

26 interlocal agreements; revising counties' authorized
 27 uses of local housing distributions relating to rent
 28 subsidies; conforming provisions to changes made by
 29 the act; amending s. 420.9073, F.S.; revising eligible
 30 counties and distribution calculations under the State
 31 Housing Initiatives Partnership Block Grant Program;
 32 revising the guaranteed amount for each state fiscal
 33 year; conforming provisions to changes made by the
 34 act; amending s. 420.9075, F.S.; revising criteria for
 35 the use of funds awarded to eligible sponsors or
 36 eligible persons under the State Housing Initiatives
 37 Partnership Block Grant Program; conforming provisions
 38 to changes made by the act; amending ss. 193.018,
 39 212.08, 220.03, 220.183, 420.503, 420.5061, 420.5088,
 40 420.511, 420.517, 420.531, 420.628, 420.9076,
 41 420.9079, 420.9089, and 624.5105, F.S.; conforming
 42 provisions to changes made by the act; providing an
 43 effective date.

44
 45 Be It Enacted by the Legislature of the State of Florida:

46
 47 Section 1. Paragraphs (b) and (c) of subsection (5) of
 48 section 381.0081, Florida Statutes, are amended to read:

49 381.0081 Permit required to operate a migrant labor camp
 50 or residential migrant housing; penalties for unlawful

51 establishment or operation; allocation of proceeds.—

52 (5) SEIZURE.—

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

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

61 2. One-third of the proceeds shall be allocated to the
62 department, to be used for purposes of enforcing the provisions
63 of this section.

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

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

75 Section 2. Subsections (23) through (50) of section

76 420.507, Florida Statutes, are renumbered as subsections (22)
 77 through (49), respectively, and subsection (22) and present
 78 subsection (48) of that section are amended to read:

79 420.507 Powers of the corporation.—The corporation shall
 80 have all the powers necessary or convenient to carry out and
 81 effectuate the purposes and provisions of this part, including
 82 the following powers which are in addition to all other powers
 83 granted by other provisions of this part:

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

87 ~~(a) Make first, second, and other subordinated mortgage~~
 88 ~~loans including variable or fixed rate loans subject to~~
 89 ~~contingent interest for all State Apartment Incentive Loans~~
 90 ~~provided in this chapter based upon available cash flow of the~~
 91 ~~projects. The corporation shall make loans exceeding 25 percent~~
 92 ~~of project cost only to nonprofit organizations and public~~
 93 ~~bodies that are able to secure grants, donations of land, or~~
 94 ~~contributions from other sources and to projects meeting the~~
 95 ~~criteria of subparagraph 1. Mortgage loans shall be made~~
 96 ~~available at the following rates of interest:~~

97 ~~1. Zero to 3 percent interest for sponsors of projects~~
 98 ~~that set aside at least 80 percent of their total units for~~
 99 ~~residents qualifying as farmworkers, commercial fishing workers,~~
 100 ~~the homeless as defined in s. 420.621, or persons with special~~

101 ~~needs as defined in s. 420.0004(13) over the life of the loan.~~

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

106 ~~3. One to 9 percent interest for sponsors of projects~~
107 ~~targeted at populations other than farmworkers, commercial~~
108 ~~fishing workers, homeless persons, or persons with special~~
109 ~~needs.~~

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

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

116 ~~(d) In counties or rural areas of counties that do not~~
117 ~~have existing units set aside for homeless persons, forgive~~
118 ~~indebtedness for loans provided to create permanent rental~~
119 ~~housing units for persons who are homeless, as defined in s.~~
120 ~~420.621, or for persons residing in time-limited transitional~~
121 ~~housing or institutions as a result of a lack of permanent,~~
122 ~~affordable housing. Such developments must be supported by a~~
123 ~~continuum of care developed under s. 420.6225, be developed by~~
124 ~~nonprofit applicants, be small properties as defined by~~
125 ~~corporation rule, and be a project in the local housing~~

126 ~~assistance continuum of care plan recognized by the State Office~~
127 ~~on Homelessness.~~

128 ~~(e) Geographically and demographically target the~~
129 ~~utilization of loans.~~

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

132 ~~(g) Negotiate with governing bodies within the state after~~
133 ~~a loan has been awarded to obtain local government~~
134 ~~contributions.~~

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

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

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

146 ~~(47)-(48)~~ To award its annual allocation of low-income
147 housing tax credits and, nontaxable revenue bonds, ~~and State~~
148 ~~Apartment Incentive Loan Program funds appropriated by the~~
149 ~~Legislature and available to allocate by request for proposals~~
150 ~~or other competitive solicitation.~~ The corporation shall reserve

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

167 Section 3. Section 420.5087, Florida Statutes, is
168 repealed.

169 Section 4. Any existing loans made under the State
170 Apartment Incentive Loan Program pursuant to s. 420.5087,
171 Florida Statutes, must continue for the duration of the loan
172 period and continue to be subject to s. 420.5087, Florida
173 Statutes, and other related laws as existing on June 30, 2022.

174 Section 5. Section 420.5095, Florida Statutes, is
175 repealed.

176 Section 6. Subsections (11) through (30) of section
 177 420.9071, Florida Statutes, are renumbered as subsections (10)
 178 through (29), respectively, and subsections (1) through (4),
 179 subsection (9), and present subsections (10), (11), (16), (17),
 180 (19), (26), and (27) of that section are amended to read:

181 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
 182 term:

183 (1) "Adjusted for family size" means adjusted in a manner
 184 that results in an income eligibility level that is lower for
 185 households having fewer than four people, or higher for
 186 households having more than four people, than the base income
 187 eligibility determined as provided in subsection (19) ~~(20)~~,
 188 subsection (20) ~~(21)~~, or subsection (29) ~~(30)~~, based upon a
 189 formula established by the United States Department of Housing
 190 and Urban Development.

191 (2) "Affordable" means that monthly rents or monthly
 192 mortgage payments including taxes and insurance do not exceed 30
 193 percent of that amount which represents the percentage of the
 194 median annual gross income for the households as indicated in
 195 subsection (19) ~~(20)~~, subsection (20) ~~(21)~~, or subsection (29)
 196 ~~(30)~~. However, it is not the intent to limit an individual
 197 household's ability to devote more than 30 percent of its income
 198 for housing, and housing for which a household devotes more than
 199 30 percent of its income shall be deemed affordable if the first
 200 institutional mortgage lender is satisfied that the household

201 can afford mortgage payments in excess of the 30 percent
 202 benchmark. The term also includes housing provided by a not-for-
 203 profit corporation that derives at least 75 percent of its
 204 annual revenues from contracts or services provided to a state
 205 or federal agency for low-income persons and low-income
 206 households; that provides supportive housing for persons who
 207 suffer from mental health issues, substance abuse, or domestic
 208 violence; and that provides on-premises social and community
 209 support services relating to job training, life skills training,
 210 alcohol and substance abuse disorders, child care, and client
 211 case management.

212 (3) "Affordable housing advisory committee" means the
 213 committee appointed by the governing body of a county ~~or~~
 214 ~~eligible municipality~~ for the purpose of recommending specific
 215 initiatives and incentives to encourage or facilitate affordable
 216 housing as provided in s. 420.9076.

217 (4) "Annual gross income" means annual income as defined
 218 under the Section 8 housing assistance payments programs in 24
 219 C.F.R. part 5; annual income as reported under the census long
 220 form for the recent available decennial census; or adjusted
 221 gross income as defined for purposes of reporting under Internal
 222 Revenue Service Form 1040 for individual federal annual income
 223 tax purposes or as defined by standard practices used in the
 224 lending industry as detailed in the local housing assistance
 225 plan and approved by the corporation. Counties ~~and eligible~~

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226 ~~municipalities~~ shall calculate income by annualizing verified
227 sources of income for the household as the amount of income to
228 be received in a household during the 12 months following the
229 effective date of the determination.

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

243 ~~(10) "Eligible municipality" means a municipality that is~~
244 ~~eligible for federal community development block grant~~
245 ~~entitlement moneys as an entitlement community identified in 24~~
246 ~~C.F.R. s. 570, subpart D, Entitlement Grants, or a~~
247 ~~nonentitlement municipality that is receiving local housing~~
248 ~~distribution funds under an interlocal agreement that provides~~
249 ~~for possession and administrative control of funds to be~~
250 ~~transferred to the nonentitlement municipality. An eligible~~

251 ~~municipality that defers its participation in community~~
 252 ~~development block grants does not affect its eligibility for~~
 253 ~~participation in the State Housing Initiatives Partnership~~
 254 ~~Program.~~

255 (10)~~(11)~~ "Eligible person" or "eligible household" means
 256 one or more natural persons or a family determined by the county
 257 ~~or eligible municipality~~ to be of very low income, low income,
 258 or moderate income according to the income limits adjusted to
 259 family size published annually by the United States Department
 260 of Housing and Urban Development based upon the annual gross
 261 income of the household.

262 (15)~~(16)~~ "Local housing assistance strategies" means the
 263 housing construction, rehabilitation, repair, or finance program
 264 implemented by a participating county ~~or eligible municipality~~
 265 with the local housing distribution or other funds deposited
 266 into the local housing assistance trust fund.

267 (16)~~(17)~~ "Local housing distributions" means the proceeds
 268 of the taxes collected under chapter 201 deposited into the
 269 Local Government Housing Trust Fund and distributed to counties
 270 ~~and eligible municipalities~~ participating in the State Housing
 271 Initiatives Partnership Block Grant Program pursuant to s.
 272 420.9073.

273 (18)~~(19)~~ "Local housing partnership" means the
 274 implementation of the local housing assistance plan in a manner
 275 that involves the applicable county ~~or eligible municipality~~,

276 | lending institutions, housing builders and developers, real
277 | estate professionals, advocates for low-income persons,
278 | community-based housing and service organizations, and providers
279 | of professional services relating to affordable housing. The
280 | term includes initiatives to provide support services for
281 | housing program beneficiaries such as training to prepare
282 | persons for the responsibility of homeownership, counseling of
283 | tenants, and the establishing of support services such as day
284 | care, health care, and transportation.

285 | ~~(26)~~ (25) "Program income" means the proceeds derived from
286 | interest earned on or investment of the local housing
287 | distribution and other funds deposited into the local housing
288 | assistance trust fund, proceeds from loan repayments, recycled
289 | funds, and all other income derived from use of funds deposited
290 | in the local housing assistance trust fund. It does not include
291 | recaptured funds ~~as defined in subsection (27)~~.

292 | ~~(27)~~ (26) "Recaptured funds" means funds ~~that are~~ recouped
293 | by a county ~~or eligible municipality~~ in accordance with the
294 | recapture provisions of its local housing assistance plan
295 | pursuant to s. 420.9075(5)(e) ~~s. 420.9075(5)(j)~~ from eligible
296 | persons or eligible sponsors, which funds were not used for
297 | assistance to an eligible household for an eligible activity,
298 | when there is a default on the terms of a grant award or loan
299 | award.

300 | Section 7. Section 420.9072, Florida Statutes, is amended

301 to read:

302 420.9072 State Housing Initiatives Partnership Block Grant
 303 Program.—The State Housing Initiatives Partnership Block Grant
 304 Program is created for the purpose of providing funds to
 305 counties ~~and eligible municipalities~~ as an incentive for the
 306 creation of local housing partnerships, to expand production of
 307 and preserve affordable housing, to further the housing element
 308 of the local government comprehensive plan specific to
 309 affordable housing, and to increase housing-related employment.

