

By Senator Brandes

24-01160-22

20221170__

1 A bill to be entitled
2 An act relating to state housing assistance programs;
3 amending s. 381.0081, F.S.; revising the distribution
4 of certain proceeds from the sale of certain seized
5 migrant labor camp or residential migrant housing
6 property; amending s. 420.507, F.S.; removing powers
7 of the Florida Housing Finance Corporation to develop
8 and administer the State Apartment Incentive Loan
9 Program; repealing s. 420.5087, F.S., relating to the
10 State Apartment Incentive Loan Program; providing for
11 continuation of existing loans under the program;
12 repealing s. 420.5095, F.S., relating to the Community
13 Workforce Housing Loan Program; amending s. 420.9071,
14 F.S.; conforming provisions to changes made by the
15 act; amending s. 420.9072, F.S.; renaming the State
16 Housing Initiatives Partnership Program as the State
17 Housing Initiatives Partnership Block Grant Program;
18 removing municipalities from eligibility under the
19 program; providing that the corporation shall
20 distribute moneys appropriated by the Legislature for
21 the program, rather than distribute moneys in the
22 Local Government Housing Trust Fund; authorizing
23 participating counties to make subgrants to their
24 municipalities according to interlocal agreements;
25 revising counties' authorized uses of local housing
26 distributions relating to rent subsidies; conforming
27 provisions to changes made by the act; amending s.
28 420.9073, F.S.; revising eligible counties and
29 distribution calculations under the State Housing

24-01160-22

20221170__

30 Initiatives Partnership Block Grant Program; revising
31 the guaranteed amount for each state fiscal year;
32 conforming provisions to changes made by the act;
33 amending s. 420.9075, F.S.; revising criteria for the
34 use of funds awarded to eligible sponsors or eligible
35 persons under the program; conforming provisions to
36 changes made by the act; amending ss. 193.018, 212.08,
37 220.03, 220.183, 420.503, 420.5061, 420.5088, 420.511,
38 420.517, 420.531, 420.628, 420.9076, 420.9089, and
39 624.5105, F.S.; conforming provisions to changes made
40 by the act; providing an effective date.

41

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

43

44 Section 1. Paragraphs (b) and (c) of subsection (5) of
45 section 381.0081, Florida Statutes, are amended to read:

46 381.0081 Permit required to operate a migrant labor camp or
47 residential migrant housing; penalties for unlawful
48 establishment or operation; allocation of proceeds.—

49 (5) SEIZURE.—

50 (b) After satisfying any liens on the property, the
51 remaining proceeds from the sale of the property seized under
52 this section shall be allocated as follows if the department
53 participated in the inspection or investigation leading to
54 seizure and forfeiture under this section:

55 1. One-third of the proceeds shall be allocated to the law
56 enforcement agency involved in the seizure, to be used as
57 provided in s. 932.7055.

58 2. One-third of the proceeds shall be allocated to the

24-01160-22

20221170__

59 department, to be used for purposes of enforcing the provisions
60 of this section.

61 3. One-third of the proceeds shall be deposited in the
62 State Housing Trust Fund ~~State Apartment Incentive Loan Fund~~, to
63 be used for the purpose of providing funds to sponsors who
64 provide housing for farmworkers.

65 (c) After satisfying any liens on the property, the
66 remaining proceeds from the sale of the property seized under
67 this section shall be allocated equally between the law
68 enforcement agency involved in the seizure and the State Housing
69 Trust Fund ~~State Apartment Incentive Loan Fund~~ if the department
70 did not participate in the inspection or investigation leading
71 to seizure and forfeiture.

72 Section 2. Subsection (22) and present subsection (48) of
73 section 420.507, Florida Statutes, are amended to read:

74 420.507 Powers of the corporation.—The corporation shall
75 have all the powers necessary or convenient to carry out and
76 effectuate the purposes and provisions of this part, including
77 the following powers which are in addition to all other powers
78 granted by other provisions of this part:

79 ~~(22) To develop and administer the State Apartment~~
80 ~~Incentive Loan Program. In developing and administering that~~
81 ~~program, the corporation may:~~

82 ~~(a) Make first, second, and other subordinated mortgage~~
83 ~~loans including variable or fixed rate loans subject to~~
84 ~~contingent interest for all State Apartment Incentive Loans~~
85 ~~provided in this chapter based upon available cash flow of the~~
86 ~~projects. The corporation shall make loans exceeding 25 percent~~
87 ~~of project cost only to nonprofit organizations and public~~

24-01160-22

20221170__

88 ~~bodies that are able to secure grants, donations of land, or~~
89 ~~contributions from other sources and to projects meeting the~~
90 ~~criteria of subparagraph 1. Mortgage loans shall be made~~
91 ~~available at the following rates of interest:~~

92 ~~1. Zero to 3 percent interest for sponsors of projects that~~
93 ~~set aside at least 80 percent of their total units for residents~~
94 ~~qualifying as farmworkers, commercial fishing workers, the~~
95 ~~homeless as defined in s. 420.621, or persons with special needs~~
96 ~~as defined in s. 420.0004(13) over the life of the loan.~~

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

101 ~~3. One to 9 percent interest for sponsors of projects~~
102 ~~targeted at populations other than farmworkers, commercial~~
103 ~~fishing workers, homeless persons, or persons with special~~
104 ~~needs.~~

105 ~~(b) Make loans exceeding 25 percent of project cost when~~
106 ~~the project serves extremely low-income persons or projects as~~
107 ~~provided in paragraph (d).~~

108 ~~(c) Forgive indebtedness for a share of the loan~~
109 ~~attributable to the units in a project reserved for extremely~~
110 ~~low-income persons.~~

111 ~~(d) In counties or rural areas of counties that do not have~~
112 ~~existing units set aside for homeless persons, forgive~~
113 ~~indebtedness for loans provided to create permanent rental~~
114 ~~housing units for persons who are homeless, as defined in s.~~
115 ~~420.621, or for persons residing in time-limited transitional~~
116 ~~housing or institutions as a result of a lack of permanent,~~

24-01160-22

20221170__

117 ~~affordable housing. Such developments must be supported by a~~
118 ~~continuum of care developed under s. 420.6225, be developed by~~
119 ~~nonprofit applicants, be small properties as defined by~~
120 ~~corporation rule, and be a project in the local housing~~
121 ~~assistance continuum of care plan recognized by the State Office~~
122 ~~on Homelessness.~~

123 ~~(e) Geographically and demographically target the~~
124 ~~utilization of loans.~~

125 ~~(f) Underwrite credit, and reject projects which do not~~
126 ~~meet the established standards of the corporation.~~

127 ~~(g) Negotiate with governing bodies within the state after~~
128 ~~a loan has been awarded to obtain local government~~
129 ~~contributions.~~

130 ~~(h) Inspect any records of a sponsor at any time during the~~
131 ~~life of the loan or the agreed period for maintaining the~~
132 ~~provisions of s. 420.5087.~~

133 ~~(i) Establish, by rule, the procedure for competitively~~
134 ~~evaluating and selecting all applications for funding based on~~
135 ~~the criteria set forth in s. 420.5087(6)(c), determining actual~~
136 ~~loan amounts, making and servicing loans, and exercising the~~
137 ~~powers authorized in this subsection.~~

138 ~~(j) Establish a loan loss insurance reserve to be used to~~
139 ~~protect the outstanding program investment in case of a default,~~
140 ~~deed in lieu of foreclosure, or foreclosure of a program loan.~~

141 ~~(47)(48) To award its annual allocation of low-income~~
142 ~~housing tax credits and, nontaxable revenue bonds, and State~~
143 ~~Apartment Incentive Loan Program funds appropriated by the~~
144 ~~Legislature and available to allocate by request for proposals~~
145 ~~or other competitive solicitation. The corporation shall reserve~~

24-01160-22

20221170__

146 up to 5 percent of each allocation for high-priority affordable
147 housing projects, such as housing to support economic
148 development and job-creation initiatives, housing for veterans
149 and their families, and other special needs populations in
150 communities throughout the state as determined by the
151 corporation on an annual basis. The corporation shall reserve an
152 additional 5 percent of each allocation for affordable housing
153 projects that target persons who have a disabling condition, as
154 defined in s. 420.0004, and their families. These allocations
155 must prioritize projects or initiatives piloting or
156 demonstrating cost-effective best practices that meet the
157 housing needs and preferences of such persons. Any tax credits
158 or funds not allocated because of a lack of eligible projects
159 targeting persons who have a disabling condition shall be
160 distributed by the corporation for high-priority housing
161 projects.

162 Section 3. Section 420.5087, Florida Statutes, is repealed.

163 Section 4. Any existing loans made under the State
164 Apartment Incentive Loan Program pursuant to s. 420.5087,
165 Florida Statutes, must continue for the duration of the loan
166 period and continue to be subject to s. 420.5087, Florida
167 Statutes, and other related laws as existing on June 30, 2022.

168 Section 5. Section 420.5095, Florida Statutes, is repealed.

169 Section 6. Subsections (1) through (4), (9), and (10) and
170 present subsections (11), (16), (17), (19), (26), and (27) of
171 section 420.9071, Florida Statutes, are amended to read:

172 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
173 term:

174 (1) "Adjusted for family size" means adjusted in a manner

24-01160-22

20221170__

175 that results in an income eligibility level that is lower for
176 households having fewer than four people, or higher for
177 households having more than four people, than the base income
178 eligibility determined as provided in subsection (19) ~~(20)~~,
179 subsection (20) ~~(21)~~, or subsection (29) ~~(30)~~, based upon a
180 formula established by the United States Department of Housing
181 and Urban Development.

182 (2) "Affordable" means that monthly rents or monthly
183 mortgage payments including taxes and insurance do not exceed 30
184 percent of that amount which represents the percentage of the
185 median annual gross income for the households as indicated in
186 subsection (19) ~~(20)~~, subsection (20) ~~(21)~~, or subsection (29)
187 ~~(30)~~. However, it is not the intent to limit an individual
188 household's ability to devote more than 30 percent of its income
189 for housing, and housing for which a household devotes more than
190 30 percent of its income shall be deemed affordable if the first
191 institutional mortgage lender is satisfied that the household
192 can afford mortgage payments in excess of the 30 percent
193 benchmark. The term also includes housing provided by a not-for-
194 profit corporation that derives at least 75 percent of its
195 annual revenues from contracts or services provided to a state
196 or federal agency for low-income persons and low-income
197 households; that provides supportive housing for persons who
198 suffer from mental health issues, substance abuse, or domestic
199 violence; and that provides on-premises social and community
200 support services relating to job training, life skills training,
201 alcohol and substance abuse disorders, child care, and client
202 case management.

203 (3) "Affordable housing advisory committee" means the

24-01160-22

20221170__

204 committee appointed by the governing body of a county ~~or~~
205 ~~eligible municipality~~ for the purpose of recommending specific
206 initiatives and incentives to encourage or facilitate affordable
207 housing as provided in s. 420.9076.

208 (4) "Annual gross income" means annual income as defined
209 under the Section 8 housing assistance payments programs in 24
210 C.F.R. part 5; annual income as reported under the census long
211 form for the recent available decennial census; or adjusted
212 gross income as defined for purposes of reporting under Internal
213 Revenue Service Form 1040 for individual federal annual income
214 tax purposes or as defined by standard practices used in the
215 lending industry as detailed in the local housing assistance
216 plan and approved by the corporation. Counties ~~and eligible~~
217 ~~municipalities~~ shall calculate income by annualizing verified
218 sources of income for the household as the amount of income to
219 be received in a household during the 12 months following the
220 effective date of the determination.

221 (9) "Eligible housing" means any real and personal property
222 located within the county ~~or the eligible municipality~~ which is
223 designed and intended for the primary purpose of providing
224 decent, safe, and sanitary residential units that are designed
225 to meet the standards of the Florida Building Code or previous
226 building codes adopted under chapter 553, or manufactured
227 housing constructed after June 1994 and installed in accordance
228 with the installation standards for mobile or manufactured homes
229 contained in rules of the Department of Highway Safety and Motor
230 Vehicles, for home ownership or rental for eligible persons as
231 designated by each county ~~or eligible municipality~~ participating
232 in the State Housing Initiatives Partnership Block Grant

24-01160-22

20221170__

233 Program.

234 ~~(10) "Eligible municipality" means a municipality that is~~
235 ~~eligible for federal community development block grant~~
236 ~~entitlement moneys as an entitlement community identified in 24~~
237 ~~C.F.R. s. 570, subpart D, Entitlement Grants, or a~~
238 ~~nonentitlement municipality that is receiving local housing~~
239 ~~distribution funds under an interlocal agreement that provides~~
240 ~~for possession and administrative control of funds to be~~
241 ~~transferred to the nonentitlement municipality. An eligible~~
242 ~~municipality that defers its participation in community~~
243 ~~development block grants does not affect its eligibility for~~
244 ~~participation in the State Housing Initiatives Partnership~~
245 ~~Program.~~

246 (10)~~(11)~~ "Eligible person" or "eligible household" means
247 one or more natural persons or a family determined by the county
248 ~~or eligible municipality~~ to be of very low income, low income,
249 or moderate income according to the income limits adjusted to
250 family size published annually by the United States Department
251 of Housing and Urban Development based upon the annual gross
252 income of the household.

