452 median income and an additional 30 percent of program funds
453 should be reserved for households with incomes up to 80 percent
454 of area median income. Program funds shall be used as follows:
455 (a) At least 65 percent of funds shall be used for
456 homeownership.
457 (b) Up to 15 percent of the funds may be used for
458 administrative expenses to ensure expeditious use of funds.
459 (c) Up to one-quarter of 1 percent may be used by the
460 Florida Housing Finance Corporation for compliance monitoring.
461 (2) Each participating local government shall submit to the
462 Florida Housing Finance Corporation an annual report of its use
463 of funds from the Hurricane Housing Recovery Program. The
464 corporation shall compile the reports and submit them to the

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465 President of the Senate and the Speaker of the House of
466 Representatives.

467 (3) The Rental Recovery Loan Program is created to provide
468 funds to build additional rental housing due to impacts to the
469 affordable housing stock and changes to the population resulting
470 from hurricanes. The program is intended to allow the state to
471 leverage additional federal rental financing similar to the
472 State Apartment Incentive Loan Program as described in s.
473 420.5087 and is subject to a specific appropriation in the
474 General Appropriations Act.

475 (4) The Florida Housing Finance Corporation may adopt rules
476 to administer this section.

477 Section 11. The Florida Housing Finance Corporation may
478 adopt emergency rules pursuant to s. 120.54, Florida Statutes,
479 to implement s. 420.57, Florida Statutes. The Legislature finds
480 that emergency rules adopted to implement this section meet the
481 health, safety, and welfare requirements of s. 120.54(4),
482 Florida Statutes. The Legislature also finds that such emergency
483 rulemaking is necessary to preserve the rights and welfare of
484 the people and to provide additional funds to assist those areas
485 of the state that sustained impacts to available affordable
486 housing stock due to recent hurricanes. Therefore, in adopting
487 such emergency rules, the corporation is not required to make
488 the findings required by s. 120.54(4)(a), Florida Statutes.
489 Emergency rules adopted under this section are exempt from s.
490 120.54(4)(c), Florida Statutes. The emergency rules shall remain
491 in effect for 6 months after adoption and may be renewed during
492 the pendency of procedures to adopt rules addressing the subject
493 of the emergency rules.

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494 Section 12. Subsection (16) of section 420.9071, Florida
495 Statutes, is amended to read:

496 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
497 term:

498 (16) "Local housing incentive strategies" means local
499 regulatory reform or incentive programs to encourage or
500 facilitate affordable housing production, which include, at a
501 minimum, expediting development permits as defined in s.
502 163.3164(16), construction permits, and certificates of
503 occupancy for affordable housing projects as provided in s.
504 553.7923 ~~assurance that permits for affordable housing projects~~
505 ~~are expedited to a greater degree than other projects, as~~
506 ~~provided in s. 163.3177(6)(f)3.~~; an ongoing process for review
507 of local policies, ordinances, regulations, and plan provisions
508 that increase the cost of housing prior to their adoption; and a
509 schedule for implementing the incentive strategies. Local
510 housing incentive strategies may also include other regulatory
511 reforms, such as those enumerated in s. 420.9076 or those
512 recommended by the affordable housing advisory committee in its
513 triennial evaluation of the implementation of affordable housing
514 incentives, and adopted by the local governing body.

515 Section 13. Section 423.02, Florida Statutes, is amended to
516 read:

517 423.02 Housing projects exempted from taxes, user fees, and
518 assessments; payments in lieu thereof.—The housing projects,
519 including all property of housing authorities used for or in
520 connection therewith or appurtenant thereto, of housing
521 authorities, or their nonprofit instrumentalities as authorized
522 by s. 421.08(8), shall be exempt from all taxes, user fees, and

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523 special assessments of the state or any city, town, county, or
524 political subdivision of the state, provided, however, that in
525 lieu of such taxes, user fees, or special assessments, a housing
526 authority or its nonprofit instrumentality may agree to make
527 payments to any city, town, county, or political subdivision of
528 the state for services, improvements, or facilities furnished by
529 such city, town, county, or political subdivision for the
530 benefit of a housing project owned by the housing authority or
531 its nonprofit instrumentality, but in no event shall such
532 payments exceed the estimated cost to such city, town, county,
533 or political subdivision of the services, improvements, or
534 facilities to be so furnished.

535 Section 14. Section 553.7923, Florida Statutes, is created
536 to read:

537 553.7923 Local permit approval process for affordable
538 housing.-

539 (1) A local government has 15 days after the date it
540 receives an application for a development permit, construction
541 permit, or certificate of occupancy for affordable housing to
542 examine the application and notify the applicant of any apparent
543 errors or omissions and request any additional information the
544 local government is permitted by law to require.

545 (2) If a local government does not request additional
546 information within the required time, the local government may
547 not deny a development permit, construction permit, or
548 certificate of occupancy for affordable housing if the applicant
549 has failed to correct an error or omission or to supply
550 additional information.

551 (3) The local government may require any additional

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552 requested information to be submitted no later than 10 days
553 after the date of the notice specified in subsection (1).

554 (4) For good cause shown, the local government shall grant
555 a request for an extension of time for submitting the additional
556 information.

557 (5) An application is complete upon receipt of all
558 requested information and the correction of any error or
559 omission for which the applicant was timely notified or when the
560 time for notification has expired.

561 (6) The local government must approve or deny an
562 application for a development permit, construction permit, or
563 certificate of occupancy for affordable housing within 60 days
564 after receipt of a completed application unless a shorter period
565 of time for local government action is provided by law.

566 (7) If the local government does not approve or deny an
567 application for a development permit, construction permit, or
568 certificate of occupancy for affordable housing within the 60-
569 day or shorter period, the permit is considered approved and the
570 local government must issue the development permit, construction
571 permit, or certificate of occupancy and may include such
572 reasonable conditions as authorized by law.

573 (8) An applicant for a development permit, construction
574 permit, or certificate of occupancy seeking to receive a permit
575 by default under this section must notify the local government
576 in writing of the intent to rely upon the default approval
577 provision of this section but may not take any action based upon
578 the default development permit, construction permit, or
579 certificate of occupancy until the applicant receives
580 notification or a receipt that the local government received the

576-03797-18

20181328c1

581 notice. The applicant must retain the notification or receipt.

582 Section 15. This act shall take effect July 1, 2018.