

1                                   A bill to be entitled  
2           An act relating to affordable housing; amending ss.  
3           125.01055 and 166.04151, F.S.; clarifying application;  
4           prohibiting counties and municipalities, respectively,  
5           from restricting the floor area ratio of certain  
6           proposed developments under certain circumstances;  
7           providing that the density, floor area ratio, or  
8           height of certain developments, bonuses, variances, or  
9           other special exceptions are not included in the  
10          calculation of the currently allowed density, floor  
11          area ratio, or height by counties and municipalities,  
12          respectively; authorizing counties and municipalities,  
13          respectively, to restrict the height of proposed  
14          developments under certain circumstances; prohibiting  
15          the administrative approval by counties and  
16          municipalities, respectively, of a proposed  
17          development within a specified proximity to a military  
18          installation; requiring counties and municipalities,  
19          respectively, to maintain a certain policy on their  
20          websites; requiring counties and municipalities,  
21          respectively, to consider reducing parking  
22          requirements under certain circumstances; requiring  
23          counties and municipalities, respectively, to reduce  
24          or eliminate parking requirements for certain proposed  
25          mixed-use developments that meet certain requirements;

26 providing certain requirements for developments  
27 located within a transit-oriented development or area;  
28 defining the term "major transportation hub";  
29 providing requirements for developments authorized  
30 located within a transit-oriented development or area;  
31 clarifying that a county or municipality,  
32 respectively, is not precluded from granting  
33 additional exceptions; clarifying that a proposed  
34 development is not precluded from receiving a bonus  
35 for density, height, or floor area ratio if specified  
36 conditions are satisfied; requiring that such bonuses  
37 be administratively approved by counties and  
38 municipalities, respectively; revising applicability;  
39 authorizing that specified developments be treated as  
40 a conforming use under certain circumstances;  
41 authorizing that specified developments be treated as  
42 a nonconforming use under certain circumstances;  
43 authorizing an applicant for certain proposed  
44 development to notify a county or municipality, as  
45 applicable, of its intent to proceed under certain  
46 provisions; requiring counties and municipalities to  
47 allow certain applicants to submit a revised  
48 application, written request, or notice of intent;  
49 amending s. 196.1978, F.S.; revising the definition of  
50 the term "newly constructed"; revising conditions for

51 | when multifamily projects are considered property used  
52 | for a charitable purpose and are eligible to receive  
53 | an ad valorem property tax exemption; requiring  
54 | property appraisers to make certain exemptions from ad  
55 | valorem property taxes; providing the method for  
56 | determining the value of a unit for certain purposes;  
57 | requiring property appraisers to review certain  
58 | applications and make certain determinations;  
59 | authorizing property appraisers to request and review  
60 | additional information; authorizing property  
61 | appraisers to grant exemptions only under certain  
62 | conditions; revising requirements for property owners  
63 | seeking a certification notice from the Florida  
64 | Housing Finance Corporation; providing that a certain  
65 | determination by the corporation does not constitute  
66 | an exemption; conforming provisions to changes made by  
67 | the act; amending s. 196.1979, F.S.; revising the  
68 | value to which a certain ad valorem property tax  
69 | exemption applies; revising a condition of eligibility  
70 | for vacant residential units to qualify for a certain  
71 | ad valorem property tax exemption; revising the  
72 | deadline for an application for exemption; revising  
73 | deadlines by which boards and governing bodies must  
74 | deliver to or notify the Department of Revenue of the  
75 | adoption, repeal, or expiration of certain ordinances;

76 requiring property appraisers to review certain  
 77 applications and make certain determinations;  
 78 authorizing property appraisers to request and review  
 79 additional information; authorizing property  
 80 appraisers to grant exemptions only under certain  
 81 conditions; providing the method for determining the  
 82 value of a unit for certain purposes; providing for  
 83 retroactive application; amending s. 333.03, F.S.;  
 84 excluding certain proposed developments from specified  
 85 airport zoning provisions; amending s. 420.507, F.S.;  
 86 revising the enumerated powers of the corporation;  
 87 amending s. 420.5096, F.S.; deleting required working  
 88 hours under the Florida Hometown Hero Program;  
 89 amending s. 420.518, F.S.; specifying conditions under  
 90 which the corporation may preclude applicants from  
 91 corporation programs; providing an appropriation;  
 92 providing an effective date.

93  
 94 Be It Enacted by the Legislature of the State of Florida:

95  
 96 Section 1. Subsection (7) of section 125.01055, Florida  
 97 Statutes, is amended, and subsection (8) is added to that  
 98 section, to read:

99 125.01055 Affordable housing.—

100 (7) (a) A county must authorize multifamily and mixed-use

101 residential as allowable uses in any area zoned for commercial,  
 102 industrial, or mixed use if at least 40 percent of the  
 103 residential units in a proposed multifamily ~~rental~~ development  
 104 are rental units that, for a period of at least 30 years, are  
 105 affordable as defined in s. 420.0004. Notwithstanding any other  
 106 law, local ordinance, or regulation to the contrary, a county  
 107 may not require a proposed multifamily development to obtain a  
 108 zoning or land use change, special exception, conditional use  
 109 approval, variance, or comprehensive plan amendment for the  
 110 building height, zoning, and densities authorized under this  
 111 subsection. For mixed-use residential projects, at least 65  
 112 percent of the total square footage must be used for residential  
 113 purposes.