253 (15)~~(16)~~ "Local housing assistance strategies" means the
254 housing construction, rehabilitation, repair, or finance program
255 implemented by a participating county ~~or eligible municipality~~
256 with the local housing distribution or other funds deposited
257 into the local housing assistance trust fund.

258 (16)~~(17)~~ "Local housing distributions" means the proceeds
259 of the taxes collected under chapter 201 deposited into the
260 Local Government Housing Trust Fund and distributed to counties
261 ~~and eligible municipalities~~ participating in the State Housing

24-01160-22

20221170__

262 Initiatives Partnership Block Grant Program pursuant to s.
263 420.9073.

264 (18)~~(19)~~ "Local housing partnership" means the
265 implementation of the local housing assistance plan in a manner
266 that involves the applicable county ~~or eligible municipality~~,
267 lending institutions, housing builders and developers, real
268 estate professionals, advocates for low-income persons,
269 community-based housing and service organizations, and providers
270 of professional services relating to affordable housing. The
271 term includes initiatives to provide support services for
272 housing program beneficiaries such as training to prepare
273 persons for the responsibility of homeownership, counseling of
274 tenants, and the establishing of support services such as day
275 care, health care, and transportation.

276 (25)~~(26)~~ "Program income" means the proceeds derived from
277 interest earned on or investment of the local housing
278 distribution and other funds deposited into the local housing
279 assistance trust fund, proceeds from loan repayments, recycled
280 funds, and all other income derived from use of funds deposited
281 in the local housing assistance trust fund. It does not include
282 recaptured funds ~~as defined in subsection (27)~~.

283 (26)~~(27)~~ "Recaptured funds" means funds ~~that are~~ recouped
284 by a county ~~or eligible municipality~~ in accordance with the
285 recapture provisions of its local housing assistance plan
286 pursuant to s. 420.9075(5)(e) ~~s. 420.9075(5)(j)~~ from eligible
287 persons or eligible sponsors, which funds were not used for
288 assistance to an eligible household for an eligible activity,
289 when there is a default on the terms of a grant award or loan
290 award.

24-01160-22

20221170__

291 Section 7. Section 420.9072, Florida Statutes, is amended
292 to read:

293 420.9072 State Housing Initiatives Partnership Block Grant
294 Program.—The State Housing Initiatives Partnership Block Grant
295 Program is created for the purpose of providing funds to
296 counties ~~and eligible municipalities~~ as an incentive for the
297 creation of local housing partnerships, to expand production of
298 and preserve affordable housing, to further the housing element
299 of the local government comprehensive plan specific to
300 affordable housing, and to increase housing-related employment.

301 (1) (a) In addition to the legislative findings set forth in
302 s. 420.6015, the Legislature finds that affordable housing is
303 most effectively provided by combining available public and
304 private resources to conserve and improve existing housing and
305 provide new housing for very-low-income households, low-income
306 households, and moderate-income households. The Legislature
307 intends to encourage partnerships in order to secure the
308 benefits of cooperation by the public and private sectors and to
309 reduce the cost of housing for the target group by effectively
310 combining all available resources and cost-saving measures. The
311 Legislature further intends that local governments achieve this
312 combination of resources by encouraging active partnerships
313 between government, lenders, builders and developers, real
314 estate professionals, advocates for low-income persons, and
315 community groups to produce affordable housing and provide
316 related services. Extending the partnership concept to encompass
317 cooperative efforts among small counties as defined in s.
318 120.52(19), and among counties and municipalities is
319 specifically encouraged. Local governments are also intended to

24-01160-22

20221170__

320 establish an affordable housing advisory committee to recommend
321 monetary and nonmonetary incentives for affordable housing as
322 provided in s. 420.9076.

323 (b) The Legislature further intends that the State Housing
324 Initiatives Partnership Block Grant Program provide the maximum
325 flexibility to local governments to determine the use of funds
326 for housing programs while ensuring accountability for the
327 efficient use of public resources and guaranteeing that benefits
328 are provided to those in need.

329 (2) (a) To be eligible to receive funds under the program, a
330 county ~~or eligible municipality~~ must:

331 1. Submit to the corporation its local housing assistance
332 plan describing the local housing assistance strategies
333 established pursuant to s. 420.9075;

334 2. Within 12 months after adopting the local housing
335 assistance plan, amend the plan to incorporate the local housing
336 incentive strategies defined in s. 420.9071 ~~s. 420.9071(18)~~ and
337 described in s. 420.9076; and

338 3. Within 24 months after adopting the amended local
339 housing assistance plan to incorporate the local housing
340 incentive strategies, amend its land development regulations or
341 establish local policies and procedures, as necessary, to
342 implement the local housing incentive strategies adopted by the
343 local governing body. A county ~~or an eligible municipality~~ that
344 has adopted a housing incentive strategy pursuant to s. 420.9076
345 before the effective date of this act shall review the status of
346 implementation of the plan according to its adopted schedule for
347 implementation and report its findings in the annual report
348 required by s. 420.9075(10). If, as a result of the review, a

24-01160-22

20221170__

349 county ~~or an eligible municipality~~ determines that the
350 implementation is complete and in accordance with its schedule,
351 no further action is necessary. If a county ~~or an eligible~~
352 ~~municipality~~ determines that implementation according to its
353 schedule is not complete, it must amend its land development
354 regulations or establish local policies and procedures, as
355 necessary, to implement the housing incentive plan within 12
356 months after the effective date of this act, or if extenuating
357 circumstances prevent implementation within 12 months, pursuant
358 to s. 420.9075(13), enter into an extension agreement with the
359 corporation.

360 (b) A county ~~or an eligible municipality~~ seeking approval
361 to receive its share of the local housing distribution must
362 adopt an ordinance containing the following provisions:

363 1. Creation of a local housing assistance trust fund as
364 described in s. 420.9075(6).

365 2. Adoption by resolution of a local housing assistance
366 plan as defined in s. 420.9071 ~~s. 420.9071(15)~~ to be implemented
367 through a local housing partnership as defined in s. 420.9071 ~~s.~~
368 ~~420.9071(19)~~.

369 3. Designation of the responsibility for the administration
370 of the local housing assistance plan. Such ordinance may also
371 provide for the contracting of all or part of the administrative
372 or other functions of the program to a third person or entity.

373 4. Creation of the affordable housing advisory committee as
374 provided in s. 420.9076.

375

376 The ordinance must not take effect until at least 30 days after
377 the date of formal adoption. Ordinances in effect prior to the

24-01160-22

20221170__

378 effective date of amendments to this section shall be amended as
379 needed to conform to new provisions.

380 (3) (a) The governing board of the county ~~or of an eligible~~
381 ~~municipality~~ must submit to the corporation one copy of its
382 local housing assistance plan. The transmittal of the plan must
383 include a copy of the ordinance, the adopting resolution, the
384 local housing assistance plan, and such other information as the
385 corporation requires by rule; however, information to be
386 included in the plan is intended to demonstrate consistency with
387 the requirements of ss. 420.907-420.9079 and corporation rule
388 without posing an undue burden on the local government. Plans
389 shall be reviewed by a committee composed of corporation staff
390 as established by corporation rule.

391 (b) Within 45 days after receiving a plan, the review
392 committee shall review the plan and either approve it or
393 identify inconsistencies with the requirements of the program.
394 The corporation shall assist a local government in revising its
395 plan if it initially proves to be inconsistent with program
396 requirements. A plan that is revised by the local government to
397 achieve consistency with program requirements shall be reviewed
398 within 45 days after submission. The deadlines for submitting
399 original and revised plans shall be established by corporation
400 rule; however, the corporation shall not require submission of a
401 new local housing assistance plan to implement amendments to
402 this act until the currently effective plan expires.

403 (c) The Legislature intends that approval of plans be
404 expedited to ensure that the production of needed housing and
405 the related creation of jobs occur as quickly as possible. After
406 being approved for funding, a local government may amend by

24-01160-22

20221170__

407 resolution its local housing assistance plan if the plan as
408 amended complies with program requirements; however, a local
409 government must submit its amended plan for review according to
410 the process established in this subsection in order to ensure
411 continued consistency with the requirements of the State Housing
412 Initiatives Partnership Block Grant Program.

413 (4) Moneys appropriated by the Legislature for the program
414 ~~in the Local Government Housing Trust Fund~~ shall be distributed
415 by the corporation to each approved county ~~and eligible~~
416 ~~municipality within the county~~ as provided in s. 420.9073.
417 ~~Distributions shall be allocated to~~ The participating county may
418 make subgrants to a ~~and to each eligible~~ municipality within the
419 county according to an interlocal agreement between the county
420 governing authority and the governing body of the eligible
421 municipality ~~or, if there is no interlocal agreement, according~~
422 ~~to population. The portion for each eligible municipality is~~
423 ~~computed by multiplying the total moneys earmarked for a county~~
424 ~~by a fraction, the numerator of which is the population of the~~
425 ~~eligible municipality and the denominator of which is the total~~
426 ~~population of the county. The remaining revenues shall be~~
427 ~~distributed to the governing body of the county.~~

428 (5) (a) Local governments are encouraged to make the most
429 efficient use of their resources by cooperating to provide
430 affordable housing assistance. Local governments may enter into
431 an interlocal agreement for the purpose of establishing a joint
432 local housing assistance plan subject to the requirements of ss.
433 420.907-420.9079. The local housing distributions for such
434 counties ~~and eligible municipalities~~ shall be directly disbursed
435 on a monthly basis to each county ~~or eligible municipality~~ to be

24-01160-22

20221170__

436 administered in conformity with the interlocal agreement
437 providing for a joint local housing assistance plan.

438 (b) If a county ~~or eligible municipality~~ enters into an
439 interlocal agreement with a municipality ~~that becomes eligible~~
440 ~~as a result of entering into that interlocal agreement~~, the
441 county ~~or eligible municipality~~ that has agreed to transfer the
442 control of funds to a municipality ~~that was not originally~~
443 ~~eligible~~ must ensure through its local housing assistance plan
444 and through the interlocal agreement that all program funds are
445 used in a manner consistent with ss. 420.907-420.9079. This must
446 be accomplished by:

447 1. Providing that the use of the portion of funds
448 transferred to the municipality meets all requirements of ss.
449 420.907-420.9079, or

450 2. Providing that the use of the portion of funds
451 transferred to the municipality, when taken in combination with
452 the use of the local housing distribution from which funds were
453 transferred, meets all requirements of ss. 420.907-420.9079.

454 (6) The moneys that otherwise would be distributed pursuant
455 to s. 420.9073 to a local government that does not meet the
456 program's requirements for receipts of such distributions shall
457 remain in the Local Government Housing Trust Fund to be
458 administered by the corporation.

459 (7) (a) A county ~~or an eligible municipality~~ must expend its
460 portion of the local housing distribution only to implement a
461 local housing assistance plan or as provided in this subsection.

462 (b) A county ~~or an eligible municipality~~ may ~~not~~ expend its
463 portion of the local housing distribution to provide ongoing
464 rent subsidies, including for the following ~~except for~~:

24-01160-22

20221170__

465 1. Security and utility deposit assistance.
466 2. Eviction prevention not to exceed 6 months' rent.
467 3. A rent subsidy program for very-low-income households
468 with at least one adult who is a person with special needs as
469 defined in s. 420.0004 or homeless as defined in s. 420.621. The
470 period of rental assistance may not exceed 12 months for any
471 eligible household.

472 4. A housing choice voucher program to assist eligible
473 households seeking workforce housing or very-low-income
474 households, the elderly, or persons with special needs to afford
475 decent, safe, and sanitary housing in the private market.

476 (8) Funds distributed under this program may not be pledged
477 to pay the debt service on any bonds.

478 (9) The corporation shall adopt rules necessary to
479 implement ss. 420.907-420.9079.