310 (1)(a) In addition to the legislative findings set forth
 311 in s. 420.6015, the Legislature finds that affordable housing is
 312 most effectively provided by combining available public and
 313 private resources to conserve and improve existing housing and
 314 provide new housing for very-low-income households, low-income
 315 households, and moderate-income households. The Legislature
 316 intends to encourage partnerships in order to secure the
 317 benefits of cooperation by the public and private sectors and to
 318 reduce the cost of housing for the target group by effectively
 319 combining all available resources and cost-saving measures. The
 320 Legislature further intends that local governments achieve this
 321 combination of resources by encouraging active partnerships
 322 between government, lenders, builders and developers, real
 323 estate professionals, advocates for low-income persons, and
 324 community groups to produce affordable housing and provide
 325 related services. Extending the partnership concept to encompass

326 cooperative efforts among small counties as defined in s.
 327 120.52(19), and among counties and municipalities is
 328 specifically encouraged. Local governments are also intended to
 329 establish an affordable housing advisory committee to recommend
 330 monetary and nonmonetary incentives for affordable housing as
 331 provided in s. 420.9076.

332 (b) The Legislature further intends that the State Housing
 333 Initiatives Partnership Block Grant Program provide the maximum
 334 flexibility to local governments to determine the use of funds
 335 for housing programs while ensuring accountability for the
 336 efficient use of public resources and guaranteeing that benefits
 337 are provided to those in need.

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

340 1. Submit to the corporation its local housing assistance
 341 plan describing the local housing assistance strategies
 342 established pursuant to s. 420.9075;

343 2. Within 12 months after adopting the local housing
 344 assistance plan, amend the plan to incorporate the local housing
 345 incentive strategies defined in s. 420.9071 ~~s. 420.9071(18)~~ and
 346 described in s. 420.9076; and

347 3. Within 24 months after adopting the amended local
 348 housing assistance plan to incorporate the local housing
 349 incentive strategies, amend its land development regulations or
 350 establish local policies and procedures, as necessary, to

351 implement the local housing incentive strategies adopted by the
352 local governing body. A county ~~or an eligible municipality~~ that
353 has adopted a housing incentive strategy pursuant to s. 420.9076
354 before the effective date of this act shall review the status of
355 implementation of the plan according to its adopted schedule for
356 implementation and report its findings in the annual report
357 required by s. 420.9075(10). If, as a result of the review, a
358 county ~~or an eligible municipality~~ determines that the
359 implementation is complete and in accordance with its schedule,
360 no further action is necessary. If a county ~~or an eligible~~
361 ~~municipality~~ determines that implementation according to its
362 schedule is not complete, it must amend its land development
363 regulations or establish local policies and procedures, as
364 necessary, to implement the housing incentive plan within 12
365 months after the effective date of this act, or if extenuating
366 circumstances prevent implementation within 12 months, pursuant
367 to s. 420.9075(13), enter into an extension agreement with the
368 corporation.

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

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

374 2. Adoption by resolution of a local housing assistance
375 plan as defined in s. 420.9071 ~~s. 420.9071(15)~~ to be implemented

376 through a local housing partnership as defined in s. 420.9071 ~~s.~~
 377 ~~420.9071(19)~~.

378 3. Designation of the responsibility for the
 379 administration of the local housing assistance plan. Such
 380 ordinance may also provide for the contracting of all or part of
 381 the administrative or other functions of the program to a third
 382 person or entity.

383 4. Creation of the affordable housing advisory committee
 384 as provided in s. 420.9076.

385
 386 The ordinance must not take effect until at least 30 days after
 387 the date of formal adoption. Ordinances in effect prior to the
 388 effective date of amendments to this section shall be amended as
 389 needed to conform to new provisions.

390 (3) (a) The governing board of the county ~~or of an eligible~~
 391 ~~municipality~~ must submit to the corporation one copy of its
 392 local housing assistance plan. The transmittal of the plan must
 393 include a copy of the ordinance, the adopting resolution, the
 394 local housing assistance plan, and such other information as the
 395 corporation requires by rule; however, information to be
 396 included in the plan is intended to demonstrate consistency with
 397 the requirements of ss. 420.907-420.9079 and corporation rule
 398 without posing an undue burden on the local government. Plans
 399 shall be reviewed by a committee composed of corporation staff
 400 as established by corporation rule.

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401 (b) Within 45 days after receiving a plan, the review
402 committee shall review the plan and either approve it or
403 identify inconsistencies with the requirements of the program.
404 The corporation shall assist a local government in revising its
405 plan if it initially proves to be inconsistent with program
406 requirements. A plan that is revised by the local government to
407 achieve consistency with program requirements shall be reviewed
408 within 45 days after submission. The deadlines for submitting
409 original and revised plans shall be established by corporation
410 rule; however, the corporation shall not require submission of a
411 new local housing assistance plan to implement amendments to
412 this act until the currently effective plan expires.

413 (c) The Legislature intends that approval of plans be
414 expedited to ensure that the production of needed housing and
415 the related creation of jobs occur as quickly as possible. After
416 being approved for funding, a local government may amend by
417 resolution its local housing assistance plan if the plan as
418 amended complies with program requirements; however, a local
419 government must submit its amended plan for review according to
420 the process established in this subsection in order to ensure
421 continued consistency with the requirements of the State Housing
422 Initiatives Partnership Block Grant Program.

423 (4) Moneys appropriated by the Legislature for the program
424 ~~in the Local Government Housing Trust Fund~~ shall be distributed
425 by the corporation to each approved county ~~and eligible~~

426 ~~municipality within the county~~ as provided in s. 420.9073.
427 ~~Distributions shall be allocated to~~ The participating county may
428 make subgrants to a ~~and to each eligible~~ municipality within the
429 county according to an interlocal agreement between the county
430 governing authority and the governing body of the eligible
431 ~~municipality or, if there is no interlocal agreement, according~~
432 ~~to population. The portion for each eligible municipality is~~
433 ~~computed by multiplying the total moneys earmarked for a county~~
434 ~~by a fraction, the numerator of which is the population of the~~
435 ~~eligible municipality and the denominator of which is the total~~
436 ~~population of the county. The remaining revenues shall be~~
437 ~~distributed to the governing body of the county.~~

438 (5) (a) Local governments are encouraged to make the most
439 efficient use of their resources by cooperating to provide
440 affordable housing assistance. Local governments may enter into
441 an interlocal agreement for the purpose of establishing a joint
442 local housing assistance plan subject to the requirements of ss.
443 420.907-420.9079. The local housing distributions for such
444 ~~counties and eligible municipalities~~ shall be directly disbursed
445 on a monthly basis to each county ~~or eligible municipality~~ to be
446 administered in conformity with the interlocal agreement
447 providing for a joint local housing assistance plan.

448 (b) If a county ~~or eligible municipality~~ enters into an
449 interlocal agreement with a municipality ~~that becomes eligible~~
450 ~~as a result of entering into that interlocal agreement, the~~

451 county ~~or eligible municipality~~ that has agreed to transfer the
 452 control of funds to a municipality ~~that was not originally~~
 453 ~~eligible~~ must ensure through its local housing assistance plan
 454 and through the interlocal agreement that all program funds are
 455 used in a manner consistent with ss. 420.907-420.9079. This must
 456 be accomplished by:

457 1. Providing that the use of the portion of funds
 458 transferred to the municipality meets all requirements of ss.
 459 420.907-420.9079;7 or

460 2. Providing that the use of the portion of funds
 461 transferred to the municipality, when taken in combination with
 462 the use of the local housing distribution from which funds were
 463 transferred, meets all requirements of ss. 420.907-420.9079.

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

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

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

- 476 1. Security and utility deposit assistance.
 477 2. Eviction prevention not to exceed 6 months' rent.
 478 3. A rent subsidy program for very-low-income households
 479 with at least one adult who is a person with special needs as
 480 defined in s. 420.0004 or homeless as defined in s. 420.621. The
 481 period of rental assistance may not exceed 12 months for any
 482 eligible household.

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

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

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

491 Section 8. Section 420.9073, Florida Statutes, is amended
 492 to read:

493 420.9073 Local housing distributions.—

494 (1) Distributions calculated in this section shall be
 495 disbursed on a quarterly or more frequent basis by the
 496 corporation pursuant to s. 420.9072, subject to availability of
 497 funds. Each county's share of the funds to be distributed from
 498 the portion of the funds appropriated annually for the State
 499 Housing Initiatives Partnership Block Grant Program ~~in the Local~~
 500 ~~Government Housing Trust Fund received pursuant to s.~~

501 ~~201.15(4)(c)~~ shall be calculated by the corporation ~~for each~~
 502 ~~fiscal year~~ as follows:

503 (a) Each county ~~other than a county that has implemented~~
 504 ~~chapter 83-220, Laws of Florida, as amended by chapters 84-270,~~
 505 ~~86-152, and 89-252, Laws of Florida,~~ shall receive the
 506 guaranteed amount for each fiscal year.

507 (b) Each county ~~other than a county that has implemented~~
 508 ~~chapter 83-220, Laws of Florida, as amended by chapters 84-270,~~
 509 ~~86-152, and 89-252, Laws of Florida,~~ may receive an additional
 510 share calculated as follows:

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

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

519 3. For each county in which the result in subparagraph 1.
 520 is greater than the guaranteed amount as determined in
 521 subsection (2) ~~(3)~~, the amount calculated in subparagraph 1.
 522 shall be reduced by the guaranteed amount. ~~The result for each~~
 523 ~~such county shall be expressed as a percentage of the amounts so~~
 524 ~~determined for all counties. Each such county shall receive an~~
 525 ~~additional share equal to such percentage multiplied by the~~

526 ~~total funds received by the Local Government Housing Trust Fund~~
527 ~~pursuant to s. 201.15(4)(c) reduced by the guaranteed amount~~
528 ~~paid to all counties.~~

529 ~~(2) Distributions calculated in this section shall be~~
530 ~~disbursed on a quarterly or more frequent basis by the~~
531 ~~corporation pursuant to s. 420.9072, subject to availability of~~
532 ~~funds. Each county's share of the funds to be distributed from~~
533 ~~the portion of the funds in the Local Government Housing Trust~~
534 ~~Fund received pursuant to s. 201.15(4)(d) shall be calculated by~~
535 ~~the corporation for each fiscal year as follows:~~

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

538 ~~(b) Each county may receive an additional share calculated~~
539 ~~as follows:~~

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

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

545 ~~3. For each county in which the result in subparagraph 1.~~
546 ~~is greater than the guaranteed amount, the amount calculated in~~
547 ~~subparagraph 1. shall be reduced by the guaranteed amount. The~~
548 ~~result for each such county shall be expressed as a percentage~~
549 ~~of the amounts so determined for all counties. Each such county~~
550 ~~shall receive an additional share equal to this percentage~~

551 ~~multiplied by the total funds received by the Local Government~~
 552 ~~Housing Trust Fund pursuant to s. 201.15(4)(d) as reduced by the~~
 553 ~~guaranteed amount paid to all counties.~~

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

555 ~~(2)(a) The guaranteed amount under subsection (1) shall be~~
 556 ~~calculated for each state fiscal year is \$500,000 by multiplying~~
 557 ~~\$350,000 by a fraction, the numerator of which is the amount of~~
 558 ~~funds distributed to the Local Government Housing Trust Fund~~
 559 ~~pursuant to s. 201.15(4)(c) and the denominator of which is the~~
 560 ~~total amount of funds distributed to the Local Government~~
 561 ~~Housing Trust Fund pursuant to s. 201.15.~~

562 ~~(b) The guaranteed amount under subsection (2) shall be~~
 563 ~~calculated for each state fiscal year by multiplying \$350,000 by~~
 564 ~~a fraction, the numerator of which is the amount of funds~~
 565 ~~distributed to the Local Government Housing Trust Fund pursuant~~
 566 ~~to s. 201.15(4)(d) and the denominator of which is the total~~
 567 ~~amount of funds distributed to the Local Government Housing~~
 568 ~~Trust Fund pursuant to s. 201.15.~~

569 ~~(3)(4) Funds distributed pursuant to this section may not~~
 570 ~~be pledged to pay debt service on any bonds.~~

571 ~~(4)(5) Notwithstanding subsections (1), (2), and (3) ~~(1)-~~~~
 572 ~~(4), the corporation may withhold up to \$5 million of the total~~
 573 ~~amount distributed each fiscal year from the Local Government~~
 574 ~~Housing Trust Fund to provide additional funding to counties ~~and~~~~
 575 ~~eligible municipalities where a state of emergency has been~~

576 declared by the Governor pursuant to chapter 252. Any portion of
 577 the withheld funds not distributed by the end of the fiscal year
 578 shall be distributed as provided in subsection (1) ~~subsections~~
 579 ~~(1) and (2)~~.