114 (b) A county may not restrict the density of a proposed  
 115 development authorized under this subsection below the highest  
 116 currently allowed density on any unincorporated land in the  
 117 county where residential development is allowed under the  
 118 county's land development regulations. For purposes of this  
 119 paragraph, the term "highest currently allowed density" does not  
 120 include the density of any building that met the requirements of  
 121 this subsection or the density of any building that has received  
 122 any bonus, variance, or other special exception for density  
 123 provided in the county's land development regulations as an  
 124 incentive for development.

125 (c) A county may not restrict the floor area ratio of a

126 proposed development authorized under this subsection below 150  
127 percent of the highest currently allowed floor area ratio on any  
128 unincorporated land in the county where development is allowed  
129 under the county's land development regulations. For purposes of  
130 this paragraph, the term "highest currently allowed floor area  
131 ratio" does not include the floor area ratio of any building  
132 that met the requirements of this subsection or the floor area  
133 ratio of any building that has received any bonus, variance, or  
134 other special exception for floor area ratio provided in the  
135 county's land development regulations as an incentive for  
136 development. For purposes of this subsection, the term "floor  
137 area ratio" includes floor lot ratio.

138 (d)1.~~(e)~~ A county may not restrict the height of a  
139 proposed development authorized under this subsection below the  
140 highest currently allowed height for a commercial or residential  
141 building development located in its jurisdiction within 1 mile  
142 of the proposed development or 3 stories, whichever is higher.  
143 For purposes of this paragraph, the term "highest currently  
144 allowed height" does not include the height of any building that  
145 met the requirements of this subsection or the height of any  
146 building that has received any bonus, variance, or other special  
147 exception for height provided in the county's land development  
148 regulations as an incentive for development.

149 2. If the proposed development is adjacent to, on two or  
150 more sides, a parcel zoned for single-family residential use

151 which is within a single-family residential development with at  
152 least 25 contiguous single-family homes, the county may restrict  
153 the height of the proposed development to 150 percent of the  
154 tallest building on any property adjacent to the proposed  
155 development, the highest currently allowed height for the  
156 property provided in the county's land development regulations,  
157 or 3 stories, whichever is higher. For the purposes of this  
158 paragraph, the term "adjacent to" means those properties sharing  
159 more than one point of a property line, but does not include  
160 properties separated by a public road.

161 (e)-(d) A proposed development authorized under this  
162 subsection must be administratively approved and no further  
163 action by the board of county commissioners is required if the  
164 development satisfies the county's land development regulations  
165 for multifamily developments in areas zoned for such use and is  
166 otherwise consistent with the comprehensive plan, with the  
167 exception of provisions establishing allowable densities, floor  
168 area ratios, height, and land use. Such land development  
169 regulations include, but are not limited to, regulations  
170 relating to setbacks and parking requirements. A proposed  
171 development located within one-quarter mile of a military  
172 installation identified in s. 163.3175(2) may not be  
173 administratively approved. Each county shall maintain on its  
174 website a policy containing procedures and expectations for  
175 administrative approval pursuant to this subsection.

176        (f)1.~~(e)~~ A county must consider reducing parking  
177 requirements for a proposed development authorized under this  
178 subsection if the development is located within one-quarter ~~one-~~  
179 ~~half~~ mile of a ~~major~~ transit stop, as defined in the county's  
180 land development code, and the ~~major~~ transit stop is accessible  
181 from the development.

182        2. A county must reduce parking requirements by at least  
183 20 percent for a proposed development authorized under this  
184 subsection if the development:

185        a. Is located within one-half mile of a major  
186 transportation hub that is accessible from the proposed  
187 development by safe, pedestrian-friendly means, such as  
188 sidewalks, crosswalks, elevated pedestrian or bike paths, or  
189 other multimodal design features; and

190        b. Has available parking within 600 feet of the proposed  
191 development which may consist of options such as on-street  
192 parking, parking lots, or parking garages available for use by  
193 residents of the proposed development. However, a county may not  
194 require that the available parking compensate for the reduction  
195 in parking requirements.

196        3. A county must eliminate parking requirements for a  
197 proposed mixed-use residential development authorized under this  
198 subsection within an area recognized by the county as a transit-  
199 oriented development or area, as provided in paragraph (h).

200        4. For purposes of this paragraph, the term "major



201 transportation hub" means any transit station, whether bus,  
 202 train, or light rail, which is served by public transit with a  
 203 mix of other transportation options.

204 (g)~~(f)~~ For proposed multifamily developments in an  
 205 unincorporated area zoned for commercial or industrial use which  
 206 is within the boundaries of a multicounty independent special  
 207 district that was created to provide municipal services and is  
 208 not authorized to levy ad valorem taxes, and less than 20  
 209 percent of the land area within such district is designated for  
 210 commercial or industrial use, a county must authorize, as  
 211 provided in this subsection, such development only if the  
 212 development is mixed-use residential.