480 Section 8. Section 420.9073, Florida Statutes, is amended
481 to read:

482 420.9073 Local housing distributions.—

483 (1) Distributions calculated in this section shall be
484 disbursed on a quarterly or more frequent basis by the
485 corporation pursuant to s. 420.9072, subject to availability of
486 funds. Each county's share of the funds to be distributed from
487 the portion of the funds appropriated annually for the State
488 Housing Initiatives Partnership Block Grant Program ~~in the Local~~
489 ~~Government Housing Trust Fund received pursuant to s.~~
490 ~~201.15(4)(c)~~ shall be calculated by the corporation ~~for each~~
491 ~~fiscal year~~ as follows:

492 (a) Each county ~~other than a county that has implemented~~
493 ~~chapter 83-220, Laws of Florida, as amended by chapters 84-270,~~

24-01160-22

20221170__

494 ~~86-152, and 89-252, Laws of Florida,~~ shall receive the
495 guaranteed amount for each fiscal year.

496 (b) Each county ~~other than a county that has implemented~~
497 ~~chapter 83-220, Laws of Florida, as amended by chapters 84-270,~~
498 ~~86-152, and 89-252, Laws of Florida,~~ may receive an additional
499 share calculated as follows:

500 1. Multiply each county's percentage of the total state
501 population ~~excluding the population of any county that has~~
502 ~~implemented chapter 83-220, Laws of Florida, as amended by~~
503 ~~chapters 84-270, 86-152, and 89-252, Laws of Florida,~~ by the
504 total funds to be distributed.

505 2. If the result in subparagraph 1. is less than the
506 guaranteed amount as determined in subsection (2) ~~(3)~~, that
507 county's additional share shall be zero.

508 3. For each county in which the result in subparagraph 1.
509 is greater than the guaranteed amount as determined in
510 subsection (2) ~~(3)~~, the amount calculated in subparagraph 1.
511 shall be reduced by the guaranteed amount. ~~The result for each~~
512 ~~such county shall be expressed as a percentage of the amounts so~~
513 ~~determined for all counties. Each such county shall receive an~~
514 ~~additional share equal to such percentage multiplied by the~~
515 ~~total funds received by the Local Government Housing Trust Fund~~
516 ~~pursuant to s. 201.15(4)(c) reduced by the guaranteed amount~~
517 ~~paid to all counties.~~

518 (2) ~~Distributions calculated in this section shall be~~
519 ~~disbursed on a quarterly or more frequent basis by the~~
520 ~~corporation pursuant to s. 420.9072, subject to availability of~~
521 ~~funds. Each county's share of the funds to be distributed from~~
522 ~~the portion of the funds in the Local Government Housing Trust~~

24-01160-22

20221170__

523 ~~Fund received pursuant to s. 201.15(4)(d) shall be calculated by~~
524 ~~the corporation for each fiscal year as follows:~~

525 ~~(a) Each county shall receive the guaranteed amount for~~
526 ~~each fiscal year.~~

527 ~~(b) Each county may receive an additional share calculated~~
528 ~~as follows:~~

529 ~~1. Multiply each county's percentage of the total state~~
530 ~~population, by the total funds to be distributed.~~

531 ~~2. If the result in subparagraph 1. is less than the~~
532 ~~guaranteed amount as determined in subsection (3), that county's~~
533 ~~additional share shall be zero.~~

534 ~~3. For each county in which the result in subparagraph 1.~~
535 ~~is greater than the guaranteed amount, the amount calculated in~~
536 ~~subparagraph 1. shall be reduced by the guaranteed amount. The~~
537 ~~result for each such county shall be expressed as a percentage~~
538 ~~of the amounts so determined for all counties. Each such county~~
539 ~~shall receive an additional share equal to this percentage~~
540 ~~multiplied by the total funds received by the Local Government~~
541 ~~Housing Trust Fund pursuant to s. 201.15(4)(d) as reduced by the~~
542 ~~guaranteed amount paid to all counties.~~

543 ~~(3) Calculation of guaranteed amounts:~~

544 ~~(a) The guaranteed amount under subsection (1) shall be~~
545 ~~ealeulated for each state fiscal year is \$500,000 by multiplying~~
546 ~~\$350,000 by a fraction, the numerator of which is the amount of~~
547 ~~funds distributed to the Local Government Housing Trust Fund~~
548 ~~pursuant to s. 201.15(4)(c) and the denominator of which is the~~
549 ~~total amount of funds distributed to the Local Government~~
550 ~~Housing Trust Fund pursuant to s. 201.15.~~

551 ~~(b) The guaranteed amount under subsection (2) shall be~~

24-01160-22

20221170__

552 ~~calculated for each state fiscal year by multiplying \$350,000 by~~
553 ~~a fraction, the numerator of which is the amount of funds~~
554 ~~distributed to the Local Government Housing Trust Fund pursuant~~
555 ~~to s. 201.15(4)(d) and the denominator of which is the total~~
556 ~~amount of funds distributed to the Local Government Housing~~
557 ~~Trust Fund pursuant to s. 201.15.~~

558 (3)~~(4)~~ Funds distributed pursuant to this section may not
559 be pledged to pay debt service on any bonds.

560 (4)~~(5)~~ Notwithstanding subsections (1), (2), and (3) ~~(1)-~~
561 ~~(4)~~, the corporation may withhold up to \$5 million of the total
562 amount distributed each fiscal year from the Local Government
563 Housing Trust Fund to provide additional funding to counties ~~and~~
564 ~~eligible municipalities~~ where a state of emergency has been
565 declared by the Governor pursuant to chapter 252. Any portion of
566 the withheld funds not distributed by the end of the fiscal year
567 shall be distributed as provided in subsection (1) ~~subsections~~
568 ~~(1) and (2)~~.

569 (5)~~(6)~~ Notwithstanding subsections (1), (2), and (3) ~~(1)-~~
570 ~~(4)~~, the corporation may withhold up to \$5 million from the
571 total amount distributed each fiscal year from the Local
572 Government Housing Trust Fund to provide funding to counties ~~and~~
573 ~~eligible municipalities~~ to purchase properties subject to a
574 State Housing Initiatives Initiative Partnership Block Grant
575 Program lien and on which foreclosure proceedings have been
576 initiated by any mortgagee. Each county ~~and eligible~~
577 ~~municipality~~ that receives funds under this subsection shall
578 repay such funds to the corporation not later than the
579 expenditure deadline for the fiscal year in which the funds were
580 awarded. Amounts not repaid shall be withheld from the

24-01160-22

20221170__

581 subsequent year's distribution. Any portion of such funds not
582 distributed under this subsection by the end of the fiscal year
583 shall be distributed as provided in subsection (1) ~~subsections~~
584 ~~(1) and (2)~~.

585 (6) ~~(7)~~ A county receiving local housing distributions under
586 this section which ~~or an eligible municipality that~~ receives
587 local housing distributions under an interlocal agreement shall
588 expend those funds in accordance with the provisions of ss.
589 420.907-420.9079, rules of the corporation, and the county's
590 local housing assistance plan.

591 Section 9. Section 420.9075, Florida Statutes, is amended
592 to read:

593 420.9075 Local housing assistance plans; partnerships.—

594 (1) (a) Each county ~~or eligible municipality~~ participating
595 in the State Housing Initiatives Partnership Block Grant Program
596 shall develop and implement a local housing assistance plan
597 created to make affordable residential units available to
598 persons of very low income, low income, or moderate income and
599 to persons who have special housing needs, including, but not
600 limited to, homeless people, the elderly, migrant farmworkers,
601 and persons with disabilities. Counties ~~or eligible~~
602 ~~municipalities~~ may include strategies to assist persons and
603 households having annual incomes of not more than 140 percent of
604 area median income. The plans are intended to increase the
605 availability of affordable residential units by combining local
606 resources and cost-saving measures into a local housing
607 partnership and using private and public funds to reduce the
608 cost of housing.

609 (b) Local housing assistance plans may allocate funds to:

24-01160-22

20221170__

- 610 1. Implement local housing assistance strategies for the
611 provision of affordable housing.
- 612 2. Supplement funds available to the corporation to provide
613 enhanced funding of state housing programs within the county ~~or~~
614 ~~the eligible municipality~~.
- 615 3. Provide the local matching share of federal affordable
616 housing grants or programs.
- 617 4. Fund emergency repairs, including, but not limited to,
618 repairs performed by existing service providers under
619 weatherization assistance programs under ss. 409.509-409.5093.
- 620 5. Further the housing element of the local government
621 comprehensive plan adopted pursuant to s. 163.3184, specific to
622 affordable housing.
- 623 (2) (a) Each county ~~and each eligible municipality~~
624 participating in the State Housing Initiatives Partnership Block
625 Grant Program shall encourage the involvement of appropriate
626 public sector and private sector entities as partners in order
627 to combine resources to reduce housing costs for the targeted
628 population. This partnership process should involve:
- 629 1. Lending institutions.
- 630 2. Housing builders and developers.
- 631 3. Nonprofit and other community-based housing and service
632 organizations.
- 633 4. Providers of professional services relating to
634 affordable housing.
- 635 5. Advocates for low-income persons, including, but not
636 limited to, homeless people, the elderly, and migrant
637 farmworkers.
- 638 6. Real estate professionals.

24-01160-22

20221170__

639 7. Other persons or entities who can assist in providing
640 housing or related support services.

641 8. Lead agencies of local homeless assistance continuums of
642 care.

643 (b) The specific participants in partnership activities may
644 vary according to the community's resources and the nature of
645 the local housing assistance plan.

646 (3) (a) Each local housing assistance plan shall include a
647 definition of essential service personnel for the county ~~or~~
648 ~~eligible municipality~~, including, but not limited to, teachers
649 and educators, other school district, community college, and
650 university employees, police and fire personnel, health care
651 personnel, skilled building trades personnel, and other job
652 categories.

653 (b) Each county ~~and each eligible municipality~~ is
654 encouraged to develop a strategy within its local housing
655 assistance plan that emphasizes the recruitment and retention of
656 essential service personnel. The local government is encouraged
657 to involve public and private sector employers. Compliance with
658 the eligibility criteria established under this strategy shall
659 be verified by the county ~~or eligible municipality~~.

660 (c) Each county ~~and each eligible municipality~~ is
661 encouraged to develop a strategy within its local housing
662 assistance plan that addresses the needs of persons who are
663 deprived of affordable housing due to the closure of a mobile
664 home park or the conversion of affordable rental units to
665 condominiums.

666 (d) Each county ~~and each eligible municipality~~ shall
667 describe initiatives in the local housing assistance plan to

24-01160-22

20221170__

668 encourage or require innovative design, green building
669 principles, storm-resistant construction, or other elements that
670 reduce long-term costs relating to maintenance, utilities, or
671 insurance.

672 (e) Each county ~~and each eligible municipality~~ is
673 encouraged to develop a strategy within its local housing
674 assistance plan which provides program funds for the
675 preservation of assisted housing.

676 (f) Each county ~~and each eligible municipality~~ is
677 encouraged to develop a strategy within its local housing
678 assistance plan which provides program funds for reducing
679 homelessness.

680 (g) Local governments may create regional partnerships
681 across jurisdictional boundaries through the pooling of
682 appropriated funds to address homeless housing needs identified
683 in local housing assistance plans.

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

686 (a) Each county, ~~eligible municipality,~~ or entity formed
687 through interlocal agreement to participate in the State Housing
688 Initiatives Partnership Block Grant Program must develop a
689 qualification system and selection criteria for applications for
690 awards by eligible sponsors, adopt criteria for the selection of
691 eligible persons, and adopt a maximum award schedule or system
692 of amounts consistent with the intent and budget of its local
693 housing assistance plan, with ss. 420.907-420.9079, and with
694 corporation rule.

695 (b) The county ~~or eligible municipality~~ or its
696 administrative representative shall advertise the notice of

24-01160-22

20221170__

697 funding availability in a newspaper of general circulation and
698 periodicals serving ethnic and diverse neighborhoods, at least
699 30 days before the beginning of the application period. If no
700 funding is available due to a waiting list, no notice of funding
701 availability is required.

702 (c) In accordance with the provisions of ss. 760.20-760.37,
703 it is unlawful to discriminate on the basis of race, creed,
704 religion, color, age, sex, marital status, familial status,
705 national origin, or handicap in the award application process
706 for eligible housing.

707 (d) As a condition of receipt of an award, the eligible
708 sponsor or eligible person must contractually commit to comply
709 with the affordable housing criteria provided under ss. 420.907-
710 420.9079 applicable to the affordable housing objective of the
711 award. The plan criteria adopted by the county ~~or eligible~~
712 ~~municipality~~ must prescribe the contractual obligations required
713 to ensure compliance with award conditions.

714 (e) The staff or entity that has administrative authority
715 for implementing a local housing assistance plan assisting
716 rental developments shall annually monitor and determine tenant
717 eligibility or, to the extent another governmental entity or
718 corporation program provides periodic monitoring and
719 determination, a ~~municipality,~~ county, or local housing
720 financing authority may rely on such monitoring and
721 determination of tenant eligibility. However, any loan or grant
722 in the original amount of \$10,000 or less is not subject to
723 these annual monitoring and determination of tenant eligibility
724 requirements.

