

1 A bill to be entitled

2 An act relating to affordable housing in counties
3 designated as areas of critical state concern;
4 amending ss. 125.01055 and 166.04151, F.S.; excluding
5 land designated as an area of critical state concern
6 from county and municipality affordable housing
7 provisions; amending s. 196.1979, F.S.; providing for
8 an ad valorem property tax exemption of a specified
9 amount for certain property used to provide affordable
10 housing; specifying that certain housing units may be
11 eligible for tax exemptions if certain requirements
12 are met; providing applicability; conforming
13 provisions to changes made by the act; amending s.
14 380.0552, F.S.; adding certain requirements to local
15 comprehensive plans relating to the hurricane
16 evaluation study; amending s. 380.0666, F.S.; revising
17 the powers of the land authority; providing
18 requirements for conveying affordable housing
19 homeownership units; providing lien status
20 prioritization for certain purposes; amending s.
21 420.9075, F.S.; excluding land designated as an area
22 of critical state concern within a specified time
23 period from award requirements made to specified
24 sponsors or persons for the purpose of providing

25 eligible housing as a part of a local housing
 26 assistance plan; providing for expiration and
 27 retroactive applicability; authorizing counties that
 28 have been designated as areas of critical state
 29 concern to use tourist development tax revenue for
 30 affordable workforce or employee housing; providing an
 31 effective date.

32
 33 Be It Enacted by the Legislature of the State of Florida:

34
 35 Section 1. Subsection (5) of section 125.01055, Florida
 36 Statutes, is amended to read:

37 125.01055 Affordable housing.—

38 (5) Subsections ~~Subsection~~ (4) and (6) do ~~does~~ not apply
 39 in an area of critical state concern, as designated in s.
 40 380.0552.

41 Section 2. Subsection (5) of section 166.04151, Florida
 42 Statutes, is amended to read:

43 166.04151 Affordable housing.—

44 (5) Subsections ~~Subsection~~ (4) and (6) do ~~does~~ not apply
 45 in an area of critical state concern, as designated by s.
 46 380.0552 or chapter 28-36, Florida Administrative Code.

47 Section 3. Paragraph (b) of subsection (1) and paragraph
 48 (e) of subsection (3) of section 196.1979, Florida Statutes, are

49 amended, and paragraph (d) is added to subsection (1) of that
 50 section, to read:

51 196.1979 County and municipal affordable housing property
 52 exemption.—

53 (1)

54 (b) Qualified property may receive an ad valorem property
 55 tax exemption of:

56 1. Up to 75 percent of the assessed value of each
 57 residential unit used to provide affordable housing if fewer
 58 than 100 percent of the multifamily project's residential units
 59 are used to provide affordable housing meeting the requirements
 60 of this section.

61 2. Up to 100 percent of the assessed value if 100 percent
 62 of the multifamily project's residential units are used to
 63 provide affordable housing meeting the requirements of this
 64 section.

65 3. Up to 100 percent of the assessed value if the
 66 residential unit is a single-family residential unit or a
 67 residential duplex, and such property is used to provide
 68 affordable housing meeting the requirements of this section.

69 (d)1. Notwithstanding subparagraph (1)(a)2., a housing
 70 unit located within the Florida Keys Area pursuant to s.
 71 380.0552 or the Key West Area pursuant to chapter 28-36, Florida
 72 Administrative Code, as amended, effective August 23, 1984, may

73 be eligible for a tax exemption under this section if the
74 housing unit meets the requirements of this section and the unit
75 is being offered for rent.

76 2. This paragraph first applies to the 2025 tax roll.

77 (3) An ordinance granting the exemption authorized by this
78 section must:

79 (e) Require the eligible unit to meet the eligibility
80 criteria of paragraph (1) (a) or paragraph (1) (d).

