

26 Be It Enacted by the Legislature of the State of Florida:

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28 Section 1. Subsection (49) of section 163.3164, Florida
 29 Statutes, is amended to read:

30 163.3164 Community Planning Act; definitions.—As used in
 31 this act:

32 (49) "Urban infill" means the development of vacant
 33 parcels in otherwise built-up areas where public facilities such
 34 as sewer systems, roads, schools, and recreation areas are
 35 already in place and the average residential density is at least
 36 five dwelling units per acre, the average nonresidential
 37 intensity is at least a floor area ratio of 1.0, and vacant,
 38 developable land does not constitute more than 10 percent of the
 39 area. The term also includes the development or redevelopment of
 40 mobile home parks and manufactured home communities that meet
 41 the urban infill criteria.

42 Section 2. Paragraph (a) of subsection (2) of section
 43 196.1978, Florida Statutes, is amended to read:

44 196.1978 Affordable housing property exemption.—

45 (2)(a) Notwithstanding ss. 196.195 and 196.196, property
 46 in a multifamily project that meets the requirements of this
 47 subsection is considered property used for a charitable purpose
 48 and is exempt from ad valorem tax beginning with the January 1
 49 assessment after the 15th completed year from the earliest of:

50 1. The effective date of the recorded agreement on those

51 portions of the affordable housing property that provide housing
 52 to natural persons or families meeting the extremely-low-income,
 53 very-low-income, ~~or~~ low-income, or moderate-income limits
 54 specified in s. 420.0004;

55 2. The first day of the first taxable year in which the
 56 property was placed in service as an affordable housing property
 57 that provides housing to natural persons or families meeting the
 58 extremely-low-income, very-low-income, ~~or~~ low-income, or
 59 moderate-income limits specified in s. 420.0004; or

60 3. The date the property received a certificate of
 61 occupancy or a certificate of substantial completion, as
 62 applicable, allowing the property to be used as an affordable
 63 housing property that provides housing to natural persons or
 64 families meeting the extremely-low-income, very-low-income, ~~or~~
 65 low-income, or moderate-income limits specified in s. 420.0004.

66 Section 3. Paragraph (b) of subsection (3) and paragraph
 67 (d) of subsection (5) of section 380.093, Florida Statutes, are
 68 amended to read:

69 380.093 Resilient Florida Grant Program; comprehensive
 70 statewide flood vulnerability and sea level rise data set and
 71 assessment; Statewide Flooding and Sea Level Rise Resilience
 72 Plan; regional resilience entities.—

73 (3) RESILIENT FLORIDA GRANT PROGRAM.—

74 (b) Subject to appropriation, the department may provide
 75 grants to each of the following entities:

76 1. A county or municipality to fund:

77 a. The costs of community resilience planning and
78 necessary data collection for such planning, including
79 comprehensive plan amendments and necessary corresponding
80 analyses that address the requirements of s. 163.3178(2)(f).

81 b. Vulnerability assessments that identify or address
82 risks of inland or coastal flooding and sea level rise.

83 c. The development of projects, plans, and policies that
84 allow communities to prepare for threats from flooding and sea
85 level rise.

86 d. Preconstruction activities for projects to be submitted
87 for inclusion in the Statewide Flooding and Sea Level Rise
88 Resilience Plan that are located in a municipality that has a
89 population of 10,000 or fewer or a county that has a population
90 of 50,000 or fewer, according to the most recent April 1
91 population estimates posted on the Office of Economic and
92 Demographic Research's website.

93 e. Feasibility studies and the cost of permitting for
94 nature-based solutions that reduce the impact of flooding and
95 sea level rise.

96 2. A water management district identified in s. 373.069 to
97 support local government adaptation planning, which may be
98 conducted by the water management district or by a third party
99 on behalf of the water management district. Such grants must be
100 used for the express purpose of supporting the Florida Flood Hub

101 for Applied Research and Innovation and the department in
 102 implementing this section through data creation and collection,
 103 modeling, and the implementation of statewide standards.
 104 Priority must be given to filling critical data gaps identified
 105 by the Florida Flood Hub for Applied Research and Innovation
 106 under s. 380.0933(2)(a).

107 3. A community development district, as defined in s.
 108 190.003, which is authorized under chapter 190 to fund the
 109 construction or reconstruction of critical assets as authorized
 110 by the enabling ordinance that created the community development
 111 district or as required by a county or municipal development
 112 order.

113 (5) STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE
 114 PLAN.—

115 (d)1. By September 1, 2021, and each September 1
 116 thereafter, the following entities may submit to the department
 117 a list of proposed projects that address risks of flooding or
 118 sea level rise identified in vulnerability assessments that meet
 119 the requirements of subsection (3):

120 a. Counties.

121 b. Municipalities.

122 c. Special districts as defined in s. 189.012 that are
 123 responsible for the management and maintenance of inlets and
 124 intracoastal waterways or for the operation and maintenance of a
 125 potable water facility, a wastewater facility, an airport, or a

126 seaport facility.