725 (5) The following criteria apply to awards made to eligible

24-01160-22

20221170__

726 sponsors or eligible persons for the purpose of providing
727 eligible housing:

728 ~~(a) At least 65 percent of the funds made available in each~~
729 ~~county and eligible municipality from the local housing~~
730 ~~distribution must be reserved for home ownership for eligible~~
731 ~~persons.~~

732 ~~(b) Up to 25 percent of the funds made available in each~~
733 ~~county and eligible municipality from the local housing~~
734 ~~distribution may be reserved for rental housing for eligible~~
735 ~~persons or for the purposes enumerated in s. 420.9072(7)(b).~~

736 ~~(c) At least 75 percent of the funds made available in each~~
737 ~~county and eligible municipality from the local housing~~
738 ~~distribution must be reserved for construction, rehabilitation,~~
739 ~~or emergency repair of affordable, eligible housing.~~

740 ~~(d) Each local government must use a minimum of 20 percent~~
741 ~~of its local housing distribution to serve persons with special~~
742 ~~needs as defined in s. 420.0004. A local government must certify~~
743 ~~that it will meet this requirement through existing approved~~
744 ~~strategies in the local housing assistance plan or submit a new~~
745 ~~local housing assistance plan strategy for this purpose to the~~
746 ~~corporation for approval to ensure that the plan meets this~~
747 ~~requirement. The first priority of these special needs funds~~
748 ~~must be to serve persons with developmental disabilities as~~
749 ~~defined in s. 393.063, with an emphasis on home modifications,~~
750 ~~including technological enhancements and devices, which will~~
751 ~~allow homeowners to remain independent in their own homes and~~
752 ~~maintain their homeownership.~~

753 ~~(e) Not more than 20 percent of the funds made available in~~
754 ~~each county and eligible municipality from the local housing~~

24-01160-22

20221170__

755 ~~distribution may be used for manufactured housing.~~

756 ~~(f)~~ The sales price or value of new or existing eligible
757 housing may not exceed 90 percent of the average area purchase
758 price in the statistical area in which the eligible housing is
759 located. Such average area purchase price may be that calculated
760 for any 12-month period beginning not earlier than the fourth
761 calendar year prior to the year in which the award occurs or as
762 otherwise established by the United States Department of the
763 Treasury.

764 (b) ~~(g)~~ 1. All units constructed, rehabilitated, or otherwise
765 assisted with the funds provided from the local housing
766 assistance trust fund must be occupied by very-low-income
767 persons, low-income persons, and moderate-income persons ~~except~~
768 ~~as otherwise provided in this section.~~

769 ~~2. At least 30 percent of the funds deposited into the~~
770 ~~local housing assistance trust fund must be reserved for awards~~
771 ~~to very low income persons or eligible sponsors who will serve~~
772 ~~very low income persons, and at least an additional 30 percent~~
773 ~~of the funds deposited into the local housing assistance trust~~
774 ~~fund must be reserved for awards to low income persons or~~
775 ~~eligible sponsors who will serve low income persons.~~

776 (c) ~~(h)~~ Loans shall be provided for periods not exceeding 30
777 years, except for deferred payment loans or loans that extend
778 beyond 30 years which continue to serve eligible persons.

779 (d) ~~(i)~~ Loans or grants for eligible rental housing
780 constructed, rehabilitated, or otherwise assisted from the local
781 housing assistance trust fund must be subject to recapture
782 requirements as provided by the county ~~or eligible municipality~~
783 in its local housing assistance plan unless reserved for

24-01160-22

20221170__

784 eligible persons for 15 years or the term of the assistance,
785 whichever period is longer. Eligible sponsors that offer rental
786 housing for sale before 15 years or that have remaining
787 mortgages funded under this program must give a first right of
788 refusal to eligible nonprofit organizations for purchase at the
789 current market value for continued occupancy by eligible
790 persons.

791 (e) ~~(j)~~ Loans or grants for eligible owner-occupied housing
792 constructed, rehabilitated, or otherwise assisted from proceeds
793 provided from the local housing assistance trust fund shall be
794 subject to recapture requirements as provided by the county ~~or~~
795 ~~eligible municipality~~ in its local housing assistance plan.

796 (f) ~~(k)~~ The total amount of monthly mortgage payments or the
797 amount of monthly rent charged by the eligible sponsor or her or
798 his designee must be made affordable.

799 (g) ~~(l)~~ The maximum sales price or value per unit and the
800 maximum award per unit for eligible housing benefiting from
801 awards made pursuant to this section must be established in the
802 local housing assistance plan.

803 (h) ~~(m)~~ The benefit of assistance provided through the State
804 Housing Initiatives Partnership Block Grant Program must accrue
805 to eligible persons occupying eligible housing. This provision
806 shall not be construed to prohibit use of the local housing
807 distribution funds for a mixed income rental development.

808 (i) ~~(n)~~ Funds may ~~from the local housing distribution not~~
809 ~~used to meet the criteria established in paragraph (a) or~~
810 ~~paragraph (c) or not used for the administration of a local~~
811 ~~housing assistance plan must~~ be used for housing production and
812 finance activities, including, but not limited to, financing

24-01160-22

20221170__

813 preconstruction activities or the purchase of existing units,
814 providing rental housing, and providing home ownership training
815 to prospective home buyers and owners of homes assisted through
816 the local housing assistance plan.

817 1. ~~Notwithstanding the provisions of paragraphs (a) and~~
818 ~~(e)~~, Program income as defined in s. 420.9071 ~~s. 420.9071(26)~~
819 may also be used to fund activities described in this paragraph.

820 2. When preconstruction due-diligence activities conducted
821 as part of a preservation strategy show that preservation of the
822 units is not feasible and will not result in the production of
823 an eligible unit, such costs shall be deemed a program expense
824 rather than an administrative expense if such program expenses
825 do not exceed 3 percent of the annual local housing
826 distribution.

827 3. If both an award under the local housing assistance plan
828 and federal low-income housing tax credits are used to assist a
829 project and there is a conflict between the criteria prescribed
830 in this subsection and the requirements of s. 42 of the Internal
831 Revenue Code of 1986, as amended, the county ~~or eligible~~
832 ~~municipality~~ may resolve the conflict by giving precedence to
833 the requirements of s. 42 of the Internal Revenue Code of 1986,
834 as amended, in lieu of following the criteria prescribed in this
835 subsection with the exception of paragraphs (a) and (b) ~~(g)~~ of
836 ~~this subsection~~.

837 4. Each county ~~and each eligible municipality~~ may award
838 funds as a grant for construction, rehabilitation, or repair as
839 part of disaster recovery or emergency repairs or to remedy
840 accessibility or health and safety deficiencies. Any other
841 grants must be approved as part of the local housing assistance

24-01160-22

20221170__

842 plan.

843 (6) Each county ~~or eligible municipality~~ receiving local
844 housing distribution moneys shall establish and maintain a local
845 housing assistance trust fund. All moneys of a county ~~or an~~
846 ~~eligible municipality~~ received from its share of the local
847 housing distribution, program income, recaptured funds, and
848 other funds received or budgeted to implement the local housing
849 assistance plan shall be deposited into the trust fund; however,
850 local housing distribution moneys used to match federal HOME
851 program moneys may be repaid to the HOME program fund if
852 required by federal law or regulations. Expenditures other than
853 for the administration and implementation of the local housing
854 assistance plan may not be made from the fund.

855 (7) The moneys deposited in the local housing assistance
856 trust fund shall be used to administer and implement the local
857 housing assistance plan. The cost of administering the plan may
858 not exceed 5 percent of the local housing distribution moneys
859 and program income deposited into the trust fund. A county ~~or an~~
860 ~~eligible municipality~~ may not exceed the 5-percent limitation on
861 administrative costs, unless its governing body finds, by
862 resolution, that 5 percent of the local housing distribution
863 plus 5 percent of program income is insufficient to adequately
864 pay the necessary costs of administering the local housing
865 assistance plan. The cost of administering the program may not
866 exceed 10 percent of the local housing distribution plus 5
867 percent of program income deposited into the trust fund, except
868 that small counties, as defined in s. 120.52(19), ~~and eligible~~
869 ~~municipalities receiving a local housing distribution of up to~~
870 ~~\$350,000~~ may use up to 10 percent of program income for

24-01160-22

20221170__

871 administrative costs.

872 (8) Pursuant to s. 420.531, the corporation shall provide
873 training and technical assistance to local governments regarding
874 the creation of partnerships, the design of local housing
875 assistance strategies, the implementation of local housing
876 incentive strategies, and the provision of support services.

877 (9) The corporation shall monitor the activities of local
878 governments to determine compliance with program requirements
879 and shall collect data on the operation and achievements of
880 housing partnerships.

881 (10) Each county ~~or eligible municipality~~ shall submit to
882 the corporation by September 15 of each year a report of its
883 affordable housing programs and accomplishments through June 30
884 immediately preceding submittal of the report. The report shall
885 be certified as accurate and complete by the local government's
886 chief elected official or his or her designee. Transmittal of
887 the annual report by a county's ~~or eligible municipality's~~ chief
888 elected official, or his or her designee, certifies that the
889 local housing incentive strategies, or, if applicable, the local
890 housing incentive plan, have been implemented or are in the
891 process of being implemented pursuant to the adopted schedule
892 for implementation. The report must include, but is not limited
893 to:

894 (a) The number of households served by income category,
895 age, family size, and race, and data regarding any special needs
896 populations such as farmworkers, homeless persons, persons with
897 disabilities, and the elderly. Counties shall report this
898 information separately for households served in the
899 unincorporated area and each municipality within the county.

24-01160-22

20221170__

900 (b) The number of units and the average cost of producing
901 units under each local housing assistance strategy.

902 (c) The average area purchase price of single-family units
903 and the amount of rent charged for a rental unit based on unit
904 size.

905 (d) By income category, the number of mortgages made, the
906 average mortgage amount, and the rate of default.

907 (e) A description of the status of implementation of each
908 local housing incentive strategy, or if applicable, the local
909 housing incentive plan as set forth in the local government's
910 adopted schedule for implementation.

911 (f) A concise description of the support services that are
912 available to the residents of affordable housing provided by
913 local programs.

914 (g) The sales price or value of housing produced and an
915 accounting of what percentage was financed by the local housing
916 distribution, other public moneys, and private resources.

917 (h) Such other data or affordable housing accomplishments
918 considered significant by the reporting county ~~or eligible~~
919 ~~municipality~~ or by the corporation.

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

921 (j) The number of affordable housing applications
922 submitted, the number approved, and the number denied.

923 (11) The report shall be made available by the county ~~or~~
924 ~~eligible municipality~~ for public inspection and comment prior to
925 certifying the report and transmitting it to the corporation.
926 The county ~~or eligible municipality~~ shall provide notice of the
927 availability of the proposed report and solicit public comment.
928 The notice must state the public place where a copy of the

24-01160-22

20221170__

929 proposed report can be obtained by interested persons. Members
930 of the public may submit written comments on the report to the
931 county ~~or eligible municipality~~ and the corporation. Written
932 public comments shall identify the author by name, address, and
933 interest affected. The county ~~or eligible municipality~~ shall
934 attach a copy of all such written comments and its responses to
935 the annual report submitted to the corporation.

936 (12) The corporation shall review the report of each county
937 ~~or eligible municipality~~ and any written comments from the
938 public and include any comments concerning the effectiveness of
939 local programs in the report required by s. 420.511.

940 (13) (a) If, as a result of the review of the annual report
941 or public comment and written response from the county ~~or~~
942 ~~eligible municipality~~, or at any other time, the corporation
943 determines that a county ~~or eligible municipality~~ may have
944 established a pattern of violation of the criteria for a local
945 housing assistance plan established under ss. 420.907-420.9079
946 or that an eligible sponsor or eligible person has violated the
947 applicable award conditions, the corporation shall report such
948 pattern of violation of criteria or violation of award
949 conditions to its compliance monitoring agent and the Executive
950 Office of the Governor. The corporation's compliance monitoring
951 agent must determine within 60 days whether the county ~~or~~
952 ~~eligible municipality~~ has violated program criteria and shall
953 issue a written report thereon. If a violation has occurred, the
954 distribution of program funds to the county ~~or eligible~~
955 ~~municipality~~ must be suspended until the violation is corrected.

956 (b) If, as a result of its review of the annual report, the
957 corporation determines that a county ~~or eligible municipality~~

24-01160-22

20221170__

958 has failed to implement a local housing incentive strategy, or,
959 if applicable, a local housing incentive plan, it shall send a
960 notice of termination of the local government's share of the
961 local housing distribution by certified mail to the affected
962 county ~~or eligible municipality~~.