580 (5)-(6) Notwithstanding subsections (1), (2), and (3) ~~(1)-~~
 581 ~~(4)~~, the corporation may withhold up to \$5 million from the
 582 total amount distributed each fiscal year from the Local
 583 Government Housing Trust Fund to provide funding to counties ~~and~~
 584 ~~eligible municipalities~~ to purchase properties subject to a
 585 State Housing Initiatives Initiative Partnership Block Grant
 586 Program lien and on which foreclosure proceedings have been
 587 initiated by any mortgagee. Each county ~~and eligible~~
 588 ~~municipality~~ that receives funds under this subsection shall
 589 repay such funds to the corporation not later than the
 590 expenditure deadline for the fiscal year in which the funds were
 591 awarded. Amounts not repaid shall be withheld from the
 592 subsequent year's distribution. Any portion of such funds not
 593 distributed under this subsection by the end of the fiscal year
 594 shall be distributed as provided in subsection (1) ~~subsections~~
 595 ~~(1) and (2)~~.

596 (6)-(7) A county receiving local housing distributions
 597 under this section which ~~or an eligible municipality that~~
 598 receives local housing distributions under an interlocal
 599 agreement shall expend those funds in accordance with the
 600 provisions of ss. 420.907-420.9079, rules of the corporation,

601 and the county's local housing assistance plan.

602 Section 9. Section 420.9075, Florida Statutes, is amended
603 to read:

604 420.9075 Local housing assistance plans; partnerships.—

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

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

621 1. Implement local housing assistance strategies for the
622 provision of affordable housing.

623 2. Supplement funds available to the corporation to
624 provide enhanced funding of state housing programs within the
625 county ~~or the eligible municipality~~.

626 3. Provide the local matching share of federal affordable
627 housing grants or programs.

628 4. Fund emergency repairs, including, but not limited to,
629 repairs performed by existing service providers under
630 weatherization assistance programs under ss. 409.509-409.5093.

631 5. Further the housing element of the local government
632 comprehensive plan adopted pursuant to s. 163.3184, specific to
633 affordable housing.

634 (2)(a) Each county ~~and each eligible municipality~~
635 participating in the State Housing Initiatives Partnership Block
636 Grant Program shall encourage the involvement of appropriate
637 public sector and private sector entities as partners in order
638 to combine resources to reduce housing costs for the targeted
639 population. This partnership process should involve:

640 1. Lending institutions.

641 2. Housing builders and developers.

642 3. Nonprofit and other community-based housing and service
643 organizations.

644 4. Providers of professional services relating to
645 affordable housing.

646 5. Advocates for low-income persons, including, but not
647 limited to, homeless people, the elderly, and migrant
648 farmworkers.

649 6. Real estate professionals.

650 7. Other persons or entities who can assist in providing

651 housing or related support services.

652 8. Lead agencies of local homeless assistance continuums
653 of care.

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

657 (3)(a) Each local housing assistance plan shall include a
658 definition of essential service personnel for the county ~~or~~
659 ~~eligible municipality~~, including, but not limited to, teachers
660 and educators, other school district, community college, and
661 university employees, police and fire personnel, health care
662 personnel, skilled building trades personnel, and other job
663 categories.

664 (b) Each county ~~and each eligible municipality~~ is
665 encouraged to develop a strategy within its local housing
666 assistance plan that emphasizes the recruitment and retention of
667 essential service personnel. The local government is encouraged
668 to involve public and private sector employers. Compliance with
669 the eligibility criteria established under this strategy shall
670 be verified by the county ~~or eligible municipality~~.

671 (c) Each county ~~and each eligible municipality~~ is
672 encouraged to develop a strategy within its local housing
673 assistance plan that addresses the needs of persons who are
674 deprived of affordable housing due to the closure of a mobile
675 home park or the conversion of affordable rental units to

676 condominiums.

677 (d) Each county ~~and each eligible municipality~~ shall
 678 describe initiatives in the local housing assistance plan to
 679 encourage or require innovative design, green building
 680 principles, storm-resistant construction, or other elements that
 681 reduce long-term costs relating to maintenance, utilities, or
 682 insurance.

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

687 (f) Each county ~~and each eligible municipality~~ is
 688 encouraged to develop a strategy within its local housing
 689 assistance plan which provides program funds for reducing
 690 homelessness.

691 (g) Local governments may create regional partnerships
 692 across jurisdictional boundaries through the pooling of
 693 appropriated funds to address homeless housing needs identified
 694 in local housing assistance plans.

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

697 (a) Each county, ~~eligible municipality,~~ or entity formed
 698 through interlocal agreement to participate in the State Housing
 699 Initiatives Partnership Block Grant Program must develop a
 700 qualification system and selection criteria for applications for

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701 awards by eligible sponsors, adopt criteria for the selection of
702 eligible persons, and adopt a maximum award schedule or system
703 of amounts consistent with the intent and budget of its local
704 housing assistance plan, with ss. 420.907-420.9079, and with
705 corporation rule.

706 (b) The county ~~or eligible municipality~~ or its
707 administrative representative shall advertise the notice of
708 funding availability in a newspaper of general circulation and
709 periodicals serving ethnic and diverse neighborhoods, at least
710 30 days before the beginning of the application period. If no
711 funding is available due to a waiting list, no notice of funding
712 availability is required.

713 (c) In accordance with the provisions of ss. 760.20-
714 760.37, it is unlawful to discriminate on the basis of race,
715 creed, religion, color, age, sex, marital status, familial
716 status, national origin, or handicap in the award application
717 process for eligible housing.

718 (d) As a condition of receipt of an award, the eligible
719 sponsor or eligible person must contractually commit to comply
720 with the affordable housing criteria provided under ss. 420.907-
721 420.9079 applicable to the affordable housing objective of the
722 award. The plan criteria adopted by the county ~~or eligible~~
723 ~~municipality~~ must prescribe the contractual obligations required
724 to ensure compliance with award conditions.

725 (e) The staff or entity that has administrative authority

726 for implementing a local housing assistance plan assisting
727 rental developments shall annually monitor and determine tenant
728 eligibility or, to the extent another governmental entity or
729 corporation program provides periodic monitoring and
730 determination, a ~~municipality,~~ county, or local housing
731 financing authority may rely on such monitoring and
732 determination of tenant eligibility. However, any loan or grant
733 in the original amount of \$10,000 or less is not subject to
734 these annual monitoring and determination of tenant eligibility
735 requirements.

736 (5) The following criteria apply to awards made to
737 eligible sponsors or eligible persons for the purpose of
738 providing eligible housing:

739 ~~(a) At least 65 percent of the funds made available in~~
740 ~~each county and eligible municipality from the local housing~~
741 ~~distribution must be reserved for home ownership for eligible~~
742 ~~persons.~~

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

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

751 ~~(d) Each local government must use a minimum of 20 percent~~
752 ~~of its local housing distribution to serve persons with special~~
753 ~~needs as defined in s. 420.0004. A local government must certify~~
754 ~~that it will meet this requirement through existing approved~~
755 ~~strategies in the local housing assistance plan or submit a new~~
756 ~~local housing assistance plan strategy for this purpose to the~~
757 ~~corporation for approval to ensure that the plan meets this~~
758 ~~requirement. The first priority of these special needs funds~~
759 ~~must be to serve persons with developmental disabilities as~~
760 ~~defined in s. 393.063, with an emphasis on home modifications,~~
761 ~~including technological enhancements and devices, which will~~
762 ~~allow homeowners to remain independent in their own homes and~~
763 ~~maintain their homeownership.~~

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

767 (a)(f) The sales price or value of new or existing
768 eligible housing may not exceed 90 percent of the average area
769 purchase price in the statistical area in which the eligible
770 housing is located. Such average area purchase price may be that
771 calculated for any 12-month period beginning not earlier than
772 the fourth calendar year prior to the year in which the award
773 occurs or as otherwise established by the United States
774 Department of the Treasury.

775 (b)(g)1. All units constructed, rehabilitated, or

776 otherwise assisted with the funds provided from the local
777 housing assistance trust fund must be occupied by very-low-
778 income persons, low-income persons, and moderate-income persons
779 ~~except as otherwise provided in this section.~~

780 ~~2. At least 30 percent of the funds deposited into the~~
781 ~~local housing assistance trust fund must be reserved for awards~~
782 ~~to very-low-income persons or eligible sponsors who will serve~~
783 ~~very-low-income persons, and at least an additional 30 percent~~
784 ~~of the funds deposited into the local housing assistance trust~~
785 ~~fund must be reserved for awards to low-income persons or~~
786 ~~eligible sponsors who will serve low-income persons.~~

787 (c)~~(h)~~ Loans shall be provided for periods not exceeding
788 30 years, except for deferred payment loans or loans that extend
789 beyond 30 years which continue to serve eligible persons.

790 (d)~~(i)~~ Loans or grants for eligible rental housing
791 constructed, rehabilitated, or otherwise assisted from the local
792 housing assistance trust fund must be subject to recapture
793 requirements as provided by the county ~~or eligible municipality~~
794 in its local housing assistance plan unless reserved for
795 eligible persons for 15 years or the term of the assistance,
796 whichever period is longer. Eligible sponsors that offer rental
797 housing for sale before 15 years or that have remaining
798 mortgages funded under this program must give a first right of
799 refusal to eligible nonprofit organizations for purchase at the
800 current market value for continued occupancy by eligible

801 persons.

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

807 ~~(f)-(k)~~ The total amount of monthly mortgage payments or
808 the amount of monthly rent charged by the eligible sponsor or
809 her or his designee must be made affordable.

810 ~~(g)-(l)~~ The maximum sales price or value per unit and the
811 maximum award per unit for eligible housing benefiting from
812 awards made pursuant to this section must be established in the
813 local housing assistance plan.

814 ~~(h)-(m)~~ The benefit of assistance provided through the
815 State Housing Initiatives Partnership Block Grant Program must
816 accrue to eligible persons occupying eligible housing. This
817 provision shall not be construed to prohibit use of the local
818 housing distribution funds for a mixed income rental
819 development.

820 ~~(i)-(n)~~ Funds may ~~from the local housing distribution not~~
821 ~~used to meet the criteria established in paragraph (a) or~~
822 ~~paragraph (c) or not used for the administration of a local~~
823 ~~housing assistance plan must~~ be used for housing production and
824 finance activities, including, but not limited to, financing
825 preconstruction activities or the purchase of existing units,

826 providing rental housing, and providing home ownership training
827 to prospective home buyers and owners of homes assisted through
828 the local housing assistance plan.

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

832 2. When preconstruction due-diligence activities conducted
833 as part of a preservation strategy show that preservation of the
834 units is not feasible and will not result in the production of
835 an eligible unit, such costs shall be deemed a program expense
836 rather than an administrative expense if such program expenses
837 do not exceed 3 percent of the annual local housing
838 distribution.