213 (h) A proposed development authorized under this  
 214 subsection which is located within a transit-oriented  
 215 development or area, as recognized by the county, must be mixed-  
 216 use residential and otherwise comply with requirements of the  
 217 county's regulations applicable to the transit-oriented  
 218 development or area except for use, height, density, floor area  
 219 ratio, and parking as provided in this subsection or as  
 220 otherwise agreed to by the county and the applicant for the  
 221 development.

222 (i)~~(g)~~ Except as otherwise provided in this subsection, a  
 223 development authorized under this subsection must comply with  
 224 all applicable state and local laws and regulations.

225 (j)1. Nothing in this subsection precludes a county from

226 granting a bonus, variance, conditional use, or other special  
 227 exception for height, density, or floor area ratio in addition  
 228 to the height, density, and floor area ratio requirements in  
 229 this subsection.

230 2. Nothing in this subsection precludes a proposed  
 231 development authorized under this subsection from receiving a  
 232 bonus for density, height, or floor area ratio pursuant to an  
 233 ordinance or regulation of the jurisdiction where the proposed  
 234 development is located if the proposed development satisfies the  
 235 conditions to receive the bonus except for any condition which  
 236 conflicts with this subsection. If a proposed development  
 237 qualifies for such bonus, the bonus must be administratively  
 238 approved by the county and no further action by the board of  
 239 county commissioners is required.

240 (k)-(h) This subsection does not apply to:

- 241 1. Airport-impacted areas as provided in s. 333.03.
- 242 2. Property defined as recreational and commercial working  
 243 waterfront in s. 342.201(2) (b) in any area zoned as industrial.

244 (l)-(i) This subsection expires October 1, 2033.

245 (8) Any development authorized under paragraph (7) (a) must  
 246 be treated as a conforming use even after the expiration of  
 247 subsection (7) and the development's affordability period as  
 248 provided in paragraph (7) (a), notwithstanding the county's  
 249 comprehensive plan, future land use designation, or zoning. If  
 250 at any point during the development's affordability period the

251 development violates the affordability period requirement  
 252 provided in paragraph (7) (a), the development must be allowed a  
 253 reasonable time to cure such violation. If the violation is not  
 254 cured within a reasonable time, the development must be treated  
 255 as a nonconforming use.

256 Section 2. Subsection (7) of section 166.04151, Florida  
 257 Statutes, is amended, and subsection (8) is added to that  
 258 section, to read:

259 166.04151 Affordable housing.—

260 (7)(a) A municipality must authorize multifamily and  
 261 mixed-use residential as allowable uses in any area zoned for  
 262 commercial, industrial, or mixed use if at least 40 percent of  
 263 the residential units in a proposed multifamily ~~rental~~  
 264 development are rental units that, for a period of at least 30  
 265 years, are affordable as defined in s. 420.0004. Notwithstanding  
 266 any other law, local ordinance, or regulation to the contrary, a  
 267 municipality may not require a proposed multifamily development  
 268 to obtain a zoning or land use change, special exception,  
 269 conditional use approval, variance, or comprehensive plan  
 270 amendment for the building height, zoning, and densities  
 271 authorized under this subsection. For mixed-use residential  
 272 projects, at least 65 percent of the total square footage must  
 273 be used for residential purposes.

274 (b) A municipality may not restrict the density of a  
 275 proposed development authorized under this subsection below the

276 highest currently allowed density on any land in the  
 277 municipality where residential development is allowed under the  
 278 municipality's land development regulations. For purposes of  
 279 this paragraph, the term "highest currently allowed density"  
 280 does not include the density of any building that met the  
 281 requirements of this subsection or the density of any building  
 282 that has received any bonus, variance, or other special  
 283 exception for density provided in the municipality's land  
 284 development regulations as an incentive for development.

285 (c) A municipality may not restrict the floor area ratio  
 286 of a proposed development authorized under this subsection below  
 287 150 percent of the highest currently allowed floor area ratio on  
 288 any land in the municipality where development is allowed under  
 289 the municipality's land development regulations. For purposes of  
 290 this paragraph, the term "highest currently allowed floor area  
 291 ratio" does not include the floor area ratio of any building  
 292 that met the requirements of this subsection or the floor area  
 293 ratio of any building that has received any bonus, variance, or  
 294 other special exception for floor area ratio provided in the  
 295 municipality's land development regulations as an incentive for  
 296 development. For purposes of this subsection, the term "floor  
 297 area ratio" includes floor lot ratio.

298 (d)1.~~(e)~~ A municipality may not restrict the height of a  
 299 proposed development authorized under this subsection below the  
 300 highest currently allowed height for a commercial or residential

301 building development located in its jurisdiction within 1 mile  
302 of the proposed development or 3 stories, whichever is higher.  
303 For purposes of this paragraph, the term "highest currently  
304 allowed height" does not include the height of any building that  
305 met the requirements of this subsection or the height of any  
306 building that has received any bonus, variance, or other special  
307 exception for height provided in the municipality's land  
308 development regulations as an incentive for development.