963 1. The notice must specify a date of termination of the
964 funding if the affected county ~~or eligible municipality~~ does not
965 implement the plan or strategy and provide for a local response.
966 A county ~~or eligible municipality~~ shall respond to the
967 corporation within 30 days after receipt of the notice of
968 termination.

969 2. The corporation shall consider the local response that
970 extenuating circumstances precluded implementation and grant an
971 extension to the timeframe for implementation. Such an extension
972 shall be made in the form of an extension agreement that
973 provides a timeframe for implementation. The chief elected
974 official of a county ~~or eligible municipality~~ or his or her
975 designee shall have the authority to enter into the agreement on
976 behalf of the local government.

977 3. If the county ~~or the eligible municipality~~ has not
978 implemented the incentive strategy or entered into an extension
979 agreement by the termination date specified in the notice, the
980 local housing distribution share terminates, and any uncommitted
981 local housing distribution funds held by the affected county ~~or~~
982 ~~eligible municipality~~ in its local housing assistance trust fund
983 shall be transferred to the Local Government Housing Trust Fund
984 to the credit of the corporation to administer.

985 4.a. If the affected local government fails to meet the
986 timeframes specified in the agreement, the corporation shall

24-01160-22

20221170__

987 terminate funds. The corporation shall send a notice of
988 termination of the local government's share of the local housing
989 distribution by certified mail to the affected local government.
990 The notice shall specify the termination date, and any
991 uncommitted funds held by the affected local government shall be
992 transferred to the Local Government Housing Trust Fund to the
993 credit of the corporation to administer.

994 ~~b. If the corporation terminates funds to a county, but an~~
995 ~~eligible municipality receiving a local housing distribution~~
996 ~~pursuant to an interlocal agreement maintains compliance with~~
997 ~~program requirements, the corporation shall thereafter~~
998 ~~distribute directly to the participating eligible municipality~~
999 ~~its share calculated in the manner provided in ss. 420.9072 and~~
1000 ~~420.9073.~~

1001 ~~e.~~ Any county ~~or eligible municipality~~ whose local
1002 distribution share has been terminated may subsequently elect to
1003 receive directly its local distribution share by adopting the
1004 ordinance, resolution, and local housing assistance plan in the
1005 manner and according to the procedures provided in ss. 420.907-
1006 420.9079.

1007 (14) If the corporation determines that a county ~~or~~
1008 ~~eligible municipality~~ has expended program funds for an
1009 ineligible activity, the corporation shall require such funds to
1010 be repaid to the local housing assistance trust fund. Such
1011 repayment may not be made with funds from the State Housing
1012 Initiatives Partnership Block Grant Program.

1013 Section 10. Subsection (2) of section 193.018, Florida
1014 Statutes, is amended to read:

1015 193.018 Land owned by a community land trust used to

24-01160-22

20221170__

1016 provide affordable housing; assessment; structural improvements,
1017 condominium parcels, and cooperative parcels.—

1018 (2) A community land trust may convey structural
1019 improvements, condominium parcels, or cooperative parcels, that
1020 are located on specific parcels of land that are identified by a
1021 legal description contained in and subject to a ground lease
1022 having a term of at least 99 years, for the purpose of providing
1023 affordable housing to natural persons or families who meet the
1024 extremely-low-income, very-low-income, low-income, or moderate-
1025 income limits specified in s. 420.0004, or the income limits for
1026 workforce housing, ~~as defined in s. 420.5095(3)~~. As used in this
1027 subsection, the term "workforce housing" means housing
1028 affordable to natural persons or families whose total annual
1029 household income does not exceed 80 percent of the area median
1030 income, adjusted for household size, or 120 percent of area
1031 median income, adjusted for household size, in areas of critical
1032 state concern designated under s. 380.05, for which the
1033 Legislature has declared its intent to provide affordable
1034 housing, and areas that were designated as areas of critical
1035 state concern for at least 20 consecutive years before removal
1036 of the designation. A community land trust shall retain a
1037 preemptive option to purchase any structural improvements,
1038 condominium parcels, or cooperative parcels on the land at a
1039 price determined by a formula specified in the ground lease
1040 which is designed to ensure that the structural improvements,
1041 condominium parcels, or cooperative parcels remain affordable.

1042 Section 11. Paragraphs (g) and (r) of subsection (5) of
1043 section 212.08, Florida Statutes, are amended to read:

1044 212.08 Sales, rental, use, consumption, distribution, and

24-01160-22

20221170__

1045 storage tax; specified exemptions.—The sale at retail, the
1046 rental, the use, the consumption, the distribution, and the
1047 storage to be used or consumed in this state of the following
1048 are hereby specifically exempt from the tax imposed by this
1049 chapter.

1050 (5) EXEMPTIONS; ACCOUNT OF USE.—

1051 (g) *Building materials used in the rehabilitation of real*
1052 *property located in an enterprise zone.—*

1053 1. Building materials used in the rehabilitation of real
1054 property located in an enterprise zone are exempt from the tax
1055 imposed by this chapter upon an affirmative showing to the
1056 satisfaction of the department that the items have been used for
1057 the rehabilitation of real property located in an enterprise
1058 zone. Except as provided in subparagraph 2., this exemption
1059 inures to the owner, lessee, or lessor at the time the real
1060 property is rehabilitated, but only through a refund of
1061 previously paid taxes. To receive a refund pursuant to this
1062 paragraph, the owner, lessee, or lessor of the rehabilitated
1063 real property must file an application under oath with the
1064 governing body or enterprise zone development agency having
1065 jurisdiction over the enterprise zone where the business is
1066 located, as applicable. A single application for a refund may be
1067 submitted for multiple, contiguous parcels that were part of a
1068 single parcel that was divided as part of the rehabilitation of
1069 the property. All other requirements of this paragraph apply to
1070 each parcel on an individual basis. The application must
1071 include:

- 1072 a. The name and address of the person claiming the refund.
1073 b. An address and assessment roll parcel number of the

24-01160-22

20221170__

1074 rehabilitated real property for which a refund of previously
1075 paid taxes is being sought.

1076 c. A description of the improvements made to accomplish the
1077 rehabilitation of the real property.

1078 d. A copy of a valid building permit issued by the county
1079 or municipal building department for the rehabilitation of the
1080 real property.

1081 e. A sworn statement, under penalty of perjury, from the
1082 general contractor licensed in this state with whom the
1083 applicant contracted to make the improvements necessary to
1084 rehabilitate the real property, which lists the building
1085 materials used to rehabilitate the real property, the actual
1086 cost of the building materials, and the amount of sales tax paid
1087 in this state on the building materials. If a general contractor
1088 was not used, the applicant, not a general contractor, shall
1089 make the sworn statement required by this sub-subparagraph.
1090 Copies of the invoices that evidence the purchase of the
1091 building materials used in the rehabilitation and the payment of
1092 sales tax on the building materials must be attached to the
1093 sworn statement provided by the general contractor or by the
1094 applicant. Unless the actual cost of building materials used in
1095 the rehabilitation of real property and the payment of sales
1096 taxes is documented by a general contractor or by the applicant
1097 in this manner, the cost of the building materials is deemed to
1098 be an amount equal to 40 percent of the increase in assessed
1099 value for ad valorem tax purposes.

1100 f. The identifying number assigned pursuant to s. 290.0065
1101 to the enterprise zone in which the rehabilitated real property
1102 is located.

24-01160-22

20221170__

1103 g. A certification by the local building code inspector
1104 that the improvements necessary to rehabilitate the real
1105 property are substantially completed.

1106 h. A statement of whether the business is a small business
1107 as defined by s. 288.703.

1108 i. If applicable, the name and address of each permanent
1109 employee of the business, including, for each employee who is a
1110 resident of an enterprise zone, the identifying number assigned
1111 pursuant to s. 290.0065 to the enterprise zone in which the
1112 employee resides.

1113 2. This exemption inures to a municipality, county, other
1114 governmental unit or agency, or nonprofit community-based
1115 organization through a refund of previously paid taxes if the
1116 building materials used in the rehabilitation are paid for from
1117 the funds of a community development block grant, State Housing
1118 Initiatives Partnership Block Grant Program, or similar grant or
1119 loan program. To receive a refund, a municipality, county, other
1120 governmental unit or agency, or nonprofit community-based
1121 organization must file an application that includes the same
1122 information required in subparagraph 1. In addition, the
1123 application must include a sworn statement signed by the chief
1124 executive officer of the municipality, county, other
1125 governmental unit or agency, or nonprofit community-based
1126 organization seeking a refund which states that the building
1127 materials for which a refund is sought were funded by a
1128 community development block grant, State Housing Initiatives
1129 Partnership Block Grant Program, or similar grant or loan
1130 program.

1131 3. Within 10 working days after receipt of an application,

24-01160-22

20221170__

1132 the governing body or enterprise zone development agency shall
1133 review the application to determine if it contains all the
1134 information required by subparagraph 1. or subparagraph 2. and
1135 meets the criteria set out in this paragraph. The governing body
1136 or agency shall certify all applications that contain the
1137 required information and are eligible to receive a refund. If
1138 applicable, the governing body or agency shall also certify if
1139 20 percent of the employees of the business are residents of an
1140 enterprise zone, excluding temporary and part-time employees.
1141 The certification must be in writing, and a copy of the
1142 certification shall be transmitted to the executive director of
1143 the department. The applicant is responsible for forwarding a
1144 certified application to the department within the time
1145 specified in subparagraph 4.

1146 4. An application for a refund must be submitted to the
1147 department within 6 months after the rehabilitation of the
1148 property is deemed to be substantially completed by the local
1149 building code inspector or by November 1 after the rehabilitated
1150 property is first subject to assessment.

1151 5. Only one exemption through a refund of previously paid
1152 taxes for the rehabilitation of real property is permitted for
1153 any single parcel of property unless there is a change in
1154 ownership, a new lessor, or a new lessee of the real property. A
1155 refund may not be granted unless the amount to be refunded
1156 exceeds \$500. A refund may not exceed the lesser of 97 percent
1157 of the Florida sales or use tax paid on the cost of the building
1158 materials used in the rehabilitation of the real property as
1159 determined pursuant to sub-subparagraph 1.e. or \$5,000, or, if
1160 at least 20 percent of the employees of the business are

24-01160-22

20221170__

1161 residents of an enterprise zone, excluding temporary and part-
1162 time employees, the amount of refund may not exceed the lesser
1163 of 97 percent of the sales tax paid on the cost of the building
1164 materials or \$10,000. A refund shall be made within 30 days
1165 after formal approval by the department of the application for
1166 the refund.

1167 6. The department shall adopt rules governing the manner
1168 and form of refund applications and may establish guidelines as
1169 to the requisites for an affirmative showing of qualification
1170 for exemption under this paragraph.

1171 7. The department shall deduct an amount equal to 10
1172 percent of each refund granted under this paragraph from the
1173 amount transferred into the Local Government Half-cent Sales Tax
1174 Clearing Trust Fund pursuant to s. 212.20 for the county area in
1175 which the rehabilitated real property is located and shall
1176 transfer that amount to the General Revenue Fund.

1177 8. For the purposes of the exemption provided in this
1178 paragraph, the term:

1179 a. "Building materials" means tangible personal property
1180 that becomes a component part of improvements to real property.

1181 b. "Real property" has the same meaning as provided in s.
1182 192.001(12), except that the term does not include a condominium
1183 parcel or condominium property as defined in s. 718.103.

1184 c. "Rehabilitation of real property" means the
1185 reconstruction, renovation, restoration, rehabilitation,
1186 construction, or expansion of improvements to real property.

1187 d. "Substantially completed" has the same meaning as
1188 provided in s. 192.042(1).

1189 9. This paragraph expires on the date specified in s.

24-01160-22

20221170__

1190 290.016 for the expiration of the Florida Enterprise Zone Act.

1191 (r) *Building materials, the rental of tangible personal*
1192 *property, and pest control services used in new construction*
1193 *located in a rural area of opportunity.*—

1194 1. As used in this paragraph, the term:

1195 a. "Building materials" means tangible personal property
1196 that becomes a component part of improvements to real property.

1197 b. "Exempt goods and services" means building materials,
1198 the rental of tangible personal property, and pest control
1199 services used in new construction.

1200 c. "New construction" means improvements to real property
1201 which did not previously exist. The term does not include the
1202 reconstruction, renovation, restoration, rehabilitation,
1203 modification, alteration, or expansion of buildings already
1204 located on the parcel on which the new construction is built.

1205 d. "Pest control" has the same meaning as in s. 482.021.

1206 e. "Real property" has the same meaning as provided in s.
1207 192.001, but does not include a condominium parcel or
1208 condominium property as defined in s. 718.103.

1209 f. "Substantially completed" has the same meaning as in s.
1210 192.042(1).