839 3. If both an award under the local housing assistance
840 plan and federal low-income housing tax credits are used to
841 assist a project and there is a conflict between the criteria
842 prescribed in this subsection and the requirements of s. 42 of
843 the Internal Revenue Code of 1986, as amended, the county ~~or~~
844 ~~eligible municipality~~ may resolve the conflict by giving
845 precedence to the requirements of s. 42 of the Internal Revenue
846 Code of 1986, as amended, in lieu of following the criteria
847 prescribed in this subsection with the exception of paragraphs
848 (a) and (b) ~~(g) of this subsection.~~

849 4. Each county ~~and each eligible municipality~~ may award
850 funds as a grant for construction, rehabilitation, or repair as

851 part of disaster recovery or emergency repairs or to remedy
852 accessibility or health and safety deficiencies. Any other
853 grants must be approved as part of the local housing assistance
854 plan.

855 (6) Each county ~~or eligible municipality~~ receiving local
856 housing distribution moneys shall establish and maintain a local
857 housing assistance trust fund. All moneys of a county ~~or an~~
858 ~~eligible municipality~~ received from its share of the local
859 housing distribution, program income, recaptured funds, and
860 other funds received or budgeted to implement the local housing
861 assistance plan shall be deposited into the trust fund; however,
862 local housing distribution moneys used to match federal HOME
863 program moneys may be repaid to the HOME program fund if
864 required by federal law or regulations. Expenditures other than
865 for the administration and implementation of the local housing
866 assistance plan may not be made from the fund.

867 (7) The moneys deposited in the local housing assistance
868 trust fund shall be used to administer and implement the local
869 housing assistance plan. The cost of administering the plan may
870 not exceed 5 percent of the local housing distribution moneys
871 and program income deposited into the trust fund. A county ~~or an~~
872 ~~eligible municipality~~ may not exceed the 5-percent limitation on
873 administrative costs, unless its governing body finds, by
874 resolution, that 5 percent of the local housing distribution
875 plus 5 percent of program income is insufficient to adequately

876 pay the necessary costs of administering the local housing
 877 assistance plan. The cost of administering the program may not
 878 exceed 10 percent of the local housing distribution plus 5
 879 percent of program income deposited into the trust fund, except
 880 that small counties, as defined in s. 120.52(19), ~~and eligible~~
 881 ~~municipalities receiving a local housing distribution of up to~~
 882 ~~\$350,000~~ may use up to 10 percent of program income for
 883 administrative costs.

884 (8) Pursuant to s. 420.531, the corporation shall provide
 885 training and technical assistance to local governments regarding
 886 the creation of partnerships, the design of local housing
 887 assistance strategies, the implementation of local housing
 888 incentive strategies, and the provision of support services.

889 (9) The corporation shall monitor the activities of local
 890 governments to determine compliance with program requirements
 891 and shall collect data on the operation and achievements of
 892 housing partnerships.

893 (10) Each county ~~or eligible municipality~~ shall submit to
 894 the corporation by September 15 of each year a report of its
 895 affordable housing programs and accomplishments through June 30
 896 immediately preceding submittal of the report. The report shall
 897 be certified as accurate and complete by the local government's
 898 chief elected official or his or her designee. Transmittal of
 899 the annual report by a county's ~~or eligible municipality's~~ chief
 900 elected official, or his or her designee, certifies that the

901 local housing incentive strategies, or, if applicable, the local
902 housing incentive plan, have been implemented or are in the
903 process of being implemented pursuant to the adopted schedule
904 for implementation. The report must include, but is not limited
905 to:

906 (a) The number of households served by income category,
907 age, family size, and race, and data regarding any special needs
908 populations such as farmworkers, homeless persons, persons with
909 disabilities, and the elderly. Counties shall report this
910 information separately for households served in the
911 unincorporated area and each municipality within the county.

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

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

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

919 (e) A description of the status of implementation of each
920 local housing incentive strategy, or if applicable, the local
921 housing incentive plan as set forth in the local government's
922 adopted schedule for implementation.

923 (f) A concise description of the support services that are
924 available to the residents of affordable housing provided by
925 local programs.

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

929 (h) Such other data or affordable housing accomplishments
 930 considered significant by the reporting county ~~or eligible~~
 931 ~~municipality~~ or by the corporation.

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

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

935 (11) The report shall be made available by the county ~~or~~
 936 ~~eligible municipality~~ for public inspection and comment prior to
 937 certifying the report and transmitting it to the corporation.
 938 The county ~~or eligible municipality~~ shall provide notice of the
 939 availability of the proposed report and solicit public comment.
 940 The notice must state the public place where a copy of the
 941 proposed report can be obtained by interested persons. Members
 942 of the public may submit written comments on the report to the
 943 county ~~or eligible municipality~~ and the corporation. Written
 944 public comments shall identify the author by name, address, and
 945 interest affected. The county ~~or eligible municipality~~ shall
 946 attach a copy of all such written comments and its responses to
 947 the annual report submitted to the corporation.

948 (12) The corporation shall review the report of each
 949 county ~~or eligible municipality~~ and any written comments from
 950 the public and include any comments concerning the effectiveness

951 of local programs in the report required by s. 420.511.

952 (13) (a) If, as a result of the review of the annual report
 953 or public comment and written response from the county ~~or~~
 954 ~~eligible municipality~~, or at any other time, the corporation
 955 determines that a county ~~or eligible municipality~~ may have
 956 established a pattern of violation of the criteria for a local
 957 housing assistance plan established under ss. 420.907-420.9079
 958 or that an eligible sponsor or eligible person has violated the
 959 applicable award conditions, the corporation shall report such
 960 pattern of violation of criteria or violation of award
 961 conditions to its compliance monitoring agent and the Executive
 962 Office of the Governor. The corporation's compliance monitoring
 963 agent must determine within 60 days whether the county ~~or~~
 964 ~~eligible municipality~~ has violated program criteria and shall
 965 issue a written report thereon. If a violation has occurred, the
 966 distribution of program funds to the county ~~or eligible~~
 967 ~~municipality~~ must be suspended until the violation is corrected.

968 (b) If, as a result of its review of the annual report,
 969 the corporation determines that a county ~~or eligible~~
 970 ~~municipality~~ has failed to implement a local housing incentive
 971 strategy, or, if applicable, a local housing incentive plan, it
 972 shall send a notice of termination of the local government's
 973 share of the local housing distribution by certified mail to the
 974 affected county ~~or eligible municipality~~.

975 1. The notice must specify a date of termination of the

976 funding if the affected county ~~or eligible municipality~~ does not
 977 implement the plan or strategy and provide for a local response.
 978 A county ~~or eligible municipality~~ shall respond to the
 979 corporation within 30 days after receipt of the notice of
 980 termination.

981 2. The corporation shall consider the local response that
 982 extenuating circumstances precluded implementation and grant an
 983 extension to the timeframe for implementation. Such an extension
 984 shall be made in the form of an extension agreement that
 985 provides a timeframe for implementation. The chief elected
 986 official of a county ~~or eligible municipality~~ or his or her
 987 designee shall have the authority to enter into the agreement on
 988 behalf of the local government.

989 3. If the county ~~or the eligible municipality~~ has not
 990 implemented the incentive strategy or entered into an extension
 991 agreement by the termination date specified in the notice, the
 992 local housing distribution share terminates, and any uncommitted
 993 local housing distribution funds held by the affected county ~~or~~
 994 ~~eligible municipality~~ in its local housing assistance trust fund
 995 shall be transferred to the Local Government Housing Trust Fund
 996 to the credit of the corporation to administer.

997 4.a. If the affected local government fails to meet the
 998 timeframes specified in the agreement, the corporation shall
 999 terminate funds. The corporation shall send a notice of
 1000 termination of the local government's share of the local housing

1001 distribution by certified mail to the affected local government.
 1002 The notice shall specify the termination date, and any
 1003 uncommitted funds held by the affected local government shall be
 1004 transferred to the Local Government Housing Trust Fund to the
 1005 credit of the corporation to administer.

1006 ~~b. If the corporation terminates funds to a county, but an~~
 1007 ~~eligible municipality receiving a local housing distribution~~
 1008 ~~pursuant to an interlocal agreement maintains compliance with~~
 1009 ~~program requirements, the corporation shall thereafter~~
 1010 ~~distribute directly to the participating eligible municipality~~
 1011 ~~its share calculated in the manner provided in ss. 420.9072 and~~
 1012 ~~420.9073.~~

1013 ~~e.~~ Any county ~~or eligible municipality~~ whose local
 1014 distribution share has been terminated may subsequently elect to
 1015 receive directly its local distribution share by adopting the
 1016 ordinance, resolution, and local housing assistance plan in the
 1017 manner and according to the procedures provided in ss. 420.907-
 1018 420.9079.

1019 (14) If the corporation determines that a county ~~or~~
 1020 ~~eligible municipality~~ has expended program funds for an
 1021 ineligible activity, the corporation shall require such funds to
 1022 be repaid to the local housing assistance trust fund. Such
 1023 repayment may not be made with funds from the State Housing
 1024 Initiatives Partnership Block Grant Program.

1025 Section 10. Subsection (2) of section 193.018, Florida

1026 Statutes, is amended to read:

1027 193.018 Land owned by a community land trust used to
 1028 provide affordable housing; assessment; structural improvements,
 1029 condominium parcels, and cooperative parcels.—

1030 (2) A community land trust may convey structural
 1031 improvements, condominium parcels, or cooperative parcels, that
 1032 are located on specific parcels of land that are identified by a
 1033 legal description contained in and subject to a ground lease
 1034 having a term of at least 99 years, for the purpose of providing
 1035 affordable housing to natural persons or families who meet the
 1036 extremely-low-income, very-low-income, low-income, or moderate-
 1037 income limits specified in s. 420.0004, or the income limits for
 1038 workforce housing, ~~as defined in s. 420.5095(3)~~. As used in this
 1039 subsection, the term "workforce housing" means housing
 1040 affordable to natural persons or families whose total annual
 1041 household income does not exceed 80 percent of the area median
 1042 income, adjusted for household size, or 120 percent of area
 1043 median income, adjusted for household size, in areas of critical
 1044 state concern designated under s. 380.05, for which the
 1045 Legislature has declared its intent to provide affordable
 1046 housing, and areas that were designated as areas of critical
 1047 state concern for at least 20 consecutive years before removal
 1048 of the designation. A community land trust shall retain a
 1049 preemptive option to purchase any structural improvements,
 1050 condominium parcels, or cooperative parcels on the land at a

1051 price determined by a formula specified in the ground lease
1052 which is designed to ensure that the structural improvements,
1053 condominium parcels, or cooperative parcels remain affordable.

1054 Section 11. Paragraphs (g) and (r) of subsection (5) of
1055 section 212.08, Florida Statutes, are amended to read:

1056 212.08 Sales, rental, use, consumption, distribution, and
1057 storage tax; specified exemptions.—The sale at retail, the
1058 rental, the use, the consumption, the distribution, and the
1059 storage to be used or consumed in this state of the following
1060 are hereby specifically exempt from the tax imposed by this
1061 chapter.