309 2. If the proposed development is adjacent to, on two or  
310 more sides, a parcel zoned for single-family residential use  
311 that is within a single-family residential development with at  
312 least 25 contiguous single-family homes, the municipality may  
313 restrict the height of the proposed development to 150 percent  
314 of the tallest building on any property adjacent to the proposed  
315 development, the highest currently allowed height for the  
316 property provided in the municipality's land development  
317 regulations, or 3 stories, whichever is higher. For the purposes  
318 of this paragraph, the term "adjacent to" means those properties  
319 sharing more than one point of a property line, but does not  
320 include properties separated by a public road.

321 (e)-(d) A proposed development authorized under this  
322 subsection must be administratively approved and no further  
323 action by the governing body of the municipality is required if  
324 the development satisfies the municipality's land development  
325 regulations for multifamily developments in areas zoned for such

326 use and is otherwise consistent with the comprehensive plan,  
 327 with the exception of provisions establishing allowable  
 328 densities, floor area ratios, height, and land use. Such land  
 329 development regulations include, but are not limited to,  
 330 regulations relating to setbacks and parking requirements. A  
 331 proposed development located within one-quarter mile of a  
 332 military installation identified in s. 163.3175(2) may not be  
 333 administratively approved. Each municipality shall maintain on  
 334 its website a policy containing procedures and expectations for  
 335 administrative approval pursuant to this subsection.

336 (f)1.~~(e)~~ A municipality must consider reducing parking  
 337 requirements for a proposed development authorized under this  
 338 subsection if the development is located within one-quarter ~~one-~~  
 339 ~~half~~ mile of a ~~major~~ transit stop, as defined in the  
 340 municipality's land development code, and the ~~major~~ transit stop  
 341 is accessible from the development.

342 2. A municipality must reduce parking requirements by at  
 343 least 20 percent for a proposed development authorized under  
 344 this subsection if the development:

345 a. Is located within one-half mile of a major  
 346 transportation hub that is accessible from the proposed  
 347 development by safe, pedestrian-friendly means, such as  
 348 sidewalks, crosswalks, elevated pedestrian or bike paths, or  
 349 other multimodal design features.

350 b. Has available parking within 600 feet of the proposed

351 development which may consist of options such as on-street  
352 parking, parking lots, or parking garages available for use by  
353 residents of the proposed development. However, a municipality  
354 may not require that the available parking compensate for the  
355 reduction in parking requirements.

356 3. A municipality must eliminate parking requirements for  
357 a proposed mixed-use residential development authorized under  
358 this subsection within an area recognized by the municipality as  
359 a transit-oriented development or area, as provided in paragraph  
360 (h).

361 4. For purposes of this paragraph, the term "major  
362 transportation hub" means any transit station, whether bus,  
363 train, or light rail, which is served by public transit with a  
364 mix of other transportation options.

365 (g)-(f) A municipality that designates less than 20 percent  
366 of the land area within its jurisdiction for commercial or  
367 industrial use must authorize a proposed multifamily development  
368 as provided in this subsection in areas zoned for commercial or  
369 industrial use only if the proposed multifamily development is  
370 mixed-use residential.

371 (h) A proposed development authorized under this  
372 subsection which is located within a transit-oriented  
373 development or area, as recognized by the municipality, must be  
374 mixed-use residential and otherwise comply with requirements of  
375 the municipality's regulations applicable to the transit-

376 oriented development or area except for use, height, density,  
 377 floor area ratio, and parking as provided in this subsection or  
 378 as otherwise agreed to by the municipality and the applicant for  
 379 the development.

380 (i)-(g) Except as otherwise provided in this subsection, a  
 381 development authorized under this subsection must comply with  
 382 all applicable state and local laws and regulations.

383 (j)1. Nothing in this subsection precludes a municipality  
 384 from granting a bonus, variance, conditional use, or other  
 385 special exception to height, density, or floor area ratio in  
 386 addition to the height, density, and floor area ratio  
 387 requirements in this subsection.

388 2. Nothing in this subsection precludes a proposed  
 389 development authorized under this subsection from receiving a  
 390 bonus for density, height, or floor area ratio pursuant to an  
 391 ordinance or regulation of the jurisdiction where the proposed  
 392 development is located if the proposed development satisfies the  
 393 conditions to receive the bonus except for any condition which  
 394 conflicts with this subsection. If a proposed development  
 395 qualifies for such bonus, the bonus must be administratively  
 396 approved by the municipality and no further action by the  
 397 governing body of the municipality is required.

398 (k)-(h) This subsection does not apply to:

399 1. Airport-impacted areas as provided in s. 333.03.

400 2. Property defined as recreational and commercial working



401 waterfront in s. 342.201(2) (b) in any area zoned as industrial.

402 ~~(1)(i)~~ This subsection expires October 1, 2033.