1211 2. Building materials, the rental of tangible personal
1212 property, and pest control services used in new construction
1213 located in a rural area of opportunity, as designated by the
1214 Governor pursuant to s. 288.0656, are exempt from the tax
1215 imposed by this chapter if an owner, lessee, or lessor can
1216 demonstrate to the satisfaction of the department that the
1217 requirements of this paragraph have been met. Except as provided
1218 in subparagraph 3., this exemption inures to the owner, lessee,

24-01160-22

20221170__

1219 or lessor at the time the new construction occurs, but only
1220 through a refund of previously paid taxes. To receive a refund
1221 pursuant to this paragraph, the owner, lessee, or lessor of the
1222 new construction must file an application under oath with the
1223 Department of Economic Opportunity. The application must include
1224 all of the following:

1225 a. The name and address of the person claiming the refund.

1226 b. An address and assessment roll parcel number of the real
1227 property that was improved by the new construction for which a
1228 refund of previously paid taxes is being sought.

1229 c. A description of the new construction.

1230 d. A copy of a valid building permit issued by the county
1231 or municipal building department for the new construction.

1232 e. A sworn statement, under penalty of perjury, from the
1233 general contractor licensed in this state with whom the
1234 applicant contracted to build the new construction, which
1235 specifies the exempt goods and services, the actual cost of the
1236 exempt goods and services, and the amount of sales tax paid in
1237 this state on the exempt goods and services, and which states
1238 that the improvement to the real property was new construction.
1239 If a general contractor was not used, the applicant shall make
1240 the sworn statement required by this sub-subparagraph. Copies of
1241 the invoices evidencing the actual cost of the exempt goods and
1242 services and the amount of sales tax paid on such goods and
1243 services must be attached to the sworn statement provided by the
1244 general contractor or by the applicant. If copies of such
1245 invoices are not attached, the cost of the exempt goods and
1246 services is deemed to be an amount equal to 40 percent of the
1247 increase in assessed value of the property for ad valorem tax

24-01160-22

20221170__

1248 purposes.

1249 f. A certification by the local building code inspector
1250 that the new construction is substantially completed and is new
1251 construction.

1252 3. The exemption under this paragraph inures to a
1253 municipality, county, other governmental unit or agency, or
1254 nonprofit community-based organization through a refund of
1255 previously paid taxes if the exempt goods and services are paid
1256 for from the funds of a community development block grant, the
1257 State Housing Initiatives Partnership Block Grant Program, or a
1258 similar grant or loan program. To receive a refund, a
1259 municipality, county, other governmental unit or agency, or
1260 nonprofit community-based organization must file an application
1261 that includes the same information required under subparagraph
1262 2. In addition, the application must include a sworn statement
1263 signed by the chief executive officer of the municipality,
1264 county, other governmental unit or agency, or nonprofit
1265 community-based organization seeking a refund which states that
1266 the exempt goods and services for which a refund is sought were
1267 funded by a community development block grant, the State Housing
1268 Initiatives Partnership Block Grant Program, or a similar grant
1269 or loan program.

1270 4. Within 10 working days after receiving an application,
1271 the Department of Economic Opportunity shall review the
1272 application to determine whether it contains all of the
1273 information required by subparagraph 2. or subparagraph 3., as
1274 appropriate, and meets the criteria set out in this paragraph.
1275 The Department of Economic Opportunity shall certify all
1276 applications that contain the required information and are

24-01160-22

20221170__

1277 eligible to receive a refund. The certification must be in
1278 writing and a copy must be transmitted by the Department of
1279 Economic Opportunity to the executive director of the
1280 department. The applicant is responsible for forwarding a
1281 certified application to the department within the period
1282 specified in subparagraph 5.

1283 5. An application for a refund must be submitted to the
1284 department within 6 months after the new construction is deemed
1285 to be substantially completed by the local building code
1286 inspector or by November 1 after the improved property is first
1287 subject to assessment.

1288 6. Only one exemption through a refund of previously paid
1289 taxes for the new construction may be claimed for any single
1290 parcel of property unless there is a change in ownership, a new
1291 lessor, or a new lessee of the real property. A refund may not
1292 be granted unless the amount to be refunded exceeds \$500. A
1293 refund may not exceed the lesser of 97.5 percent of the Florida
1294 sales or use tax paid on the cost of the exempt goods and
1295 services as determined pursuant to sub-subparagraph 2.e. or
1296 \$10,000. The department shall issue a refund within 30 days
1297 after it formally approves a refund application.

1298 7. The department shall deduct 10 percent of each refund
1299 amount granted under this paragraph from the amount transferred
1300 into the Local Government Half-cent Sales Tax Clearing Trust
1301 Fund pursuant to s. 212.20 for the county area in which the new
1302 construction is located and shall transfer that amount to the
1303 General Revenue Fund.

1304 8. The department may adopt rules governing the manner and
1305 format of refund applications and may establish guidelines as to

24-01160-22

20221170__

1306 the requisites for an affirmative showing of qualification for
1307 exemption under this paragraph.

1308 9. This exemption does not apply to improvements for which
1309 construction began before July 1, 2017.

1310 Section 12. Paragraph (t) of subsection (1) of section
1311 220.03, Florida Statutes, is amended to read:

1312 220.03 Definitions.—

1313 (1) SPECIFIC TERMS.—When used in this code, and when not
1314 otherwise distinctly expressed or manifestly incompatible with
1315 the intent thereof, the following terms shall have the following
1316 meanings:

1317 (t) "Project" means any activity undertaken by an eligible
1318 sponsor, as defined in s. 220.183(2)(c), which is designed to
1319 construct, improve, or substantially rehabilitate housing that
1320 is affordable to low-income or very-low-income households as
1321 defined in s. 420.9071(19) and (29) ~~s. 420.9071(20) and (30)~~;
1322 designed to provide housing opportunities for persons with
1323 special needs as defined in s. 420.0004; designed to provide
1324 commercial, industrial, or public resources and facilities; or
1325 designed to improve entrepreneurial and job-development
1326 opportunities for low-income persons. A project may be the
1327 investment necessary to increase access to high-speed broadband
1328 capability in a rural community that had an enterprise zone
1329 designated pursuant to chapter 290 as of May 1, 2015, including
1330 projects that result in improvements to communications assets
1331 that are owned by a business. A project may include the
1332 provision of museum educational programs and materials that are
1333 directly related to any project approved between January 1,
1334 1996, and December 31, 1999, and located in an area that was in

24-01160-22

20221170__

1335 an enterprise zone designated pursuant to s. 290.0065 as of May
1336 1, 2015. This paragraph does not preclude projects that propose
1337 to construct or rehabilitate low-income or very-low-income
1338 housing on scattered sites or housing opportunities for persons
1339 with special needs as defined in s. 420.0004. With respect to
1340 housing, contributions may be used to pay the following eligible
1341 project-related activities:

1342 1. Project development, impact, and management fees for
1343 special needs, low-income, or very-low-income housing projects;

1344 2. Down payment and closing costs for eligible persons
1345 described in s. 420.9071(19) or (29), ~~as defined in s.~~
1346 ~~420.9071(20) and (30)~~;

1347 3. Administrative costs, including housing counseling and
1348 marketing fees, not to exceed 10 percent of the community
1349 contribution, directly related to special needs, low-income, or
1350 very-low-income projects; and

1351 4. Removal of liens recorded against residential property
1352 by municipal, county, or special-district local governments when
1353 satisfaction of the lien is a necessary precedent to the
1354 transfer of the property to an eligible person described in s.
1355 420.9071(19) or (29), ~~as defined in s. 420.9071(20) and (30)~~,
1356 for the purpose of promoting home ownership. Contributions for
1357 lien removal must be received from a nonrelated third party.

1358 Section 13. Paragraphs (b) and (d) of subsection (2) of
1359 section 220.183, Florida Statutes, are amended to read:

1360 220.183 Community contribution tax credit.—

1361 (2) ELIGIBILITY REQUIREMENTS.—

1362 (b)1. All community contributions must be reserved
1363 exclusively for use in projects as defined in s. 220.03(1)(t).

24-01160-22

20221170__

1364 2. If, during the first 10 business days of the state
1365 fiscal year, eligible tax credit applications for projects that
1366 provide housing opportunities for persons with special needs as
1367 defined in s. 420.0004 or homeownership opportunities for low-
1368 income or very-low-income households as defined in s.

1369 420.9071(19) and (29) ~~s. 420.9071(20) and (30)~~ are received for
1370 less than the annual tax credits available for those projects,
1371 the Department of Economic Opportunity shall grant tax credits
1372 for those applications and shall grant remaining tax credits on
1373 a first-come, first-served basis for any subsequent eligible
1374 applications received before the end of the state fiscal year.
1375 If, during the first 10 business days of the state fiscal year,
1376 eligible tax credit applications for projects that provide
1377 housing opportunities for persons with special needs as defined
1378 in s. 420.0004 or homeownership opportunities for low-income or
1379 very-low-income households as defined in s. 420.9071(19) and
1380 (29) ~~s. 420.9071(20) and (30)~~ are received for more than the
1381 annual tax credits available for those projects, the Department
1382 of Economic Opportunity shall grant the tax credits for those
1383 applications as follows:

1384 a. If tax credit applications submitted for approved
1385 projects of an eligible sponsor do not exceed \$200,000 in total,
1386 the credit shall be granted in full if the tax credit
1387 applications are approved.

1388 b. If tax credit applications submitted for approved
1389 projects of an eligible sponsor exceed \$200,000 in total, the
1390 amount of tax credits granted under sub-subparagraph a. shall be
1391 subtracted from the amount of available tax credits, and the
1392 remaining credits shall be granted to each approved tax credit

24-01160-22

20221170__

1393 application on a pro rata basis.

1394 3. If, during the first 10 business days of the state
1395 fiscal year, eligible tax credit applications for projects other
1396 than those that provide housing opportunities for persons with
1397 special needs as defined in s. 420.0004 or homeownership
1398 opportunities for low-income or very-low-income households as
1399 defined in s. 420.9071(19) and (29) ~~s. 420.9071(20) and (30)~~ are
1400 received for less than the annual tax credits available for
1401 those projects, the Department of Economic Opportunity shall
1402 grant tax credits for those applications and shall grant
1403 remaining tax credits on a first-come, first-served basis for
1404 any subsequent eligible applications received before the end of
1405 the state fiscal year. If, during the first 10 business days of
1406 the state fiscal year, eligible tax credit applications for
1407 projects other than those that provide housing opportunities for
1408 persons with special needs as defined in s. 420.0004 or
1409 homeownership opportunities for low-income or very-low-income
1410 households as defined in s. 420.9071(19) and (29) ~~s.~~
1411 ~~420.9071(20) and (30)~~ are received for more than the annual tax
1412 credits available for those projects, the Department of Economic
1413 Opportunity shall grant the tax credits for those applications
1414 on a pro rata basis.

1415 (d) The project shall be located in an area that was
1416 designated as an enterprise zone pursuant to chapter 290 as of
1417 May 1, 2015, or a Front Porch Florida Community. Any project
1418 designed to construct or rehabilitate housing for low-income or
1419 very-low-income households as defined in s. 420.9071(19) and
1420 (29) ~~s. 420.9071(20) and (30)~~ or provide housing opportunities
1421 for persons with special needs as defined in s. 420.0004 is

24-01160-22

20221170__

1422 exempt from the area requirement of this paragraph. This section
1423 does not preclude projects that propose to construct or
1424 rehabilitate housing for low-income or very-low-income
1425 households on scattered sites or provide housing opportunities
1426 for persons with special needs. Any project designed to provide
1427 increased access to high-speed broadband capabilities which
1428 includes coverage of a rural enterprise zone may locate the
1429 project's infrastructure in any area of a rural county.

1430 Section 14. Subsections (20) and (22) of section 420.503,
1431 Florida Statutes, are amended to read:

1432 420.503 Definitions.—As used in this part, the term:

1433 (20) "Housing for the elderly" means, ~~for purposes of s.~~
1434 ~~420.5087(3)(e),~~ any nonprofit housing community that is financed
1435 by a mortgage loan made or insured by the United States
1436 Department of Housing and Urban Development under s. 202, s. 202
1437 with a s. 8 subsidy, s. 221(d)(3) or (4), or s. 236 of the
1438 National Housing Act, as amended, and that is subject to income
1439 limitations established by the United States Department of
1440 Housing and Urban Development, or any program funded by the
1441 Rural Development Agency of the United States Department of
1442 Agriculture and subject to income limitations established by the
1443 United States Department of Agriculture. A project which
1444 qualifies for an exemption under the Fair Housing Act as housing
1445 for older persons as defined by s. 760.29(4) shall qualify as
1446 housing for the elderly for purposes of ~~s. 420.5087(3)(e) and~~
1447 ~~for purposes of~~ any loans made pursuant to s. 420.508. In
1448 addition, if the corporation adopts a qualified allocation plan
1449 pursuant to s. 42(m)(1)(B) of the Internal Revenue Code or any
1450 other rules that prioritize projects targeting the elderly for

24-01160-22

20221170__

1451 purposes of allocating tax credits pursuant to s. 420.5099 or
1452 for purposes of the HOME program under s. 420.5089, a project
1453 which qualifies for an exemption under the Fair Housing Act as
1454 housing for older persons as defined by s. 760.29(4) shall
1455 qualify as a project targeted for the elderly, if the project
1456 satisfies the other requirements set forth in this part.