1062 (5) EXEMPTIONS; ACCOUNT OF USE.—

1063 (g) *Building materials used in the rehabilitation of real*
1064 *property located in an enterprise zone.—*

1065 1. Building materials used in the rehabilitation of real
1066 property located in an enterprise zone are exempt from the tax
1067 imposed by this chapter upon an affirmative showing to the
1068 satisfaction of the department that the items have been used for
1069 the rehabilitation of real property located in an enterprise
1070 zone. Except as provided in subparagraph 2., this exemption
1071 inures to the owner, lessee, or lessor at the time the real
1072 property is rehabilitated, but only through a refund of
1073 previously paid taxes. To receive a refund pursuant to this
1074 paragraph, the owner, lessee, or lessor of the rehabilitated
1075 real property must file an application under oath with the

1076 governing body or enterprise zone development agency having
 1077 jurisdiction over the enterprise zone where the business is
 1078 located, as applicable. A single application for a refund may be
 1079 submitted for multiple, contiguous parcels that were part of a
 1080 single parcel that was divided as part of the rehabilitation of
 1081 the property. All other requirements of this paragraph apply to
 1082 each parcel on an individual basis. The application must
 1083 include:

- 1084 a. The name and address of the person claiming the refund.
- 1085 b. An address and assessment roll parcel number of the
 1086 rehabilitated real property for which a refund of previously
 1087 paid taxes is being sought.
- 1088 c. A description of the improvements made to accomplish
 1089 the rehabilitation of the real property.
- 1090 d. A copy of a valid building permit issued by the county
 1091 or municipal building department for the rehabilitation of the
 1092 real property.
- 1093 e. A sworn statement, under penalty of perjury, from the
 1094 general contractor licensed in this state with whom the
 1095 applicant contracted to make the improvements necessary to
 1096 rehabilitate the real property, which lists the building
 1097 materials used to rehabilitate the real property, the actual
 1098 cost of the building materials, and the amount of sales tax paid
 1099 in this state on the building materials. If a general contractor
 1100 was not used, the applicant, not a general contractor, shall

1101 make the sworn statement required by this sub-subparagraph.
 1102 Copies of the invoices that evidence the purchase of the
 1103 building materials used in the rehabilitation and the payment of
 1104 sales tax on the building materials must be attached to the
 1105 sworn statement provided by the general contractor or by the
 1106 applicant. Unless the actual cost of building materials used in
 1107 the rehabilitation of real property and the payment of sales
 1108 taxes is documented by a general contractor or by the applicant
 1109 in this manner, the cost of the building materials is deemed to
 1110 be an amount equal to 40 percent of the increase in assessed
 1111 value for ad valorem tax purposes.

1112 f. The identifying number assigned pursuant to s. 290.0065
 1113 to the enterprise zone in which the rehabilitated real property
 1114 is located.

1115 g. A certification by the local building code inspector
 1116 that the improvements necessary to rehabilitate the real
 1117 property are substantially completed.

1118 h. A statement of whether the business is a small business
 1119 as defined by s. 288.703.

1120 i. If applicable, the name and address of each permanent
 1121 employee of the business, including, for each employee who is a
 1122 resident of an enterprise zone, the identifying number assigned
 1123 pursuant to s. 290.0065 to the enterprise zone in which the
 1124 employee resides.

1125 2. This exemption inures to a municipality, county, other

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1126 governmental unit or agency, or nonprofit community-based
1127 organization through a refund of previously paid taxes if the
1128 building materials used in the rehabilitation are paid for from
1129 the funds of a community development block grant, State Housing
1130 Initiatives Partnership Block Grant Program, or similar grant or
1131 loan program. To receive a refund, a municipality, county, other
1132 governmental unit or agency, or nonprofit community-based
1133 organization must file an application that includes the same
1134 information required in subparagraph 1. In addition, the
1135 application must include a sworn statement signed by the chief
1136 executive officer of the municipality, county, other
1137 governmental unit or agency, or nonprofit community-based
1138 organization seeking a refund which states that the building
1139 materials for which a refund is sought were funded by a
1140 community development block grant, State Housing Initiatives
1141 Partnership Block Grant Program, or similar grant or loan
1142 program.

1143 3. Within 10 working days after receipt of an application,
1144 the governing body or enterprise zone development agency shall
1145 review the application to determine if it contains all the
1146 information required by subparagraph 1. or subparagraph 2. and
1147 meets the criteria set out in this paragraph. The governing body
1148 or agency shall certify all applications that contain the
1149 required information and are eligible to receive a refund. If
1150 applicable, the governing body or agency shall also certify if

1151 20 percent of the employees of the business are residents of an
1152 enterprise zone, excluding temporary and part-time employees.
1153 The certification must be in writing, and a copy of the
1154 certification shall be transmitted to the executive director of
1155 the department. The applicant is responsible for forwarding a
1156 certified application to the department within the time
1157 specified in subparagraph 4.

1158 4. An application for a refund must be submitted to the
1159 department within 6 months after the rehabilitation of the
1160 property is deemed to be substantially completed by the local
1161 building code inspector or by November 1 after the rehabilitated
1162 property is first subject to assessment.

1163 5. Only one exemption through a refund of previously paid
1164 taxes for the rehabilitation of real property is permitted for
1165 any single parcel of property unless there is a change in
1166 ownership, a new lessor, or a new lessee of the real property. A
1167 refund may not be granted unless the amount to be refunded
1168 exceeds \$500. A refund may not exceed the lesser of 97 percent
1169 of the Florida sales or use tax paid on the cost of the building
1170 materials used in the rehabilitation of the real property as
1171 determined pursuant to sub-subparagraph 1.e. or \$5,000, or, if
1172 at least 20 percent of the employees of the business are
1173 residents of an enterprise zone, excluding temporary and part-
1174 time employees, the amount of refund may not exceed the lesser
1175 of 97 percent of the sales tax paid on the cost of the building

1176 materials or \$10,000. A refund shall be made within 30 days
 1177 after formal approval by the department of the application for
 1178 the refund.

1179 6. The department shall adopt rules governing the manner
 1180 and form of refund applications and may establish guidelines as
 1181 to the requisites for an affirmative showing of qualification
 1182 for exemption under this paragraph.

1183 7. The department shall deduct an amount equal to 10
 1184 percent of each refund granted under this paragraph from the
 1185 amount transferred into the Local Government Half-cent Sales Tax
 1186 Clearing Trust Fund pursuant to s. 212.20 for the county area in
 1187 which the rehabilitated real property is located and shall
 1188 transfer that amount to the General Revenue Fund.

1189 8. For the purposes of the exemption provided in this
 1190 paragraph, the term:

1191 a. "Building materials" means tangible personal property
 1192 that becomes a component part of improvements to real property.

1193 b. "Real property" has the same meaning as provided in s.
 1194 192.001(12), except that the term does not include a condominium
 1195 parcel or condominium property as defined in s. 718.103.

1196 c. "Rehabilitation of real property" means the
 1197 reconstruction, renovation, restoration, rehabilitation,
 1198 construction, or expansion of improvements to real property.

1199 d. "Substantially completed" has the same meaning as
 1200 provided in s. 192.042(1).

1201 9. This paragraph expires on the date specified in s.
 1202 290.016 for the expiration of the Florida Enterprise Zone Act.

1203 (r) *Building materials, the rental of tangible personal*
 1204 *property, and pest control services used in new construction*
 1205 *located in a rural area of opportunity.—*

1206 1. As used in this paragraph, the term:

1207 a. "Building materials" means tangible personal property
 1208 that becomes a component part of improvements to real property.

1209 b. "Exempt goods and services" means building materials,
 1210 the rental of tangible personal property, and pest control
 1211 services used in new construction.

1212 c. "New construction" means improvements to real property
 1213 which did not previously exist. The term does not include the
 1214 reconstruction, renovation, restoration, rehabilitation,
 1215 modification, alteration, or expansion of buildings already
 1216 located on the parcel on which the new construction is built.

1217 d. "Pest control" has the same meaning as in s. 482.021.

1218 e. "Real property" has the same meaning as provided in s.
 1219 192.001, but does not include a condominium parcel or
 1220 condominium property as defined in s. 718.103.

1221 f. "Substantially completed" has the same meaning as in s.
 1222 192.042(1).

1223 2. Building materials, the rental of tangible personal
 1224 property, and pest control services used in new construction
 1225 located in a rural area of opportunity, as designated by the

1226 Governor pursuant to s. 288.0656, are exempt from the tax
1227 imposed by this chapter if an owner, lessee, or lessor can
1228 demonstrate to the satisfaction of the department that the
1229 requirements of this paragraph have been met. Except as provided
1230 in subparagraph 3., this exemption inures to the owner, lessee,
1231 or lessor at the time the new construction occurs, but only
1232 through a refund of previously paid taxes. To receive a refund
1233 pursuant to this paragraph, the owner, lessee, or lessor of the
1234 new construction must file an application under oath with the
1235 Department of Economic Opportunity. The application must include
1236 all of the following:

- 1237 a. The name and address of the person claiming the refund.
1238 b. An address and assessment roll parcel number of the
1239 real property that was improved by the new construction for
1240 which a refund of previously paid taxes is being sought.
1241 c. A description of the new construction.
1242 d. A copy of a valid building permit issued by the county
1243 or municipal building department for the new construction.
1244 e. A sworn statement, under penalty of perjury, from the
1245 general contractor licensed in this state with whom the
1246 applicant contracted to build the new construction, which
1247 specifies the exempt goods and services, the actual cost of the
1248 exempt goods and services, and the amount of sales tax paid in
1249 this state on the exempt goods and services, and which states
1250 that the improvement to the real property was new construction.

1251 If a general contractor was not used, the applicant shall make
1252 the sworn statement required by this sub-subparagraph. Copies of
1253 the invoices evidencing the actual cost of the exempt goods and
1254 services and the amount of sales tax paid on such goods and
1255 services must be attached to the sworn statement provided by the
1256 general contractor or by the applicant. If copies of such
1257 invoices are not attached, the cost of the exempt goods and
1258 services is deemed to be an amount equal to 40 percent of the
1259 increase in assessed value of the property for ad valorem tax
1260 purposes.

1261 f. A certification by the local building code inspector
1262 that the new construction is substantially completed and is new
1263 construction.

1264 3. The exemption under this paragraph inures to a
1265 municipality, county, other governmental unit or agency, or
1266 nonprofit community-based organization through a refund of
1267 previously paid taxes if the exempt goods and services are paid
1268 for from the funds of a community development block grant, the
1269 State Housing Initiatives Partnership Block Grant Program, or a
1270 similar grant or loan program. To receive a refund, a
1271 municipality, county, other governmental unit or agency, or
1272 nonprofit community-based organization must file an application
1273 that includes the same information required under subparagraph
1274 2. In addition, the application must include a sworn statement
1275 signed by the chief executive officer of the municipality,

1276 county, other governmental unit or agency, or nonprofit
1277 community-based organization seeking a refund which states that
1278 the exempt goods and services for which a refund is sought were
1279 funded by a community development block grant, the State Housing
1280 Initiatives Partnership Block Grant Program, or a similar grant
1281 or loan program.

1282 4. Within 10 working days after receiving an application,
1283 the Department of Economic Opportunity shall review the
1284 application to determine whether it contains all of the
1285 information required by subparagraph 2. or subparagraph 3., as
1286 appropriate, and meets the criteria set out in this paragraph.
1287 The Department of Economic Opportunity shall certify all
1288 applications that contain the required information and are
1289 eligible to receive a refund. The certification must be in
1290 writing and a copy must be transmitted by the Department of
1291 Economic Opportunity to the executive director of the
1292 department. The applicant is responsible for forwarding a
1293 certified application to the department within the period
1294 specified in subparagraph 5.

1295 5. An application for a refund must be submitted to the
1296 department within 6 months after the new construction is deemed
1297 to be substantially completed by the local building code
1298 inspector or by November 1 after the improved property is first
1299 subject to assessment.