403 (8) Any development authorized under paragraph (7) (a) must  
404 be treated as a conforming use even after the expiration of  
405 subsection (7) and the development's affordability period as  
406 provided in paragraph (7) (a), notwithstanding the municipality's  
407 comprehensive plan, future land use designation, or zoning. If  
408 at any point during the development's affordability period the  
409 development violates the affordability period requirement  
410 provided in paragraph (7) (a), the development must be allowed a  
411 reasonable time to cure such violation. If the violation is not  
412 cured within a reasonable time, the development must be treated  
413 as a nonconforming use.

414 Section 3. An applicant for a proposed development  
415 authorized under s. 125.01055(7) or s. 166.04151(7), Florida  
416 Statutes, who submitted an application, written request, or  
417 notice of intent to utilize such provisions to the county or  
418 municipality and which has been received by the county or  
419 municipality, as applicable, before the effective date of this  
420 act may notify the county or municipality by July 1, 2024, of  
421 its intent to proceed under the provisions of ss. 125.01055(7)  
422 or 166.04151(7), Florida Statutes, as they existed at the time  
423 of submittal. A county or municipality shall allow an applicant  
424 who submitted such application, written request, or notice of  
425 intent before the effective date of this act the opportunity to

426 submit a revised application, written request, or notice of  
 427 intent to account for the changes made by this act.

428 Section 4. Subsection (3) of section 196.1978, Florida  
 429 Statutes, is amended to read:

430 196.1978 Affordable housing property exemption.—

431 (3) (a) As used in this subsection, the term:

432 1. "Corporation" means the Florida Housing Finance  
 433 Corporation.

434 2. "Newly constructed" means an improvement to real  
 435 property which was substantially completed within 5 years before  
 436 the date of an applicant's first submission of a request for a  
 437 certification notice ~~or an application for an exemption~~ pursuant  
 438 to this subsection ~~section, whichever is earlier.~~

439 3. "Substantially completed" has the same meaning as in s.  
 440 192.042 (1).

441 (b) Notwithstanding ss. 196.195 and 196.196, portions of  
 442 property in a multifamily project are considered property used  
 443 for a charitable purpose and are eligible to receive an ad  
 444 valorem property tax exemption if such portions meet all of the  
 445 following conditions:

446 1. Provide affordable housing to natural persons or  
 447 families meeting the income limitations provided in paragraph  
 448 (d) .†

449 2. a. Are within a newly constructed multifamily project  
 450 that contains more than 70 units dedicated to housing natural

451 persons or families meeting the income limitations provided in  
 452 paragraph (d); or

453 b. Are within a newly constructed multifamily project in  
 454 an area of critical state concern, as designated by s. 380.0552  
 455 or chapter 28-36, Florida Administrative Code, which contains  
 456 more than 10 units dedicated to housing natural persons or  
 457 families meeting the income limitations provided in paragraph  
 458 (d). ~~and~~

459 3. Are rented for an amount that does not exceed the  
 460 amount as specified by the most recent multifamily rental  
 461 programs income and rent limit chart posted by the corporation  
 462 and derived from the Multifamily Tax Subsidy Projects Income  
 463 Limits published by the United States Department of Housing and  
 464 Urban Development or 90 percent of the fair market value rent as  
 465 determined by a rental market study meeting the requirements of  
 466 paragraph (l) ~~(m)~~, whichever is less.

467 (c) If a unit that in the previous year received ~~qualified~~  
 468 ~~for~~ the exemption under this subsection and was occupied by a  
 469 tenant is vacant on January 1, the vacant unit is eligible for  
 470 the exemption if the use of the unit is restricted to providing  
 471 affordable housing that would otherwise meet the requirements of  
 472 this subsection and a reasonable effort is made to lease the  
 473 unit to eligible persons or families.

474 (d)1. The property appraiser shall exempt:

475 a. Seventy-five percent of the assessed value of the units

476 in multifamily projects that meet the requirements of this  
 477 subsection and are ~~Qualified property~~ used to house natural  
 478 persons or families whose annual household income is greater  
 479 than 80 percent but not more than 120 percent of the median  
 480 annual adjusted gross income for households within the  
 481 metropolitan statistical area or, if not within a metropolitan  
 482 statistical area, within the county in which the person or  
 483 family resides; ~~and, must receive an ad valorem property tax~~  
 484 ~~exemption of 75 percent of the assessed value.~~

485 b.2. From ad valorem property taxes the units in  
 486 multifamily projects that meet the requirements of this  
 487 subsection and are ~~Qualified property~~ used to house natural  
 488 persons or families whose annual household income does not  
 489 exceed 80 percent of the median annual adjusted gross income for  
 490 households within the metropolitan statistical area or, if not  
 491 within a metropolitan statistical area, within the county in  
 492 which the person or family resides, ~~is exempt from ad valorem~~  
 493 ~~property taxes.~~

494 2. When determining the value of a unit for purposes of  
 495 applying an exemption pursuant to this paragraph, the property  
 496 appraiser must include in such valuation the proportionate share  
 497 of the residential common areas, including the land, fairly  
 498 attributable to such unit.