1457 (22) "Loan," for purposes of the ~~State Apartment Incentive~~
1458 ~~Loan Program~~ and HOME Investment Partnership Program, means any
1459 direct loan or loan guaranty issued or backed by such funds.

1460 Section 15. Section 420.5061, Florida Statutes, is amended
1461 to read:

1462 420.5061 Transfer of agency assets and liabilities.—The
1463 corporation is the legal successor in all respects to the
1464 agency, is obligated to the same extent as the agency under any
1465 agreements existing on December 31, 1997, and is entitled to any
1466 rights and remedies previously afforded the agency by law or
1467 contract, including specifically the rights of the agency under
1468 chapter 201 and part VI of chapter 159. Effective January 1,
1469 1998, all references under Florida law to the agency are deemed
1470 to mean the corporation. The corporation shall transfer to the
1471 General Revenue Fund an amount which otherwise would have been
1472 deducted as a service charge pursuant to s. 215.20(1) if the
1473 Florida Housing Finance Corporation Fund established by s.
1474 420.508(5), the State Apartment Incentive Loan Fund established
1475 by former s. 420.5087(7), the Florida Homeownership Assistance
1476 Fund established by s. 420.5088(4), the HOME Investment
1477 Partnership Fund established by s. 420.5089(1), and the Housing
1478 Predevelopment Loan Fund established by s. 420.525(1) were each
1479 trust funds. For purposes of s. 112.313, the corporation is

24-01160-22

20221170__

1480 deemed to be a continuation of the agency, and the provisions
1481 thereof are deemed to apply as if the same entity remained in
1482 place. Any employees of the agency and agency board members
1483 covered by s. 112.313(9)(a)6. shall continue to be entitled to
1484 the exemption in that subparagraph, notwithstanding being hired
1485 by the corporation or appointed as board members of the
1486 corporation.

1487 Section 16. Subsections (1) and (2) of section 420.5088,
1488 Florida Statutes, are amended to read:

1489 420.5088 Florida Homeownership Assistance Program.—There is
1490 created the Florida Homeownership Assistance Program for the
1491 purpose of assisting low-income and moderate-income persons in
1492 purchasing a home as their primary residence by reducing the
1493 cost of the home with below-market construction financing, by
1494 reducing the amount of down payment and closing costs paid by
1495 the borrower to a maximum of 5 percent of the purchase price, or
1496 by reducing the monthly payment to an affordable amount for the
1497 purchaser. Loans shall be made available at an interest rate
1498 that does not exceed 3 percent. The balance of any loan is due
1499 at closing if the property is sold, refinanced, rented, or
1500 transferred, unless otherwise approved by the corporation.

1501 (1) For loans made available pursuant to s.
1502 420.507(22)(a)1. or 2. ~~s. 420.507(23)(a)1. or 2.:~~

1503 (a) The corporation may underwrite and make those mortgage
1504 loans through the program to persons or families who have
1505 incomes that do not exceed 120 percent of the state or local
1506 median income, whichever is greater, adjusted for family size.

1507 (b) Loans shall be made available for the term of the first
1508 mortgage.

24-01160-22

20221170__

1509 (c) Loans may not exceed the lesser of 35 percent of the
1510 purchase price of the home or the amount necessary to enable the
1511 purchaser to meet credit underwriting criteria.

1512 (2) For loans made pursuant to s. 420.507(22)(a)3. ~~s.~~
1513 ~~420.507(23)(a)3.:~~

1514 (a) Availability is limited to nonprofit sponsors or
1515 developers who are selected for program participation pursuant
1516 to this subsection.

1517 (b) Preference must be given to community-based
1518 organizations as defined in s. 420.503.

1519 (c) Priority must be given to projects that have received
1520 state assistance in funding project predevelopment costs.

1521 (d) The benefits of making such loans shall be
1522 contractually provided to the persons or families purchasing
1523 homes financed under this subsection.

1524 (e) At least 30 percent of the units in a project financed
1525 pursuant to this subsection must be sold to persons or families
1526 who have incomes that do not exceed 80 percent of the state or
1527 local median income, whichever amount is greater, adjusted for
1528 family size; and at least another 30 percent of the units in a
1529 project financed pursuant to this subsection must be sold to
1530 persons or families who have incomes that do not exceed 65
1531 percent of the state or local median income, whichever amount is
1532 greater, adjusted for family size.

1533 (f) The maximum loan amount may not exceed 33 percent of
1534 the total project cost.

1535 (g) A person who purchases a home in a project financed
1536 under this subsection is eligible for a loan authorized by s.
1537 420.507(22)(a)1. or 2. ~~s. 420.507(23)(a)1. or 2.~~ in an aggregate

24-01160-22

20221170__

1538 amount not exceeding the construction loan made pursuant to this
1539 subsection. The home purchaser must meet all the requirements
1540 for loan recipients established pursuant to the applicable loan
1541 program.

1542 (h) The corporation shall provide, by rule, for the
1543 establishment of a review committee composed of corporation
1544 staff and shall establish, by rule, a scoring system for
1545 evaluating and ranking applications submitted for construction
1546 loans under this subsection, including, but not limited to, the
1547 following criteria:

- 1548 1. The affordability of the housing proposed to be built.
- 1549 2. The direct benefits of the assistance to the persons who
1550 will reside in the proposed housing.
- 1551 3. The demonstrated capacity of the applicant to carry out
1552 the proposal, including the experience of the development team.
- 1553 4. The economic feasibility of the proposal.
- 1554 5. The extent to which the applicant demonstrates potential
1555 cost savings by combining the benefits of different governmental
1556 programs and private initiatives, including the local government
1557 contributions and local government comprehensive planning and
1558 activities that promote affordable housing.
- 1559 6. The use of the least amount of program loan funds
1560 compared to overall project cost.
- 1561 7. The provision of homeownership counseling.
- 1562 8. The applicant's agreement to exceed the requirements of
1563 paragraph (e).
- 1564 9. The commitment of first mortgage financing for the
1565 balance of the construction loan and for the permanent loans to
1566 the purchasers of the housing.

24-01160-22

20221170__

1567 10. The applicant's ability to proceed with construction.

1568 11. The targeting objectives of the corporation which will
1569 ensure an equitable distribution of loans between rural and
1570 urban areas.

1571 12. The extent to which the proposal will further the
1572 purposes of this program.

1573 (i) The corporation may reject any and all applications.

1574 (j) The review committee established by corporation rule
1575 pursuant to this subsection shall make recommendations to the
1576 corporation board regarding program participation under this
1577 subsection. The corporation board shall make the final ranking
1578 for participation based on the scores received in the ranking,
1579 further review of the applications, and the recommendations of
1580 the review committee. The corporation board shall approve or
1581 reject applicants for loans and shall determine the tentative
1582 loan amount available to each program participant. The final
1583 loan amount shall be determined pursuant to rule adopted under
1584 s. 420.507(22)(h) ~~s. 420.507(23)(h)~~.

1585 Section 17. Paragraphs (a) and (i) of subsection (3) of
1586 section 420.511, Florida Statutes, are amended to read:

1587 420.511 Strategic business plan; long-range program plan;
1588 annual report; audited financial statements.—

1589 (3) The corporation shall submit to the Governor and the
1590 presiding officers of each house of the Legislature, within 6
1591 months after the end of its fiscal year, a complete and detailed
1592 report setting forth the corporation's state and federal program
1593 accomplishments using the most recent available data. The report
1594 must include, but is not limited to:

1595 (a) The following tenant characteristics in the existing

24-01160-22

20221170__

1596 rental units financed through corporation-administered programs:

1597 1. The number of households served, delineated by income,
1598 race, ethnicity, and age of the head of household.

1599 2. The number of households served in large, medium, and
1600 small counties as described in former s. 420.5087(1), Florida
1601 Statutes 2021, and the extent to which geographic distribution
1602 has been achieved in accordance with former s. 420.5087, Florida
1603 Statutes 2021.

1604 3. The number of farmworker and commercial fishing worker
1605 households served.

1606 4. The number of homeless households served.

1607 5. The number of special needs households served.

1608 6. By county, the average rent charged based on unit size.

1609 ~~(i) For the State Apartment Incentive Loan Program (SAIL),~~
1610 ~~a comprehensive list of all closed loans outstanding at the end~~
1611 ~~of the most recent fiscal year, including, but not limited to,~~
1612 ~~development name, city, county, developer, set-aside type, set-~~
1613 ~~aside percentage, affordability term, total number of units,~~
1614 ~~number of set-aside units, lien position, original loan amount,~~
1615 ~~loan maturity date, loan balance at close of year, status of~~
1616 ~~loan, rate of interest, and interest paid.~~

1617 Section 18. Section 420.517, Florida Statutes, is amended
1618 to read:

1619 420.517 Affordable housing and job training coordination.—
1620 The Florida Housing Finance Corporation shall undertake efforts
1621 to provide incentives to developers to build housing that
1622 encourages onsite job skills training to enable low-income
1623 residents to obtain and maintain meaningful employment. To the
1624 extent possible, the corporation shall direct all recipients of

24-01160-22

20221170__

1625 state housing funds, ~~including municipalities,~~ to work in
1626 cooperation with local and regional Job Training Partnerships
1627 Boards to provide training to residents and others who may be
1628 making the transition from welfare to the workforce. The
1629 corporation shall provide incentives through housing policy and
1630 program guidelines to prioritize those developments that
1631 encourage workforce training and skills development.

1632 Section 19. Subsection (1) of section 420.531, Florida
1633 Statutes, is amended to read:

1634 420.531 Affordable Housing Catalyst Program.—

1635 (1) The corporation shall operate the Affordable Housing
1636 Catalyst Program for the purpose of securing the expertise
1637 necessary to provide specialized technical support to local
1638 governments and community-based organizations to implement the
1639 HOME Investment Partnership Program, ~~State Apartment Incentive~~
1640 ~~Loan Program,~~ State Housing Initiatives Partnership Block Grant
1641 Program, and other affordable housing programs. To the maximum
1642 extent feasible, the entity to provide the necessary expertise
1643 must be recognized by the Internal Revenue Service as a
1644 nonprofit tax-exempt organization. It must have as its primary
1645 mission the provision of affordable housing training and
1646 technical assistance, an ability to provide training and
1647 technical assistance statewide, and a proven track record of
1648 successfully providing training and technical assistance under
1649 the Affordable Housing Catalyst Program. The technical support
1650 shall, at a minimum, include training relating to the following
1651 key elements of the partnership programs:

1652 (a) Formation of local and regional housing partnerships as
1653 a means of bringing together resources to provide affordable

24-01160-22

20221170__

1654 housing.

1655 (b) Implementation of regulatory reforms to reduce the risk
1656 and cost of developing affordable housing.

1657 (c) Implementation of affordable housing programs included
1658 in local government comprehensive plans.

1659 (d) Compliance with requirements of federally funded
1660 housing programs.

1661 Section 20. Paragraph (d) of subsection (1) and subsection
1662 (2) of section 420.628, Florida Statutes, are amended to read:

1663 420.628 Affordable housing for children and young adults
1664 leaving foster care; legislative findings and intent.—

1665 (1)

1666 (d) The Legislature intends that the Florida Housing
1667 Finance Corporation, agencies within the State Housing
1668 Initiatives Initiative Partnership Block Grant Program, local
1669 housing finance agencies, public housing authorities, and their
1670 agents, and other providers of affordable housing coordinate
1671 with the Department of Children and Families, their agents, and
1672 community-based care providers who provide services under s.
1673 409.986 to develop and implement strategies and procedures
1674 designed to make affordable housing available whenever and
1675 wherever possible to young adults who leave the child welfare
1676 system.

1677 (2) Young adults who leave the child welfare system meet
1678 the definition of eligible persons under ss. 420.503(17) and
1679 420.9071(10) ~~ss. 420.503(17) and 420.9071(11)~~ for affordable
1680 housing, and are encouraged to participate in federal, state,
1681 and local affordable housing programs. Students deemed to be
1682 eligible occupants under 26 U.S.C. s. 42(i)(3)(D) shall be

24-01160-22

20221170__

1683 considered eligible persons for purposes of all projects funded
1684 under this chapter.

