

By Senator Davis

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1 A bill to be entitled
2 An act relating to youth housing and employment;
3 creating s. 212.0975, F.S.; defining terms; providing
4 a sales tax credit to certain businesses that hire
5 specified employees; requiring such employees be
6 employed for a minimum amount of time; specifying the
7 amount of the tax credit; providing requirements to
8 apply for the tax credit; requiring the Department of
9 Economic Opportunity to review and approve
10 applications that meet specified requirements;
11 creating s. 220.1991, F.S.; defining terms; providing
12 a tax credit against corporate income taxes to
13 landlords who lease dwelling units under specified
14 conditions to recent college graduates; providing an
15 additional credit if the qualified lease agreement is
16 at an affordable rate; specifying a minimum number of
17 qualified lease agreements to qualify for the credit;
18 providing an additional credit if the dwelling unit
19 owned by the landlord is purchased as part of a lease
20 option agreement for no more than fair market value;
21 specifying the amount of such additional credit;
22 specifying a limitation on the amount of credits
23 claimed in any one year; specifying a limitation on a
24 the transfer of credits; requiring a landlord to
25 affirmatively demonstrate to the Department of Revenue
26 that requirements have been met to receive a tax
27 credit; authorizing the department to adopt rules
28 regarding eligibility for tax credits; requiring the
29 department to consult with the Shimberg Center for

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30 Affordable Housing Studies at the University of
31 Florida in determining the affordable rate; requiring
32 the Office of Economic and Demographic Research to
33 publish the rate; amending s. 420.6075, F.S.;
34 requiring the Shimberg Center for Affordable Housing
35 Studies to include certain recommendations relating to
36 affordable housing rental needs in its annual report;
37 amending s. 420.622, F.S.; requiring the State Office
38 on Homelessness to coordinate certain entities for a
39 specified purpose; amending s. 1003.21, F.S.;
40 specifying that free public education required to be
41 provided to certain children and youths must include
42 certain programs; providing an effective date.

43
44 Be It Enacted by the Legislature of the State of Florida:

45
46 Section 1. Section 212.0975, Florida Statutes, is created
47 to read:

48 212.0975 Homeless Youth Employment Tax Credit Program.—

49 (1) As used in this section, the term:

50 (a) "Eligible business" means any sole proprietorship,
51 firm, partnership, or corporation. Commonly owned and controlled
52 entities are to be considered a single business entity.

53 (b) "Qualified employee" means any employee who meets the
54 definition of homeless children and youths in s. 725 of the
55 McKinney-Vento Homeless Assistance Act, 42 U.S.C. s. 11434a(2),
56 and performs duties in connection with the operations of the
57 business on a regular basis for at least 3 months.

58 (2) An eligible business shall be allowed a credit of 10

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59 percent of any tax due under this chapter if they employ at
60 least one qualified employee during the taxable year.

61 (3) (a) In order to claim this credit, an eligible business
62 must file under oath with the Department of Economic Opportunity
63 a statement that includes the name and address of the eligible
64 business, proof that the business employed an eligible employee,
65 and any other information that the Department of Revenue
66 requires.

67 (b) The Department of Economic Opportunity shall review the
68 application to determine whether it contains all the information
69 required by this subsection and meets the criteria set out in
70 this section. The Department of Economic Opportunity shall
71 approve all applications that contain the information required
72 by this subsection and meet the criteria set out in this section
73 as eligible to receive a credit.

74 Section 2. Section 220.1991, Florida Statutes, is created
75 to read:

76 220.1991 Tax credits for housing for recent college
77 graduates.—

78 (1) As used in this section, the term:

79 (a) "Affordable rate" means a monthly rental rate that has
80 been classified as affordable for that year under paragraph
81 (6) (b) .

82 (b) "Fair market value" means the appraised value of a
83 dwelling house as stated in an appraisal report, as defined in
84 s. 475.611.

85 (c) "Landlord" means the owner, manager, managing agent,
86 lessor, sublessor, or any agent of such persons or entities, or
87 other person who has the right to rent, sell, or manage any

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88 housing unit or rental property, and whose primary business for
89 the purposes of this chapter meets the description of NAICS code
90 53110.

91 (d) "Lease option agreement" means a written lease
92 agreement that grants a recent college graduate the right to
93 purchase the rental dwelling unit in fee simple at the end of
94 the lease term.