499 (e) To be eligible to receive an exemption under this  
 500 subsection, a property owner must submit an application on a

501 form prescribed by the department by March 1 for the exemption,  
502 accompanied by a certification notice from the corporation to  
503 the property appraiser. The property appraiser shall review the  
504 application and determine whether the applicant meets all of the  
505 requirements of this subsection and is entitled to an exemption.  
506 A property appraiser may request and review additional  
507 information necessary to make such determination. A property  
508 appraiser may grant an exemption only for a property for which  
509 the corporation has issued a certification notice and which the  
510 property appraiser determines is entitled to an exemption.

511 (f) To receive a certification notice, a property owner  
512 must submit a request to the corporation ~~for certification~~ on a  
513 form provided by the corporation which includes all of the  
514 following:

515 1. The most recently completed rental market study meeting  
516 the requirements of paragraph (1) ~~(m)~~.

517 2. A list of the units for which the property owner seeks  
518 an exemption.

519 3. The rent amount received by the property owner for each  
520 unit for which the property owner seeks an exemption. If a unit  
521 is vacant and qualifies for an exemption under paragraph (c),  
522 the property owner must provide evidence of the published rent  
523 amount for each vacant unit.

524 4. A sworn statement, under penalty of perjury, from the  
525 applicant restricting the property for a period of not less than

526 3 years to housing persons or families who meet the income  
 527 limitations under this subsection.

528 (g) The corporation shall review the request for a  
 529 certification notice and certify whether a property ~~that~~ meets  
 530 the ~~eligibility~~ criteria of paragraphs (b) and (c) ~~this~~  
 531 ~~subsection~~. A determination by the corporation regarding a  
 532 request for a certification notice does not constitute a grant  
 533 of an exemption pursuant to this subsection or final agency  
 534 action pursuant to chapter 120.

535 1. If the corporation determines that the property meets  
 536 the ~~eligibility~~ criteria ~~for an exemption under this subsection~~,  
 537 the corporation must send a certification notice to the property  
 538 owner and the property appraiser.

539 2. If the corporation determines that the property does  
 540 not meet the ~~eligibility~~ criteria, the corporation must notify  
 541 the property owner and include the reasons for such  
 542 determination.

543 (h) The corporation shall post on its website the deadline  
 544 to submit a request for a certification notice. The deadline  
 545 must allow adequate time for a property owner to submit a timely  
 546 application for exemption to the property appraiser.

547 (i) ~~The property appraiser shall review the application~~  
 548 ~~and determine if the applicant is entitled to an exemption. A~~  
 549 ~~property appraiser may grant an exemption only for a property~~  
 550 ~~for which the corporation has issued a certification notice.~~

551       ~~(j)~~ If the property appraiser determines that for any year  
 552 during the immediately previous 10 years a person who was not  
 553 entitled to an exemption under this subsection was granted such  
 554 an exemption, the property appraiser must serve upon the owner a  
 555 notice of intent to record in the public records of the county a  
 556 notice of tax lien against any property owned by that person in  
 557 the county, and that property must be identified in the notice  
 558 of tax lien. Any property owned by the taxpayer and situated in  
 559 this state is subject to the taxes exempted by the improper  
 560 exemption, plus a penalty of 50 percent of the unpaid taxes for  
 561 each year and interest at a rate of 15 percent per annum. If an  
 562 exemption is improperly granted as a result of a clerical  
 563 mistake or an omission by the property appraiser, the property  
 564 owner improperly receiving the exemption may not be assessed a  
 565 penalty or interest.

566       (j)~~(k)~~ Units subject to an agreement with the corporation  
 567 pursuant to chapter 420 recorded in the official records of the  
 568 county in which the property is located to provide housing to  
 569 natural persons or families meeting the extremely-low-income,  
 570 very-low-income, or low-income limits specified in s. 420.0004  
 571 are not eligible for this exemption.

572       (k)~~(l)~~ Property receiving an exemption pursuant to s.  
 573 196.1979 is not eligible for this exemption.

574       (l)~~(m)~~ A rental market study submitted as required by  
 575 subparagraph (f)1. paragraph (f) must identify the fair market

576 value rent of each unit for which a property owner seeks an  
 577 exemption. Only a certified general appraiser as defined in s.  
 578 475.611 may issue a rental market study. The certified general  
 579 appraiser must be independent of the property owner who requests  
 580 the rental market study. In preparing the rental market study, a  
 581 certified general appraiser shall comply with the standards of  
 582 professional practice pursuant to part II of chapter 475 and use  
 583 comparable property within the same geographic area and of the  
 584 same type as the property for which the exemption is sought. A  
 585 rental market study must have been completed within 3 years  
 586 before submission of the application.

587 (m)~~(n)~~ The corporation may adopt rules to implement this  
 588 section.

589 (n)~~(o)~~ This subsection first applies to the 2024 tax roll  
 590 and is repealed December 31, 2059.