1685 Section 21. Subsections (1) through (4), (6), and (7) of
1686 section 420.9076, Florida Statutes, are amended to read:

1687 420.9076 Adoption of affordable housing incentive
1688 strategies; committees.—

1689 (1) Each county ~~or eligible municipality~~ participating in
1690 the State Housing Initiatives Partnership Block Grant Program,
1691 ~~including a municipality receiving program funds through the~~
1692 ~~county, or an eligible municipality~~ must, within 12 months after
1693 the original adoption of the local housing assistance plan,
1694 amend the plan to include local housing incentive strategies as
1695 defined in s. 420.9071 ~~s. 420.9071(18)~~.

1696 (2) The governing board of a county ~~or municipality~~ shall
1697 appoint the members of the affordable housing advisory
1698 committee. Pursuant to the terms of any interlocal agreement, a
1699 county and municipality may create and jointly appoint an
1700 advisory committee. The local action adopted pursuant to s.
1701 420.9072 which creates the advisory committee and appoints the
1702 advisory committee members must name at least 8 but not more
1703 than 11 committee members and specify their terms. ~~Effective~~
1704 ~~October 1, 2020,~~ The committee must consist of one locally
1705 elected official from each county ~~or municipality~~ participating
1706 in the State Housing Initiatives Partnership Block Grant Program
1707 and one representative from at least six of the categories
1708 below:

1709 (a) A citizen who is actively engaged in the residential
1710 home building industry in connection with affordable housing.

1711 (b) A citizen who is actively engaged in the banking or

24-01160-22

20221170__

1712 mortgage banking industry in connection with affordable housing.

1713 (c) A citizen who is a representative of those areas of
1714 labor actively engaged in home building in connection with
1715 affordable housing.

1716 (d) A citizen who is actively engaged as an advocate for
1717 low-income persons in connection with affordable housing.

1718 (e) A citizen who is actively engaged as a for-profit
1719 provider of affordable housing.

1720 (f) A citizen who is actively engaged as a not-for-profit
1721 provider of affordable housing.

1722 (g) A citizen who is actively engaged as a real estate
1723 professional in connection with affordable housing.

1724 (h) A citizen who actively serves on the local planning
1725 agency pursuant to s. 163.3174. If the local planning agency is
1726 comprised of the governing board of the county or municipality,
1727 the governing board may appoint a designee who is knowledgeable
1728 in the local planning process.

1729 (i) A citizen who resides within the jurisdiction of the
1730 local governing body making the appointments.

1731 (j) A citizen who represents employers within the
1732 jurisdiction.

1733 (k) A citizen who represents essential services personnel,
1734 as defined in the local housing assistance plan.

1735 (3) All meetings of the advisory committee are public
1736 meetings, and all committee records are public records. Staff,
1737 administrative, and facility support to the advisory committee
1738 shall be provided by the appointing county ~~or eligible~~
1739 ~~municipality~~.

1740 (4) Annually, the advisory committee shall review the

24-01160-22

20221170__

1741 established policies and procedures, ordinances, land
1742 development regulations, and adopted local government
1743 comprehensive plan of the appointing local government and shall
1744 recommend specific actions or initiatives to encourage or
1745 facilitate affordable housing while protecting the ability of
1746 the property to appreciate in value. The recommendations may
1747 include the modification or repeal of existing policies,
1748 procedures, ordinances, regulations, or plan provisions; the
1749 creation of exceptions applicable to affordable housing; or the
1750 adoption of new policies, procedures, regulations, ordinances,
1751 or plan provisions, including recommendations to amend the local
1752 government comprehensive plan and corresponding regulations,
1753 ordinances, and other policies. At a minimum, each advisory
1754 committee shall submit an annual report to the local governing
1755 body and to the entity providing statewide training and
1756 technical assistance for the Affordable Housing Catalyst Program
1757 which includes recommendations on the implementation of
1758 affordable housing incentives in the following areas:

1759 (a) The processing of approvals of development orders or
1760 permits for affordable housing projects is expedited to a
1761 greater degree than other projects, as provided in s.
1762 163.3177(6)(f)3.

1763 (b) All allowable fee waivers provided for the development
1764 or construction of affordable housing.

1765 (c) The allowance of flexibility in densities for
1766 affordable housing.

1767 (d) The reservation of infrastructure capacity for housing
1768 for very-low-income persons, low-income persons, and moderate-
1769 income persons.

24-01160-22

20221170__

- 1770 (e) Affordable accessory residential units.
- 1771 (f) The reduction of parking and setback requirements for
1772 affordable housing.
- 1773 (g) The allowance of flexible lot configurations, including
1774 zero-lot-line configurations for affordable housing.
- 1775 (h) The modification of street requirements for affordable
1776 housing.
- 1777 (i) The establishment of a process by which a local
1778 government considers, before adoption, policies, procedures,
1779 ordinances, regulations, or plan provisions that increase the
1780 cost of housing.
- 1781 (j) The preparation of a printed inventory of locally owned
1782 public lands suitable for affordable housing.
- 1783 (k) The support of development near transportation hubs and
1784 major employment centers and mixed-use developments.
- 1785
- 1786 The advisory committee recommendations may also include other
1787 affordable housing incentives identified by the advisory
1788 committee. Local governments that receive the minimum allocation
1789 under the State Housing Initiatives Partnership Block Grant
1790 Program shall perform an initial review but may elect to not
1791 perform the annual review.
- 1792 (6) Within 90 days after the date of receipt of the
1793 evaluation and local housing incentive strategies
1794 recommendations from the advisory committee, the governing body
1795 of the appointing local government shall adopt an amendment to
1796 its local housing assistance plan to incorporate the local
1797 housing incentive strategies it will implement within its
1798 jurisdiction. The amendment must include, at a minimum, the

24-01160-22

20221170__

1799 local housing incentive strategies required under s.
1800 420.9071(17) ~~s. 420.9071(18)~~. The local government must consider
1801 the strategies specified in paragraphs (4) (a)-(k) as recommended
1802 by the advisory committee.

1803 (7) The governing board of the county ~~or the eligible~~
1804 ~~municipality~~ shall notify the corporation by certified mail of
1805 its adoption of an amendment of its local housing assistance
1806 plan to incorporate local housing incentive strategies. The
1807 notice must include a copy of the approved amended plan.

1808 (a) If the corporation fails to receive timely the approved
1809 amended local housing assistance plan to incorporate local
1810 housing incentive strategies, a notice of termination of its
1811 share of the local housing distribution shall be sent by
1812 certified mail by the corporation to the affected county ~~or~~
1813 ~~eligible municipality~~. The notice of termination must specify a
1814 date of termination of the funding if the affected county ~~or~~
1815 ~~eligible municipality~~ has not adopted an amended local housing
1816 assistance plan to incorporate local housing incentive
1817 strategies. If the county ~~or the eligible municipality~~ has not
1818 adopted an amended local housing assistance plan to incorporate
1819 local housing incentive strategies by the termination date
1820 specified in the notice of termination, the local distribution
1821 share terminates; and any uncommitted local distribution funds
1822 held by the affected county ~~or eligible municipality~~ in its
1823 local housing assistance trust fund shall be transferred to the
1824 Local Government Housing Trust Fund to the credit of the
1825 corporation to administer the local government housing program.

1826 (b) ~~If a county fails to timely adopt an amended local~~
1827 ~~housing assistance plan to incorporate local housing incentive~~

24-01160-22

20221170__

1828 ~~strategies but an eligible municipality receiving a local~~
1829 ~~housing distribution pursuant to an interlocal agreement within~~
1830 ~~the county does timely adopt an amended local housing assistance~~
1831 ~~plan to incorporate local housing incentive strategies, the~~
1832 ~~corporation, after issuance of a notice of termination, shall~~
1833 ~~thereafter distribute directly to the participating eligible~~
1834 ~~municipality its share calculated in the manner provided in s.~~
1835 ~~420.9073.~~

1836 ~~(e)~~ Any county ~~or eligible municipality~~ whose local
1837 distribution share has been terminated may subsequently elect to
1838 receive directly its local distribution share by adopting an
1839 amended local housing assistance plan to incorporate local
1840 housing incentive strategies in the manner and according to the
1841 procedure provided in this section and by adopting an ordinance
1842 in the manner required in s. 420.9072.

1843 Section 22. Section 420.9089, Florida Statutes, is amended
1844 to read:

1845 420.9089 National Housing Trust Fund.—The Legislature finds
1846 that more funding for housing to assist individuals and families
1847 who are experiencing homelessness or who are at risk of
1848 homelessness is needed and encourages the state entity
1849 designated to administer funds made available to the state from
1850 the National Housing Trust Fund to propose an allocation plan
1851 that includes strategies to reduce homelessness and the risk of
1852 homelessness in this state. ~~These strategies shall be in~~
1853 ~~addition to strategies developed under s. 420.5087.~~

1854 Section 23. Paragraphs (d) and (e) of subsection (2) of
1855 section 624.5105, Florida Statutes, are amended to read:

1856 624.5105 Community contribution tax credit; authorization;

24-01160-22

20221170__

1857 limitations; eligibility and application requirements;
1858 administration; definitions; expiration.—

1859 (2) ELIGIBILITY REQUIREMENTS.—

1860 (d) The project shall be located in an area that was
1861 designated as an enterprise zone pursuant to chapter 290 as of
1862 May 1, 2015, or a Front Porch Florida Community. Any project
1863 designed to provide housing opportunities for persons with
1864 special needs as defined in s. 420.0004 or to construct or
1865 rehabilitate housing for low-income or very-low-income
1866 households as defined in s. 420.9071(19) and (29) ~~s.~~
1867 ~~420.9071(20) and (30)~~ is exempt from the area requirement of
1868 this paragraph.

1869 (e)1. If, during the first 10 business days of the state
1870 fiscal year, eligible tax credit applications for projects that
1871 provide housing opportunities for persons with special needs as
1872 defined in s. 420.0004 or homeownership opportunities for low-
1873 income or very-low-income households as defined in s.
1874 420.9071(19) and (29) ~~s. 420.9071(20) and (30)~~ are received for
1875 less than the annual tax credits available for those projects,
1876 the Department of Economic Opportunity shall grant tax credits
1877 for those applications and shall grant remaining tax credits on
1878 a first-come, first-served basis for any subsequent eligible
1879 applications received before the end of the state fiscal year.
1880 If, during the first 10 business days of the state fiscal year,
1881 eligible tax credit applications for projects that provide
1882 housing opportunities for persons with special needs as defined
1883 in s. 420.0004 or homeownership opportunities for low-income or
1884 very-low-income households as defined in s. 420.9071(19) and
1885 (29) ~~s. 420.9071(20) and (30)~~ are received for more than the

24-01160-22

20221170__

1886 annual tax credits available for those projects, the Department
1887 of Economic Opportunity shall grant the tax credits for those
1888 applications as follows:

1889 a. If tax credit applications submitted for approved
1890 projects of an eligible sponsor do not exceed \$200,000 in total,
1891 the credits shall be granted in full if the tax credit
1892 applications are approved.

1893 b. If tax credit applications submitted for approved
1894 projects of an eligible sponsor exceed \$200,000 in total, the
1895 amount of tax credits granted under sub-subparagraph a. shall be
1896 subtracted from the amount of available tax credits, and the
1897 remaining credits shall be granted to each approved tax credit
1898 application on a pro rata basis.

1899 2. If, during the first 10 business days of the state
1900 fiscal year, eligible tax credit applications for projects other
1901 than those that provide housing opportunities for persons with
1902 special needs as defined in s. 420.0004 or homeownership
1903 opportunities for low-income or very-low-income households as
1904 defined in s. 420.9071(19) and (29) ~~s. 420.9071(20) and (30)~~ are
1905 received for less than the annual tax credits available for
1906 those projects, the Department of Economic Opportunity shall
1907 grant tax credits for those applications and shall grant
1908 remaining tax credits on a first-come, first-served basis for
1909 any subsequent eligible applications received before the end of
1910 the state fiscal year. If, during the first 10 business days of
1911 the state fiscal year, eligible tax credit applications for
1912 projects other than those that provide housing opportunities for
1913 persons with special needs as defined in s. 420.0004 or
1914 homeownership opportunities for low-income or very-low-income

24-01160-22

20221170__

1915 households as defined in s. 420.9071(19) and (29) ~~s.~~
1916 ~~420.9071(20) and (30)~~ are received for more than the annual tax
1917 credits available for those projects, the Department of Economic
1918 Opportunity shall grant the tax credits for those applications
1919 on a pro rata basis.

1920 Section 24. This act shall take effect July 1, 2022.