



151346

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/01/2022	.	
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The Committee on Appropriations (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 192 and 193

insert:

Section 5. Present paragraphs (d) through (n) of subsection (5) of section 420.9075, Florida Statutes, are redesignated as paragraphs (e) through (o), respectively, a new paragraph (d) is added to that subsection, and paragraphs (a), (b), and (c) and present paragraph (n) of that subsection are amended, to read:

420.9075 Local housing assistance plans; partnerships.—



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11 (5) The following criteria apply to awards made to eligible  
12 sponsors or eligible persons for the purpose of providing  
13 eligible housing:

14 (a) A percentage ~~At least 65 percent~~ of the funds made  
15 available in each county and eligible municipality from the  
16 local housing distribution must be reserved for home ownership  
17 for eligible persons.

18 (b) A percentage ~~Up to 25 percent~~ of the funds made  
19 available in each county and eligible municipality from the  
20 local housing distribution may be reserved for rental housing  
21 for eligible persons or for the purposes enumerated in s.  
22 420.9072(7)(b).

23 (c) A percentage ~~At least 75 percent~~ of the funds made  
24 available in each county and eligible municipality from the  
25 local housing distribution must be reserved for construction,  
26 rehabilitation, or emergency repair of affordable, eligible  
27 housing.

28 (d) Beginning July 1, 2023, the corporation shall set the  
29 percentages in paragraphs (a), (b), and (c) based on the housing  
30 policy recommendations and best practices developed by the  
31 Shimberg Center for Affordable Housing pursuant to s.  
32 420.6075(3)(c). The corporation shall reevaluate the percentages  
33 and adjust as necessary.

34 (o) ~~(n)~~ Funds from the local housing distribution not used  
35 to meet the criteria established in paragraph (a) or paragraph  
36 (c) or not used for the administration of a local housing  
37 assistance plan must be used for housing production and finance  
38 activities, including, but not limited to, financing  
39 preconstruction activities or the purchase of existing units,



40 providing rental housing, and providing home ownership training  
41 to prospective home buyers and owners of homes assisted through  
42 the local housing assistance plan.

43 1. Notwithstanding the provisions of paragraphs (a) and  
44 (c), program income as defined in s. 420.9071(26) may also be  
45 used to fund activities described in this paragraph.

46 2. When preconstruction due-diligence activities conducted  
47 as part of a preservation strategy show that preservation of the  
48 units is not feasible and will not result in the production of  
49 an eligible unit, such costs shall be deemed a program expense  
50 rather than an administrative expense if such program expenses  
51 do not exceed 3 percent of the annual local housing  
52 distribution.

53 3. If both an award under the local housing assistance plan  
54 and federal low-income housing tax credits are used to assist a  
55 project and there is a conflict between the criteria prescribed  
56 in this subsection and the requirements of s. 42 of the Internal  
57 Revenue Code of 1986, as amended, the county or eligible  
58 municipality may resolve the conflict by giving precedence to  
59 the requirements of s. 42 of the Internal Revenue Code of 1986,  
60 as amended, in lieu of following the criteria prescribed in this  
61 subsection with the exception of paragraphs (a) and (h) ~~(g)~~ of  
62 ~~this subsection.~~

63 4. Each county and each eligible municipality may award  
64 funds as a grant for construction, rehabilitation, or repair as  
65 part of disaster recovery or emergency repairs or to remedy  
66 accessibility or health and safety deficiencies. Any other  
67 grants must be approved as part of the local housing assistance  
68 plan.



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69 Section 6. Subsection (27) of section 420.9071, Florida  
70 Statutes, is amended to read:

71 420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
72 term:

73 (27) "Recaptured funds" means funds that are recouped by a  
74 county or eligible municipality in accordance with the recapture  
75 provisions of its local housing assistance plan pursuant to s.  
76 420.9075(5)(k) ~~s. 420.9075(5)(j)~~ from eligible persons or  
77 eligible sponsors, which funds were not used for assistance to  
78 an eligible household for an eligible activity, when there is a  
79 default on the terms of a grant award or loan award.

80

81 ===== T I T L E A M E N D M E N T =====

82 And the title is amended as follows:

83 Delete line 32

84 and insert:

85 within a certain period; amending s. 420.9075, F.S.;

86 revising certain criteria for the reservation of State

87 Housing Initiatives Partnership Program funds;

88 requiring the corporation to set percentages of

89 certain reserved funds based on recommendations and

90 best practices developed by the Shimberg Center for

91 Affordable Housing at the University of Florida;

92 requiring the corporation to reevaluate and adjust the

93 percentages as necessary; amending s. 420.9071, F.S.;

94 conforming a cross-reference; amending s. 420.5092,

95 F.S.;