1300 6. Only one exemption through a refund of previously paid

1301 taxes for the new construction may be claimed for any single
 1302 parcel of property unless there is a change in ownership, a new
 1303 lessor, or a new lessee of the real property. A refund may not
 1304 be granted unless the amount to be refunded exceeds \$500. A
 1305 refund may not exceed the lesser of 97.5 percent of the Florida
 1306 sales or use tax paid on the cost of the exempt goods and
 1307 services as determined pursuant to sub-subparagraph 2.e. or
 1308 \$10,000. The department shall issue a refund within 30 days
 1309 after it formally approves a refund application.

1310 7. The department shall deduct 10 percent of each refund
 1311 amount granted under this paragraph from the amount transferred
 1312 into the Local Government Half-cent Sales Tax Clearing Trust
 1313 Fund pursuant to s. 212.20 for the county area in which the new
 1314 construction is located and shall transfer that amount to the
 1315 General Revenue Fund.

1316 8. The department may adopt rules governing the manner and
 1317 format of refund applications and may establish guidelines as to
 1318 the requisites for an affirmative showing of qualification for
 1319 exemption under this paragraph.

1320 9. This exemption does not apply to improvements for which
 1321 construction began before July 1, 2017.

1322 Section 12. Paragraph (t) of subsection (1) of section
 1323 220.03, Florida Statutes, is amended to read:

1324 220.03 Definitions.—

1325 (1) SPECIFIC TERMS.—When used in this code, and when not

1326 otherwise distinctly expressed or manifestly incompatible with
1327 the intent thereof, the following terms shall have the following
1328 meanings:

1329 (t) "Project" means any activity undertaken by an eligible
1330 sponsor, as defined in s. 220.183(2)(c), which is designed to
1331 construct, improve, or substantially rehabilitate housing that
1332 is affordable to low-income or very-low-income households as
1333 defined in s. 420.9071 ~~s. 420.9071(20) and (30)~~; designed to
1334 provide housing opportunities for persons with special needs as
1335 defined in s. 420.0004; designed to provide commercial,
1336 industrial, or public resources and facilities; or designed to
1337 improve entrepreneurial and job-development opportunities for
1338 low-income persons. A project may be the investment necessary to
1339 increase access to high-speed broadband capability in a rural
1340 community that had an enterprise zone designated pursuant to
1341 chapter 290 as of May 1, 2015, including projects that result in
1342 improvements to communications assets that are owned by a
1343 business. A project may include the provision of museum
1344 educational programs and materials that are directly related to
1345 any project approved between January 1, 1996, and December 31,
1346 1999, and located in an area that was in an enterprise zone
1347 designated pursuant to s. 290.0065 as of May 1, 2015. This
1348 paragraph does not preclude projects that propose to construct
1349 or rehabilitate low-income or very-low-income housing on
1350 scattered sites or housing opportunities for persons with

1351 special needs as defined in s. 420.0004. With respect to
 1352 housing, contributions may be used to pay the following eligible
 1353 project-related activities:

1354 1. Project development, impact, and management fees for
 1355 special needs, low-income, or very-low-income housing projects;

1356 2. Down payment and closing costs for eligible persons
 1357 described in s. 420.9071(19) or (29), ~~as defined in s.~~
 1358 ~~420.9071(20) and (30)~~;

1359 3. Administrative costs, including housing counseling and
 1360 marketing fees, not to exceed 10 percent of the community
 1361 contribution, directly related to special needs, low-income, or
 1362 very-low-income projects; and

1363 4. Removal of liens recorded against residential property
 1364 by municipal, county, or special-district local governments when
 1365 satisfaction of the lien is a necessary precedent to the
 1366 transfer of the property to an eligible person described in s.
 1367 420.9071(19) or (29), ~~as defined in s. 420.9071(20) and (30)~~,
 1368 for the purpose of promoting home ownership. Contributions for
 1369 lien removal must be received from a nonrelated third party.

1370 Section 13. Paragraphs (b) and (d) of subsection (2) of
 1371 section 220.183, Florida Statutes, are amended to read:

1372 220.183 Community contribution tax credit.—

1373 (2) ELIGIBILITY REQUIREMENTS.—

1374 (b)1. All community contributions must be reserved
 1375 exclusively for use in projects as defined in s. 220.03(1)(t).

1376 2. If, during the first 10 business days of the state
1377 fiscal year, eligible tax credit applications for projects that
1378 provide housing opportunities for persons with special needs as
1379 defined in s. 420.0004 or homeownership opportunities for low-
1380 income or very-low-income households as defined in s. 420.9071
1381 ~~s. 420.9071(20) and (30)~~ are received for less than the annual
1382 tax credits available for those projects, the Department of
1383 Economic Opportunity shall grant tax credits for those
1384 applications and shall grant remaining tax credits on a first-
1385 come, first-served basis for any subsequent eligible
1386 applications received before the end of the state fiscal year.
1387 If, during the first 10 business days of the state fiscal year,
1388 eligible tax credit applications for projects that provide
1389 housing opportunities for persons with special needs as defined
1390 in s. 420.0004 or homeownership opportunities for low-income or
1391 very-low-income households as defined in s. 420.9071 ~~s.~~
1392 ~~420.9071(20) and (30)~~ are received for more than the annual tax
1393 credits available for those projects, the Department of Economic
1394 Opportunity shall grant the tax credits for those applications
1395 as follows:

1396 a. If tax credit applications submitted for approved
1397 projects of an eligible sponsor do not exceed \$200,000 in total,
1398 the credit shall be granted in full if the tax credit
1399 applications are approved.

1400 b. If tax credit applications submitted for approved

1401 projects of an eligible sponsor exceed \$200,000 in total, the
1402 amount of tax credits granted under sub-subparagraph a. shall be
1403 subtracted from the amount of available tax credits, and the
1404 remaining credits shall be granted to each approved tax credit
1405 application on a pro rata basis.

1406 3. If, during the first 10 business days of the state
1407 fiscal year, eligible tax credit applications for projects other
1408 than those that provide housing opportunities for persons with
1409 special needs as defined in s. 420.0004 or homeownership
1410 opportunities for low-income or very-low-income households as
1411 defined in s. 420.9071 ~~s. 420.9071(20) and (30)~~ are received for
1412 less than the annual tax credits available for those projects,
1413 the Department of Economic Opportunity shall grant tax credits
1414 for those applications and shall grant remaining tax credits on
1415 a first-come, first-served basis for any subsequent eligible
1416 applications received before the end of the state fiscal year.
1417 If, during the first 10 business days of the state fiscal year,
1418 eligible tax credit applications for projects other than those
1419 that provide housing opportunities for persons with special
1420 needs as defined in s. 420.0004 or homeownership opportunities
1421 for low-income or very-low-income households as defined in s.
1422 420.9071 ~~s. 420.9071(20) and (30)~~ are received for more than the
1423 annual tax credits available for those projects, the Department
1424 of Economic Opportunity shall grant the tax credits for those
1425 applications on a pro rata basis.

1426 (d) The project shall be located in an area that was
 1427 designated as an enterprise zone pursuant to chapter 290 as of
 1428 May 1, 2015, or a Front Porch Florida Community. Any project
 1429 designed to construct or rehabilitate housing for low-income or
 1430 very-low-income households as defined in s. 420.9071 ~~s.~~
 1431 ~~420.9071(20) and (30)~~ or provide housing opportunities for
 1432 persons with special needs as defined in s. 420.0004 is exempt
 1433 from the area requirement of this paragraph. This section does
 1434 not preclude projects that propose to construct or rehabilitate
 1435 housing for low-income or very-low-income households on
 1436 scattered sites or provide housing opportunities for persons
 1437 with special needs. Any project designed to provide increased
 1438 access to high-speed broadband capabilities which includes
 1439 coverage of a rural enterprise zone may locate the project's
 1440 infrastructure in any area of a rural county.

1441 Section 14. Subsections (20) and (22) of section 420.503,
 1442 Florida Statutes, are amended to read:

1443 420.503 Definitions.—As used in this part, the term:

1444 (20) "Housing for the elderly" means, ~~for purposes of s.~~
 1445 ~~420.5087(3)(e)~~, any nonprofit housing community that is financed
 1446 by a mortgage loan made or insured by the United States
 1447 Department of Housing and Urban Development under s. 202, s. 202
 1448 with a s. 8 subsidy, s. 221(d)(3) or (4), or s. 236 of the
 1449 National Housing Act, as amended, and that is subject to income
 1450 limitations established by the United States Department of

1451 Housing and Urban Development, or any program funded by the
 1452 Rural Development Agency of the United States Department of
 1453 Agriculture and subject to income limitations established by the
 1454 United States Department of Agriculture. A project which
 1455 qualifies for an exemption under the Fair Housing Act as housing
 1456 for older persons as defined by s. 760.29(4) shall qualify as
 1457 housing for the elderly for purposes of ~~s. 420.5087(3)(c) and~~
 1458 ~~for purposes of~~ any loans made pursuant to s. 420.508. In
 1459 addition, if the corporation adopts a qualified allocation plan
 1460 pursuant to s. 42(m)(1)(B) of the Internal Revenue Code or any
 1461 other rules that prioritize projects targeting the elderly for
 1462 purposes of allocating tax credits pursuant to s. 420.5099 or
 1463 for purposes of the HOME program under s. 420.5089, a project
 1464 which qualifies for an exemption under the Fair Housing Act as
 1465 housing for older persons as defined by s. 760.29(4) shall
 1466 qualify as a project targeted for the elderly, if the project
 1467 satisfies the other requirements set forth in this part.

1468 (22) "Loan," for purposes of the ~~State Apartment Incentive~~
 1469 ~~Loan Program and~~ HOME Investment Partnership Program, means any
 1470 direct loan or loan guaranty issued or backed by such funds.

1471 Section 15. Section 420.5061, Florida Statutes, is amended
 1472 to read:

1473 420.5061 Transfer of agency assets and liabilities.—The
 1474 corporation is the legal successor in all respects to the
 1475 agency, is obligated to the same extent as the agency under any

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1476 | agreements existing on December 31, 1997, and is entitled to any
1477 | rights and remedies previously afforded the agency by law or
1478 | contract, including specifically the rights of the agency under
1479 | chapter 201 and part VI of chapter 159. Effective January 1,
1480 | 1998, all references under Florida law to the agency are deemed
1481 | to mean the corporation. The corporation shall transfer to the
1482 | General Revenue Fund an amount which otherwise would have been
1483 | deducted as a service charge pursuant to s. 215.20(1) if the
1484 | Florida Housing Finance Corporation Fund established by s.
1485 | 420.508(5), the State Apartment Incentive Loan Fund established
1486 | by former s. 420.5087(7), Florida Statutes 2021, the Florida
1487 | Homeownership Assistance Fund established by s. 420.5088(4), the
1488 | HOME Investment Partnership Fund established by s. 420.5089(1),
1489 | and the Housing Predevelopment Loan Fund established by s.
1490 | 420.525(1) were each trust funds. For purposes of s. 112.313,
1491 | the corporation is deemed to be a continuation of the agency,
1492 | and the provisions thereof are deemed to apply as if the same
1493 | entity remained in place. Any employees of the agency and agency
1494 | board members covered by s. 112.313(9)(a)6. shall continue to be
1495 | entitled to the exemption in that subparagraph, notwithstanding
1496 | being hired by the corporation or appointed as board members of
1497 | the corporation.

1498 | Section 16. Subsections (1) and (2) of section 420.5088,
1499 | Florida Statutes, are amended to read:

1500 | 420.5088 Florida Homeownership Assistance Program.—There

1501 is created the Florida Homeownership Assistance Program for the
 1502 purpose of assisting low-income and moderate-income persons in
 1503 purchasing a home as their primary residence by reducing the
 1504 cost of the home with below-market construction financing, by
 1505 reducing the amount of down payment and closing costs paid by
 1506 the borrower to a maximum of 5 percent of the purchase price, or
 1507 by reducing the monthly payment to an affordable amount for the
 1508 purchaser. Loans shall be made available at an interest rate
 1509 that does not exceed 3 percent. The balance of any loan is due
 1510 at closing if the property is sold, refinanced, rented, or
 1511 transferred, unless otherwise approved by the corporation.