95 (e) "Qualified lease agreement" means a written lease
96 agreement for a dwelling unit made between a landlord and a
97 recent college graduate for a minimum term of 12 months with an
98 option for a 12-month renewal.

99 (f) "Recent college graduate" means a person who has
100 graduated from a state university, a Florida College System
101 institution, or an independent college or university in this
102 state, including a historically black college and university,
103 within the previous 5 years, calculated from the date the
104 college graduate enters into a lease with a landlord for a
105 dwelling unit.

106 (2) (a) Subject to the limitation of paragraph (c), a
107 landlord is allowed a tax credit of \$500 against any tax imposed
108 under this chapter for each qualified lease agreement, if such
109 lease limits rent increases to no more than 5 percent per year
110 for the duration of the lease.

111 (b) Subject to the limitation of paragraph (c), a landlord
112 is allowed an additional tax credit of \$1,000 against any tax
113 imposed under this chapter for each qualified lease agreement at
114 an affordable rate.

115 (c) To qualify for the tax credit under this subsection,
116 the landlord must have entered into 25 or more qualified lease

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117 agreements during the taxable year.

118 (3) There is allowed an additional tax credit against any
119 tax imposed under this chapter to the landlord for each year in
120 which a dwelling unit owned by the landlord is purchased as part
121 of a lease option agreement for no more than fair market value.
122 The amount of the tax credit is determined as follows:

123 (a) If the dwelling unit's selling price is less than 5
124 percent below fair market value, the credit shall equal 5
125 percent of the dwelling unit's fair market value.

126 (b) If the dwelling unit's selling price is 5 percent or
127 more below fair market value, the credit shall equal 10 percent
128 of the dwelling unit's fair market value.

129 (4) The total amount of tax credits allocated to a landlord
130 in any one year under this section may not exceed 25 percent of
131 that landlord's total tax liability under this chapter.

132 (5) (a) A tax credit belongs to a landlord and may not be
133 transferred unless the transferee is also a landlord who would
134 otherwise meet the criteria for receiving tax credits under this
135 section.

136 (b) Before receiving tax credits under this section, a
137 landlord must affirmatively demonstrate to the satisfaction of
138 the department that the landlord has met the requirements of
139 this section.

140 (6) (a) The department is authorized, and all conditions are
141 deemed met, to adopt an emergency rule under s. 120.54(4) to
142 specify the methods by which a landlord's eligibility for tax
143 credits under this section is determined.

144 (b) The department, in consultation with the Shimberg
145 Center for Affordable Housing Studies at the University of

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146 Florida, shall annually determine the affordable rate.

147 (c) The Office of Economic and Demographic Research, in
148 consultation with the department and the Shimberg Center for
149 Affordable Housing Studies at the University of Florida, shall
150 publish the affordable rate.

151 Section 3. Paragraph (d) is added to subsection (2) of
152 section 420.6075, Florida Statutes, to read:

153 420.6075 Research and planning for affordable housing;
154 annual housing report.—

155 (2) By December 31 of each year, the Shimberg Center for
156 Affordable Housing Studies shall submit to the Legislature an
157 updated housing report describing the supply of and need for
158 affordable housing. This annual housing report shall include:

159 (d) Recommendations for affordable housing rental needs for
160 this state.

161 Section 4. Subsection (11) is added to section 420.622,
162 Florida Statutes, to read:

163 420.622 State Office on Homelessness; Council on
164 Homelessness.—

165 (11) The State Office on Homelessness will coordinate state
166 colleges and universities to develop plans and procedures to
167 give priority access for campus housing to students who would
168 otherwise be homeless.

169 Section 5. Paragraph (f) of subsection (1) of section
170 1003.21, Florida Statutes, is amended to read:

171 1003.21 School attendance.—

172 (1)

173 (f) Children and youths who are experiencing homelessness
174 and children who are known to the department, as defined in s.

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175 39.0016, must have access to a free public education and must be
176 admitted to school in the school district in which they or their
177 families live. School districts shall assist such children in
178 meeting the requirements of subsection (4) and s. 1003.22, as
179 well as local requirements for documentation. For the purposes
180 of this paragraph, free public education includes programs that
181 allow a youth experiencing homelessness to graduate from high
182 school.

183 Section 6. This act shall take effect July 1, 2023.