591 Section 5. Subsections (6) and (7) of section 196.1979,  
 592 Florida Statutes, are renumbered as subsections (8) and (9),  
 593 respectively, paragraph (b) of subsection (1), subsection (2),  
 594 paragraphs (d), (f), and (l) of subsection (3), and subsection  
 595 (5) are amended, and new subsections (6) and (7) are added to  
 596 that section, to read:

597 196.1979 County and municipal affordable housing property  
 598 exemption.—

599 (1)

600 (b) Qualified property may receive an ad valorem property



601 tax exemption of:

602 1. Up to 75 percent of the assessed value of each  
 603 residential unit used to provide affordable housing if fewer  
 604 than 100 percent of the multifamily project's residential units  
 605 are used to provide affordable housing meeting the requirements  
 606 of this section.

607 2. Up to 100 percent of the assessed value of each  
 608 residential unit used to provide affordable housing if 100  
 609 percent of the multifamily project's residential units are used  
 610 to provide affordable housing meeting the requirements of this  
 611 section.

612 (2) If a residential unit that in the previous year  
 613 received ~~qualified for~~ the exemption under this section and was  
 614 occupied by a tenant is vacant on January 1, the vacant unit may  
 615 qualify for the exemption under this section if the use of the  
 616 unit is restricted to providing affordable housing that would  
 617 otherwise meet the requirements of this section and a reasonable  
 618 effort is made to lease the unit to eligible persons or  
 619 families.

620 (3) An ordinance granting the exemption authorized by this  
 621 section must:

622 (d) Require the local entity to verify and certify  
 623 property that meets the requirements of the ordinance as  
 624 qualified property and forward the certification to the property  
 625 owner and the property appraiser. If the local entity denies the

626 application for certification exemption, it must notify the  
 627 applicant and include reasons for the denial.

628 (f) Require the property owner to submit an application  
 629 for exemption, on a form prescribed by the department,  
 630 accompanied by the certification of qualified property, to the  
 631 property appraiser no later than the deadline specified in s.  
 632 196.011 March 1.

633 (1) Require the county or municipality to post on its  
 634 website a list of ~~certified~~ properties receiving the exemption  
 635 for the purpose of facilitating access to affordable housing.

636 (5) An ordinance adopted under this section must expire  
 637 before the fourth January 1 after adoption; however, the board  
 638 of county commissioners or the governing body of the  
 639 municipality may adopt a new ordinance to renew the exemption.  
 640 The board of county commissioners or the governing body of the  
 641 municipality shall deliver a copy of an ordinance adopted under  
 642 this section to the department and the property appraiser within  
 643 10 days after its adoption, but no later than January 1 of the  
 644 year such exemption will take effect. If the ordinance expires  
 645 or is repealed, the board of county commissioners or the  
 646 governing body of the municipality must notify the department  
 647 and the property appraiser within 10 days after its expiration  
 648 or repeal, but no later than January 1 of the year the repeal or  
 649 expiration of such exemption will take effect.

650 (6) The property appraiser shall review each application

651 for exemption and determine whether the applicant meets all of  
 652 the requirements of this section and is entitled to an  
 653 exemption. A property appraiser may request and review  
 654 additional information necessary to make such determination. A  
 655 property appraiser may grant an exemption only for a property  
 656 for which the local entity has certified as qualified property  
 657 and which the property appraiser determines is entitled to an  
 658 exemption.

659 (7) When determining the value of a unit for purposes of  
 660 applying an exemption pursuant to this section, the property  
 661 appraiser must include in such valuation the proportionate share  
 662 of the residential common areas, including the land, fairly  
 663 attributable to such unit.

664 Section 6. The amendments made by this act to ss. 196.1978  
 665 and 196.1979, Florida Statutes, are intended to be remedial and  
 666 clarifying in nature and apply retroactively to January 1, 2024.

667 Section 7. Subsection (5) of section 333.03, Florida  
 668 Statutes, is renumbered as subsection (6), and a new subsection  
 669 (5) is added to that section, to read:

670 333.03 Requirement to adopt airport zoning regulations.—

671 (5) Sections 125.01055(7) and 166.04151(7) do not apply to  
 672 any of the following:

673 (a) A proposed development near a runway within one-  
 674 quarter of a mile laterally from the runway edge and within an  
 675 area that is the width of one-quarter of a mile extending at

676 right angles from the end of the runway for a distance of 10,000  
 677 feet of any existing airport runway or planned airport runway  
 678 identified in the local government's airport master plan.

679 (b) A proposed development within any airport noise zone  
 680 identified in the federal land use compatibility table or in a  
 681 land-use zoning or airport noise regulation adopted by the local  
 682 government.

683 (c) A proposed development that exceeds maximum height  
 684 restrictions identified in the political subdivision's airport  
 685 zoning regulation adopted pursuant to this section.