1512 (1) For loans made available pursuant to s.
 1513 420.507(22)(a)1. or 2. ~~s. 420.507(23)(a)1. or 2.:~~

1514 (a) The corporation may underwrite and make those mortgage
 1515 loans through the program to persons or families who have
 1516 incomes that do not exceed 120 percent of the state or local
 1517 median income, whichever is greater, adjusted for family size.

1518 (b) Loans shall be made available for the term of the
 1519 first mortgage.

1520 (c) Loans may not exceed the lesser of 35 percent of the
 1521 purchase price of the home or the amount necessary to enable the
 1522 purchaser to meet credit underwriting criteria.

1523 (2) For loans made pursuant to s. 420.507(22)(a)3. ~~s.~~
 1524 ~~420.507(23)(a)3.:~~

1525 (a) Availability is limited to nonprofit sponsors or

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1526 developers who are selected for program participation pursuant
1527 to this subsection.

1528 (b) Preference must be given to community-based
1529 organizations as defined in s. 420.503.

1530 (c) Priority must be given to projects that have received
1531 state assistance in funding project predevelopment costs.

1532 (d) The benefits of making such loans shall be
1533 contractually provided to the persons or families purchasing
1534 homes financed under this subsection.

1535 (e) At least 30 percent of the units in a project financed
1536 pursuant to this subsection must be sold to persons or families
1537 who have incomes that do not exceed 80 percent of the state or
1538 local median income, whichever amount is greater, adjusted for
1539 family size; and at least another 30 percent of the units in a
1540 project financed pursuant to this subsection must be sold to
1541 persons or families who have incomes that do not exceed 65
1542 percent of the state or local median income, whichever amount is
1543 greater, adjusted for family size.

1544 (f) The maximum loan amount may not exceed 33 percent of
1545 the total project cost.

1546 (g) A person who purchases a home in a project financed
1547 under this subsection is eligible for a loan authorized by s.
1548 420.507(22)(a)1. or 2. ~~s. 420.507(23)(a)1. or 2.~~ in an aggregate
1549 amount not exceeding the construction loan made pursuant to this
1550 subsection. The home purchaser must meet all the requirements

1551 for loan recipients established pursuant to the applicable loan
1552 program.

1553 (h) The corporation shall provide, by rule, for the
1554 establishment of a review committee composed of corporation
1555 staff and shall establish, by rule, a scoring system for
1556 evaluating and ranking applications submitted for construction
1557 loans under this subsection, including, but not limited to, the
1558 following criteria:

1559 1. The affordability of the housing proposed to be built.

1560 2. The direct benefits of the assistance to the persons
1561 who will reside in the proposed housing.

1562 3. The demonstrated capacity of the applicant to carry out
1563 the proposal, including the experience of the development team.

1564 4. The economic feasibility of the proposal.

1565 5. The extent to which the applicant demonstrates
1566 potential cost savings by combining the benefits of different
1567 governmental programs and private initiatives, including the
1568 local government contributions and local government
1569 comprehensive planning and activities that promote affordable
1570 housing.

1571 6. The use of the least amount of program loan funds
1572 compared to overall project cost.

1573 7. The provision of homeownership counseling.

1574 8. The applicant's agreement to exceed the requirements of
1575 paragraph (e).

1576 9. The commitment of first mortgage financing for the
 1577 balance of the construction loan and for the permanent loans to
 1578 the purchasers of the housing.

1579 10. The applicant's ability to proceed with construction.

1580 11. The targeting objectives of the corporation which will
 1581 ensure an equitable distribution of loans between rural and
 1582 urban areas.

1583 12. The extent to which the proposal will further the
 1584 purposes of this program.

1585 (i) The corporation may reject any and all applications.

1586 (j) The review committee established by corporation rule
 1587 pursuant to this subsection shall make recommendations to the
 1588 corporation board regarding program participation under this
 1589 subsection. The corporation board shall make the final ranking
 1590 for participation based on the scores received in the ranking,
 1591 further review of the applications, and the recommendations of
 1592 the review committee. The corporation board shall approve or
 1593 reject applicants for loans and shall determine the tentative
 1594 loan amount available to each program participant. The final
 1595 loan amount shall be determined pursuant to rule adopted under
 1596 s. 420.507(22)(h) ~~s. 420.507(23)(h)~~.

1597 Section 17. Paragraphs (a) and (i) of subsection (3) of
 1598 section 420.511, Florida Statutes, are amended to read:

1599 420.511 Strategic business plan; long-range program plan;
 1600 annual report; audited financial statements.—

1601 (3) The corporation shall submit to the Governor and the
 1602 presiding officers of each house of the Legislature, within 6
 1603 months after the end of its fiscal year, a complete and detailed
 1604 report setting forth the corporation's state and federal program
 1605 accomplishments using the most recent available data. The report
 1606 must include, but is not limited to:

1607 (a) The following tenant characteristics in the existing
 1608 rental units financed through corporation-administered programs:

1609 1. The number of households served, delineated by income,
 1610 race, ethnicity, and age of the head of household.

1611 2. The number of households served in large, medium, and
 1612 small counties as described in former s. 420.5087(1), Florida
 1613 Statutes 2021, and the extent to which geographic distribution
 1614 has been achieved in accordance with former s. 420.5087, Florida
 1615 Statutes 2021.

1616 3. The number of farmworker and commercial fishing worker
 1617 households served.

1618 4. The number of homeless households served.

1619 5. The number of special needs households served.

1620 6. By county, the average rent charged based on unit size.

1621 ~~(i) For the State Apartment Incentive Loan Program (SAIL),~~
 1622 ~~a comprehensive list of all closed loans outstanding at the end~~
 1623 ~~of the most recent fiscal year, including, but not limited to,~~
 1624 ~~development name, city, county, developer, set-aside type, set-~~
 1625 ~~aside percentage, affordability term, total number of units,~~

1626 ~~number of set-aside units, lien position, original loan amount,~~
 1627 ~~loan maturity date, loan balance at close of year, status of~~
 1628 ~~loan, rate of interest, and interest paid.~~

1629 Section 18. Section 420.517, Florida Statutes, is amended
 1630 to read:

1631 420.517 Affordable housing and job training coordination.—
 1632 The Florida Housing Finance Corporation shall undertake efforts
 1633 to provide incentives to developers to build housing that
 1634 encourages onsite job skills training to enable low-income
 1635 residents to obtain and maintain meaningful employment. To the
 1636 extent possible, the corporation shall direct all recipients of
 1637 state housing funds, ~~including municipalities,~~ to work in
 1638 cooperation with local and regional Job Training Partnerships
 1639 Boards to provide training to residents and others who may be
 1640 making the transition from welfare to the workforce. The
 1641 corporation shall provide incentives through housing policy and
 1642 program guidelines to prioritize those developments that
 1643 encourage workforce training and skills development.

1644 Section 19. Subsection (1) of section 420.531, Florida
 1645 Statutes, is amended to read:

1646 420.531 Affordable Housing Catalyst Program.—

1647 (1) The corporation shall operate the Affordable Housing
 1648 Catalyst Program for the purpose of securing the expertise
 1649 necessary to provide specialized technical support to local
 1650 governments and community-based organizations to implement the

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1651 HOME Investment Partnership Program, ~~State Apartment Incentive~~
1652 ~~Loan Program~~, State Housing Initiatives Partnership Block Grant
1653 Program, and other affordable housing programs. To the maximum
1654 extent feasible, the entity to provide the necessary expertise
1655 must be recognized by the Internal Revenue Service as a
1656 nonprofit tax-exempt organization. It must have as its primary
1657 mission the provision of affordable housing training and
1658 technical assistance, an ability to provide training and
1659 technical assistance statewide, and a proven track record of
1660 successfully providing training and technical assistance under
1661 the Affordable Housing Catalyst Program. The technical support
1662 shall, at a minimum, include training relating to the following
1663 key elements of the partnership programs:

1664 (a) Formation of local and regional housing partnerships
1665 as a means of bringing together resources to provide affordable
1666 housing.

1667 (b) Implementation of regulatory reforms to reduce the
1668 risk and cost of developing affordable housing.

1669 (c) Implementation of affordable housing programs included
1670 in local government comprehensive plans.

1671 (d) Compliance with requirements of federally funded
1672 housing programs.

1673 Section 20. Paragraph (d) of subsection (1) and subsection
1674 (2) of section 420.628, Florida Statutes, are amended to read:

1675 420.628 Affordable housing for children and young adults

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1676 leaving foster care; legislative findings and intent.—

1677 (1)

1678 (d) The Legislature intends that the Florida Housing
1679 Finance Corporation, agencies within the State Housing
1680 Initiatives Initiative Partnership Block Grant Program, local
1681 housing finance agencies, public housing authorities, and their
1682 agents, and other providers of affordable housing coordinate
1683 with the Department of Children and Families, their agents, and
1684 community-based care providers who provide services under s.
1685 409.986 to develop and implement strategies and procedures
1686 designed to make affordable housing available whenever and
1687 wherever possible to young adults who leave the child welfare
1688 system.

1689 (2) Young adults who leave the child welfare system meet
1690 the definition of eligible persons under ss. 420.503 and
1691 420.9071 ~~ss. 420.503(17) and 420.9071(11)~~ for affordable
1692 housing, and are encouraged to participate in federal, state,
1693 and local affordable housing programs. Students deemed to be
1694 eligible occupants under 26 U.S.C. s. 42(i)(3)(D) shall be
1695 considered eligible persons for purposes of all projects funded
1696 under this chapter.

1697 Section 21. Subsections (1) through (4), (6), and (7) of
1698 section 420.9076, Florida Statutes, are amended to read:

1699 420.9076 Adoption of affordable housing incentive
1700 strategies; committees.—

1701 (1) Each county ~~or eligible municipality~~ participating in
 1702 the State Housing Initiatives Partnership Block Grant Program,
 1703 ~~including a municipality receiving program funds through the~~
 1704 ~~county, or an eligible municipality~~ must, within 12 months after
 1705 the original adoption of the local housing assistance plan,
 1706 amend the plan to include local housing incentive strategies as
 1707 defined in s. 420.9071 ~~s. 420.9071(18)~~.

1708 (2) The governing board of a county ~~or municipality~~ shall
 1709 appoint the members of the affordable housing advisory
 1710 committee. Pursuant to the terms of any interlocal agreement, a
 1711 county and municipality may create and jointly appoint an
 1712 advisory committee. The local action adopted pursuant to s.
 1713 420.9072 which creates the advisory committee and appoints the
 1714 advisory committee members must name at least 8 but not more
 1715 than 11 committee members and specify their terms. ~~Effective~~
 1716 ~~October 1, 2020,~~ The committee must consist of one locally
 1717 elected official from each county ~~or municipality~~ participating
 1718 in the State Housing Initiatives Partnership Block Grant Program
 1719 and one representative from at least six of the categories
 1720 below:

1721 (a) A citizen who is actively engaged in the residential
 1722 home building industry in connection with affordable housing.

1723 (b) A citizen who is actively engaged in the banking or
 1724 mortgage banking industry in connection with affordable housing.

1725 (c) A citizen who is a representative of those areas of

1726 labor actively engaged in home building in connection with
 1727 affordable housing.

1728 (d) A citizen who is actively engaged as an advocate for
 1729 low-income persons in connection with affordable housing.

1730 (e) A citizen who is actively engaged as a for-profit
 1731 provider of affordable housing.