81 Section 4. Paragraph (a) of subsection (9) of section
82 380.0552, Florida Statutes, is amended to read:

83 380.0552 Florida Keys Area; protection and designation as
84 area of critical state concern.—

85 (9) MODIFICATION TO PLANS AND REGULATIONS.—

86 (a) Any land development regulation or element of a local
87 comprehensive plan in the Florida Keys Area may be enacted,
88 amended, or rescinded by a local government, but the enactment,
89 amendment, or rescission becomes effective only upon approval by
90 the state land planning agency. The state land planning agency
91 shall review the proposed change to determine if it is in
92 compliance with the principles for guiding development specified
93 in chapter 27F-8, Florida Administrative Code, as amended
94 effective August 23, 1984, and must approve or reject the
95 requested changes within 60 days after receipt. Amendments to
96 local comprehensive plans in the Florida Keys Area must also be

97 reviewed for compliance with the following:

98 1. Construction schedules and detailed capital financing
99 plans for wastewater management improvements in the annually
100 adopted capital improvements element, and standards for the
101 construction of wastewater treatment and disposal facilities or
102 collection systems that meet or exceed the criteria in s.
103 403.086(11) for wastewater treatment and disposal facilities or
104 s. 381.0065(4)(1) for onsite sewage treatment and disposal
105 systems.

106 2. Goals, objectives, and policies to protect public
107 safety and welfare in the event of a natural disaster by
108 maintaining a hurricane evacuation clearance time for permanent
109 residents of no more than 24 hours. The hurricane evacuation
110 clearance time shall be determined by a hurricane evacuation
111 study conducted in accordance with a professionally accepted
112 methodology and approved by the state land planning agency. For
113 purposes of hurricane evacuation clearance time modeling:

114 a. Mobile home residents are not considered permanent
115 residents.

116 b. The Key West Area pursuant to chapter 28-36, Florida
117 Administrative Code, as amended, effective August 23, 1984,
118 shall be included in the hurricane evaluation study.

119 Section 5. Subsection (14) of section 380.0666, Florida
120 Statutes, is added to read:

121 380.0666 Powers of land authority.—The land authority
 122 shall have all the powers necessary or convenient to carry out
 123 and effectuate the purposes and provisions of this act,
 124 including the following powers, which are in addition to all
 125 other powers granted by other provisions of this act:

126 (14) For affordable housing homeownership units, to
 127 require compliance with the income requirements under paragraph
 128 (3)(a) at the time of conveyance each time a unit is conveyed.
 129 The original land authority funding or contribution shall be
 130 memorialized in a recordable perpetual deed restriction. If the
 131 purchase receives state or federal funding and that state or
 132 federal funding program requires a priority lien position over
 133 the land authority deed restriction, the land authority funding
 134 or contribution may be subordinate to a first purchase money
 135 mortgage and the state or federal funding lien.

136 Section 6. Paragraph (g) of subsection (5) of section
 137 420.9075, Florida Statutes, is amended to read:

138 420.9075 Local housing assistance plans; partnerships.—

139 (5) The following criteria apply to awards made to
 140 eligible sponsors or eligible persons for the purpose of
 141 providing eligible housing:

142 (g)1. All units constructed, rehabilitated, or otherwise
 143 assisted with the funds provided from the local housing
 144 assistance trust fund must be occupied by very-low-income

145 persons, low-income persons, and moderate-income persons except
146 as otherwise provided in this section.

147 2.a. At least 30 percent of the funds deposited into the
148 local housing assistance trust fund must be reserved for awards
149 to very-low-income persons or eligible sponsors who will serve
150 very-low-income persons, and at least an additional 30 percent
151 of the funds deposited into the local housing assistance trust
152 fund must be reserved for awards to low-income persons or
153 eligible sponsors who will serve low-income persons.

154 b. This subparagraph does not apply to a county or an
155 eligible municipality that includes or has included within the
156 previous 5 years an area of critical state concern designated by
157 the Legislature for which the Legislature has declared its
158 intent to provide affordable housing. This sub-subparagraph
159 expires on July 1, 2029, and applies retroactively.

160 Section 7. A county that has been designated as an area of
161 critical state concern by the Legislature and which levies a
162 tourist development tax pursuant to s. 125.0104, Florida
163 Statutes, and a tourist impact tax pursuant to s. 125.0108,
164 Florida Statutes, may transfer its cumulative surplus tourist
165 development tax revenue through the fiscal year ending September
166 30, 2024, which shall be distributed pursuant to s. 125.0108(3),
167 Florida Statutes, to provide for and support workforce housing
168 for employees due to impacts from tourist-related businesses

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169 | within the county.

170 | Section 8. This act shall take effect July 1, 2024.