686 Section 8. Subsection (35) of section 420.507, Florida  
 687 Statutes, is amended to read:

688 420.507 Powers of the corporation.—The corporation shall  
 689 have all the powers necessary or convenient to carry out and  
 690 effectuate the purposes and provisions of this part, including  
 691 the following powers which are in addition to all other powers  
 692 granted by other provisions of this part:

693 (35) To preclude any applicant, sponsor, or affiliate of  
 694 an applicant or sponsor from further participation in any of the  
 695 corporation's programs as provided in s. 420.518, ~~any applicant~~  
 696 ~~or affiliate of an applicant which has made a material~~  
 697 ~~misrepresentation or engaged in fraudulent actions in connection~~  
 698 ~~with any application for a corporation program.~~

699 Section 9. Subsection (3) of section 420.5096, Florida  
 700 Statutes, is amended to read:

701           420.5096 Florida Hometown Hero Program.—  
 702           (3) For loans made available pursuant to s.  
 703 420.507(23)(a)1. or 2., the corporation may underwrite and make  
 704 those mortgage loans through the program to persons or families  
 705 who have household incomes that do not exceed 150 percent of the  
 706 state median income or local median income, whichever is  
 707 greater. A borrower must be seeking to purchase a home as a  
 708 primary residence; must be a first-time homebuyer and a Florida  
 709 resident; and must be employed full-time by a Florida-based  
 710 employer. The borrower must provide documentation of full-time  
 711 employment, or full-time status for self-employed individuals,  
 712 ~~of 35 hours or more per week.~~ The requirement to be a first-time  
 713 homebuyer does not apply to a borrower who is an active duty  
 714 servicemember of a branch of the armed forces or the Florida  
 715 National Guard, as defined in s. 250.01, or a veteran.

716           Section 10. Section 420.518, Florida Statutes, is amended  
 717 to read:

718           420.518 Preclusion from participation in corporation  
 719 programs ~~Fraudulent or material misrepresentation.~~—

720           (1) An applicant, a sponsor, or an affiliate of an  
 721 applicant or a sponsor may be precluded from participation in  
 722 any corporation program if the applicant, the sponsor, or the  
 723 affiliate of the applicant or sponsor has:

724           (a) Made a material misrepresentation or engaged in  
 725 fraudulent actions in connection with any corporation program.

726 (b) Been convicted or found guilty of, or entered a plea  
 727 of guilty or nolo contendere to, regardless of adjudication, a  
 728 crime in any jurisdiction which directly relates to the  
 729 financing, construction, or management of affordable housing or  
 730 the fraudulent procurement of state or federal funds. The record  
 731 of a conviction certified or authenticated in such form as to be  
 732 admissible in evidence under the laws of the state shall be  
 733 admissible as prima facie evidence of such guilt.

734 (c) Been excluded from any federal funding program related  
 735 to the provision of housing, including debarment from  
 736 participation in federal housing programs by the United States  
 737 Department of Housing and Urban Development.

738 (d) Been excluded from any federal or Florida procurement  
 739 programs.

740 (e) Offered or given consideration, other than the  
 741 consideration to provide affordable housing, with respect to a  
 742 local contribution.

743 (f) Demonstrated a pattern of noncompliance and a failure  
 744 to correct any such noncompliance after notice from the  
 745 corporation in the construction, operation, or management of one  
 746 or more developments funded through a corporation program.

747 (g) Materially or repeatedly violated any condition  
 748 imposed by the corporation in connection with the administration  
 749 of a corporation program, including a land use restriction  
 750 agreement, an extended use agreement, or any other financing or

751 regulatory agreement with the corporation.

752 (2) Upon a determination by the board of directors of the  
753 corporation that an applicant or affiliate of the applicant be  
754 precluded from participation in any corporation program, the  
755 board may issue an order taking any or all of the following  
756 actions:

757 (a) Preclude such applicant or affiliate from applying for  
758 funding from any corporation program for a specified period. The  
759 period may be a specified period of time or permanent in nature.  
760 With regard to establishing the duration, the board shall  
761 consider the facts and circumstances, inclusive of the  
762 compliance history of the applicant or affiliate of the  
763 applicant, the type of action under subsection (1), and the  
764 degree of harm to the corporation's programs that has been or  
765 may be done.

766 (b) Revoke any funding previously awarded by the  
767 corporation for any development for which construction or  
768 rehabilitation has not commenced.

769 (3) Before any order issued under this section can be  
770 final, an administrative complaint must be served on the  
771 applicant, affiliate of the applicant, or its registered agent  
772 that provides notification of findings of the board, the  
773 intended action, and the opportunity to request a proceeding  
774 pursuant to ss. 120.569 and 120.57.

775 (4) Any funding, allocation of federal housing credits,

776 credit underwriting procedures, or application review for any  
777 development for which construction or rehabilitation has not  
778 commenced may be suspended by the corporation upon the service  
779 of an administrative complaint on the applicant, affiliate of  
780 the applicant, or its registered agent. The suspension shall be  
781 effective from the date the administrative complaint is served  
782 until an order issued by the corporation in regard to that  
783 complaint becomes final.

784       Section 11. For the 2024-2025 fiscal year, from the funds  
785 received and deposited into the General Revenue Fund from the  
786 state's allocation from the federal Coronavirus State Fiscal  
787 Recovery Fund created under the American Rescue Plan Act of  
788 2021, Pub. L. No. 117-2, the sum of \$100 million in nonrecurring  
789 funds is appropriated to the State Housing Trust Fund for use by  
790 the Florida Housing Finance Corporation to implement the Florida  
791 Hometown Hero Program established in s. 420.5096, Florida  
792 Statutes.

793       Section 12. This act shall take effect upon becoming a  
794 law.