1732 (f) A citizen who is actively engaged as a not-for-profit
 1733 provider of affordable housing.

1734 (g) A citizen who is actively engaged as a real estate
 1735 professional in connection with affordable housing.

1736 (h) A citizen who actively serves on the local planning
 1737 agency pursuant to s. 163.3174. If the local planning agency is
 1738 comprised of the governing board of the county or municipality,
 1739 the governing board may appoint a designee who is knowledgeable
 1740 in the local planning process.

1741 (i) A citizen who resides within the jurisdiction of the
 1742 local governing body making the appointments.

1743 (j) A citizen who represents employers within the
 1744 jurisdiction.

1745 (k) A citizen who represents essential services personnel,
 1746 as defined in the local housing assistance plan.

1747 (3) All meetings of the advisory committee are public
 1748 meetings, and all committee records are public records. Staff,
 1749 administrative, and facility support to the advisory committee
 1750 shall be provided by the appointing county ~~or eligible~~

1751 ~~municipality.~~

1752 (4) Annually, the advisory committee shall review the
 1753 established policies and procedures, ordinances, land
 1754 development regulations, and adopted local government
 1755 comprehensive plan of the appointing local government and shall
 1756 recommend specific actions or initiatives to encourage or
 1757 facilitate affordable housing while protecting the ability of
 1758 the property to appreciate in value. The recommendations may
 1759 include the modification or repeal of existing policies,
 1760 procedures, ordinances, regulations, or plan provisions; the
 1761 creation of exceptions applicable to affordable housing; or the
 1762 adoption of new policies, procedures, regulations, ordinances,
 1763 or plan provisions, including recommendations to amend the local
 1764 government comprehensive plan and corresponding regulations,
 1765 ordinances, and other policies. At a minimum, each advisory
 1766 committee shall submit an annual report to the local governing
 1767 body and to the entity providing statewide training and
 1768 technical assistance for the Affordable Housing Catalyst Program
 1769 which includes recommendations on the implementation of
 1770 affordable housing incentives in the following areas:

1771 (a) The processing of approvals of development orders or
 1772 permits for affordable housing projects is expedited to a
 1773 greater degree than other projects, as provided in s.
 1774 163.3177(6)(f)3.

1775 (b) All allowable fee waivers provided for the development

1776 or construction of affordable housing.

1777 (c) The allowance of flexibility in densities for
1778 affordable housing.

1779 (d) The reservation of infrastructure capacity for housing
1780 for very-low-income persons, low-income persons, and moderate-
1781 income persons.

1782 (e) Affordable accessory residential units.

1783 (f) The reduction of parking and setback requirements for
1784 affordable housing.

1785 (g) The allowance of flexible lot configurations,
1786 including zero-lot-line configurations for affordable housing.

1787 (h) The modification of street requirements for affordable
1788 housing.

1789 (i) The establishment of a process by which a local
1790 government considers, before adoption, policies, procedures,
1791 ordinances, regulations, or plan provisions that increase the
1792 cost of housing.

1793 (j) The preparation of a printed inventory of locally
1794 owned public lands suitable for affordable housing.

1795 (k) The support of development near transportation hubs
1796 and major employment centers and mixed-use developments.
1797

1798 The advisory committee recommendations may also include other
1799 affordable housing incentives identified by the advisory
1800 committee. Local governments that receive the minimum allocation

1801 under the State Housing Initiatives Partnership Block Grant
 1802 Program shall perform an initial review but may elect to not
 1803 perform the annual review.

1804 (6) Within 90 days after the date of receipt of the
 1805 evaluation and local housing incentive strategies
 1806 recommendations from the advisory committee, the governing body
 1807 of the appointing local government shall adopt an amendment to
 1808 its local housing assistance plan to incorporate the local
 1809 housing incentive strategies it will implement within its
 1810 jurisdiction. The amendment must include, at a minimum, the
 1811 local housing incentive strategies as defined in s. 420.9071
 1812 ~~required under s. 420.9071(18)~~. The local government must
 1813 consider the strategies specified in paragraphs (4)(a)-(k) as
 1814 recommended by the advisory committee.

1815 (7) The governing board of the county ~~or the eligible~~
 1816 ~~municipality~~ shall notify the corporation by certified mail of
 1817 its adoption of an amendment of its local housing assistance
 1818 plan to incorporate local housing incentive strategies. The
 1819 notice must include a copy of the approved amended plan.

1820 (a) If the corporation fails to receive timely the
 1821 approved amended local housing assistance plan to incorporate
 1822 local housing incentive strategies, a notice of termination of
 1823 its share of the local housing distribution shall be sent by
 1824 certified mail by the corporation to the affected county ~~or~~
 1825 ~~eligible municipality~~. The notice of termination must specify a

1826 | date of termination of the funding if the affected county ~~or~~
 1827 | ~~eligible municipality~~ has not adopted an amended local housing
 1828 | assistance plan to incorporate local housing incentive
 1829 | strategies. If the county ~~or the eligible municipality~~ has not
 1830 | adopted an amended local housing assistance plan to incorporate
 1831 | local housing incentive strategies by the termination date
 1832 | specified in the notice of termination, the local distribution
 1833 | share terminates; and any uncommitted local distribution funds
 1834 | held by the affected county ~~or eligible municipality~~ in its
 1835 | local housing assistance trust fund shall be transferred to the
 1836 | Local Government Housing Trust Fund to the credit of the
 1837 | corporation to administer the local government housing program.

1838 | (b) ~~If a county fails to timely adopt an amended local~~
 1839 | ~~housing assistance plan to incorporate local housing incentive~~
 1840 | ~~strategies but an eligible municipality receiving a local~~
 1841 | ~~housing distribution pursuant to an interlocal agreement within~~
 1842 | ~~the county does timely adopt an amended local housing assistance~~
 1843 | ~~plan to incorporate local housing incentive strategies, the~~
 1844 | ~~corporation, after issuance of a notice of termination, shall~~
 1845 | ~~thereafter distribute directly to the participating eligible~~
 1846 | ~~municipality its share calculated in the manner provided in s.~~
 1847 | ~~420.9073.~~

1848 | (c) Any county ~~or eligible municipality~~ whose local
 1849 | distribution share has been terminated may subsequently elect to
 1850 | receive directly its local distribution share by adopting an

1851 amended local housing assistance plan to incorporate local
 1852 housing incentive strategies in the manner and according to the
 1853 procedure provided in this section and by adopting an ordinance
 1854 in the manner required in s. 420.9072.

1855 Section 22. Subsection (2) of section 420.9079, Florida
 1856 Statutes, is amended to read:

1857 420.9079 Local Government Housing Trust Fund.—

1858 (2) The corporation shall administer the fund exclusively
 1859 for the purpose of implementing the programs described in ss.
 1860 420.907-420.9076 and this section. With the exception of
 1861 monitoring the activities of counties ~~and eligible~~
 1862 ~~municipalities~~ to determine local compliance with program
 1863 requirements, the corporation shall not receive appropriations
 1864 from the fund for administrative or personnel costs. For the
 1865 purpose of implementing the compliance monitoring provisions of
 1866 s. 420.9075(9), the corporation may request a maximum of one-
 1867 quarter of 1 percent of the annual appropriation per state
 1868 fiscal year. When such funding is appropriated, the corporation
 1869 shall deduct the amount appropriated prior to calculating the
 1870 local housing distribution pursuant to ss. 420.9072 and
 1871 420.9073.

1872 Section 23. Section 420.9089, Florida Statutes, is amended
 1873 to read:

1874 420.9089 National Housing Trust Fund.—The Legislature
 1875 finds that more funding for housing to assist individuals and

1876 families who are experiencing homelessness or who are at risk of
 1877 homelessness is needed and encourages the state entity
 1878 designated to administer funds made available to the state from
 1879 the National Housing Trust Fund to propose an allocation plan
 1880 that includes strategies to reduce homelessness and the risk of
 1881 homelessness in this state. ~~These strategies shall be in~~
 1882 ~~addition to strategies developed under s. 420.5087.~~

1883 Section 24. Paragraphs (d) and (e) of subsection (2) of
 1884 section 624.5105, Florida Statutes, are amended to read:

1885 624.5105 Community contribution tax credit; authorization;
 1886 limitations; eligibility and application requirements;
 1887 administration; definitions; expiration.—

1888 (2) ELIGIBILITY REQUIREMENTS.—

1889 (d) The project shall be located in an area that was
 1890 designated as an enterprise zone pursuant to chapter 290 as of
 1891 May 1, 2015, or a Front Porch Florida Community. Any project
 1892 designed to provide housing opportunities for persons with
 1893 special needs as defined in s. 420.0004 or to construct or
 1894 rehabilitate housing for low-income or very-low-income
 1895 households as defined in s. 420.9071 ~~s. 420.9071(20) and (30)~~ is
 1896 exempt from the area requirement of this paragraph.

1897 (e)1. If, during the first 10 business days of the state
 1898 fiscal year, eligible tax credit applications for projects that
 1899 provide housing opportunities for persons with special needs as
 1900 defined in s. 420.0004 or homeownership opportunities for low-

1901 income or very-low-income households as defined in s. 420.9071
 1902 ~~s. 420.9071(20) and (30)~~ are received for less than the annual
 1903 tax credits available for those projects, the Department of
 1904 Economic Opportunity shall grant tax credits for those
 1905 applications and shall grant remaining tax credits on a first-
 1906 come, first-served basis for any subsequent eligible
 1907 applications received before the end of the state fiscal year.
 1908 If, during the first 10 business days of the state fiscal year,
 1909 eligible tax credit applications for projects that provide
 1910 housing opportunities for persons with special needs as defined
 1911 in s. 420.0004 or homeownership opportunities for low-income or
 1912 very-low-income households as defined in s. 420.9071 ~~s.~~
 1913 ~~420.9071(20) and (30)~~ are received for more than the annual tax
 1914 credits available for those projects, the Department of Economic
 1915 Opportunity shall grant the tax credits for those applications
 1916 as follows:

1917 a. If tax credit applications submitted for approved
 1918 projects of an eligible sponsor do not exceed \$200,000 in total,
 1919 the credits shall be granted in full if the tax credit
 1920 applications are approved.

1921 b. If tax credit applications submitted for approved
 1922 projects of an eligible sponsor exceed \$200,000 in total, the
 1923 amount of tax credits granted under sub-subparagraph a. shall be
 1924 subtracted from the amount of available tax credits, and the
 1925 remaining credits shall be granted to each approved tax credit

1926 application on a pro rata basis.

1927 2. If, during the first 10 business days of the state
 1928 fiscal year, eligible tax credit applications for projects other
 1929 than those that provide housing opportunities for persons with
 1930 special needs as defined in s. 420.0004 or homeownership
 1931 opportunities for low-income or very-low-income households as
 1932 defined in s. 420.9071 ~~s. 420.9071(20) and (30)~~ are received for
 1933 less than the annual tax credits available for those projects,
 1934 the Department of Economic Opportunity shall grant tax credits
 1935 for those applications and shall grant remaining tax credits on
 1936 a first-come, first-served basis for any subsequent eligible
 1937 applications received before the end of the state fiscal year.
 1938 If, during the first 10 business days of the state fiscal year,
 1939 eligible tax credit applications for projects other than those
 1940 that provide housing opportunities for persons with special
 1941 needs as defined in s. 420.0004 or homeownership opportunities
 1942 for low-income or very-low-income households as defined in s.
 1943 420.9071 ~~s. 420.9071(20) and (30)~~ are received for more than the
 1944 annual tax credits available for those projects, the Department
 1945 of Economic Opportunity shall grant the tax credits for those
 1946 applications on a pro rata basis.

1947 Section 25. This act shall take effect July 1, 2022.