127 d. A community development district, as defined in s.
128 190.003, which is authorized under chapter 190 to fund the
129 construction or reconstruction of critical assets as authorized
130 by the enabling ordinance that created the community development
131 district or as required by a county or municipal development
132 order.

133

134 For the plans submitted by December 1, 2021; December 1, 2022;
135 and December 1, 2023, such entities may submit projects
136 identified in existing vulnerability assessments that do not
137 comply with subsection (3). A regional resilience entity may
138 also submit proposed projects to the department pursuant to this
139 subparagraph on behalf of one or more member counties or
140 municipalities.

141 2. By September 1, 2021, and each September 1 thereafter,
142 the following entities may submit to the department a list of
143 any proposed projects that mitigate the risks of flooding or sea
144 level rise on water supplies or water resources of the state and
145 a corresponding evaluation of each project:

- 146 a. Water management districts.
147 b. Drainage districts.
148 c. Erosion control districts.
149 d. Flood control districts.
150 e. Regional water supply authorities.

151 f. A community development district, as defined in s.
 152 190.003, which is authorized under chapter 190 to fund the
 153 construction or reconstruction of critical assets as authorized
 154 by the enabling ordinance that created the community development
 155 district or as required by a county or municipal development
 156 order.

157 3. Each project submitted to the department pursuant to
 158 this paragraph for consideration by the department for inclusion
 159 in the plan must include:

- 160 a. A description of the project.
- 161 b. The location of the project.
- 162 c. An estimate of how long the project will take to
 163 complete.
- 164 d. An estimate of the cost of the project.
- 165 e. The cost-share percentage available for the project.
- 166 f. The project sponsor.

167 Section 4. Subsection (12) of section 420.0004, Florida
 168 Statutes, is amended to read:

169 420.0004 Definitions.—As used in this part, unless the
 170 context otherwise indicates:

171 (12) "Moderate-income persons" means one or more natural
 172 persons or a family, the total annual adjusted gross household
 173 income of which is less than 120 percent of the median annual
 174 adjusted gross income for households within the state, or 120
 175 percent of the median annual adjusted gross income for

176 households within the metropolitan statistical area (MSA) or, if
 177 not within an MSA, within the county in which the person or
 178 family resides, whichever is greater. In counties with a
 179 population of 1 million or more, the term means one or more
 180 natural persons or a family, the total annual adjusted gross
 181 household income of which is less than 140 percent of the median
 182 annual adjusted gross income for households within the state or
 183 140 percent of the median annual adjusted gross income for
 184 households within the MSA, whichever is greater.

185 Section 5. Subsection (5) of section 420.50871, Florida
 186 Statutes, is renumbered as subsection (6), paragraphs (a) and
 187 (b) of subsection (1) are amended, and a new subsection (5) is
 188 added to that section, to read:

189 420.50871 Allocation of increased revenues derived from
 190 amendments to s. 201.15 made by ch. 2023-17.—Funds that result
 191 from increased revenues to the State Housing Trust Fund derived
 192 from amendments made to s. 201.15 made by chapter 2023-17, Laws
 193 of Florida, must be used annually for projects under the State
 194 Apartment Incentive Loan Program under s. 420.5087 as set forth
 195 in this section, notwithstanding ss. 420.507(48) and (50) and
 196 420.5087(1) and (3). The Legislature intends for these funds to
 197 provide for innovative projects that provide affordable and
 198 attainable housing for persons and families working, going to
 199 school, or living in this state. Projects approved under this
 200 section are intended to provide housing that is affordable as

201 defined in s. 420.0004, notwithstanding the income limitations
202 in s. 420.5087(2). Beginning in the 2023-2024 fiscal year and
203 annually for 10 years thereafter:

204 (1) The corporation shall allocate 70 percent of the funds
205 provided by this section to issue competitive requests for
206 application for the affordable housing project purposes
207 specified in this subsection. The corporation shall finance
208 projects that:

209 (a) Both redevelop an existing affordable housing
210 development and provide for the construction of a new
211 development within close proximity to the existing development
212 to be rehabilitated. Each project must provide for building the
213 new affordable housing development first, relocating the tenants
214 of the existing development to the new development, and then
215 demolishing the existing development for reconstruction of an
216 affordable housing development with more overall and affordable
217 units. The total number of units for a new development or the
218 redevelopment of an existing affordable housing development
219 which includes more overall and affordable units must be based
220 on plans presented by the developer which include factors
221 related to existing or proposed zoning, financing, and housing
222 supply needs of the county in which the project is located.

223 (b) Address urban infill, as defined in s. 163.3164,
224 including conversions of vacant, dilapidated, or functionally
225 obsolete buildings or the use of underused commercial property.

226 (5) A project financed under this section may not require
 227 that low-income housing tax credits under s. 42 of the Internal
 228 Revenue Code or tax-exempt bond financing be a part of the
 229 financing structure for the project.

230 Section 6. Subsection (2) of section 420.50872, Florida
 231 Statutes, is amended to read:

232 420.50872 Live Local Program.—

233 (2) RESPONSIBILITIES OF THE CORPORATION; PROHIBITIONS.—

234 (a) The corporation shall:

235 1. ~~(a)~~ Expend 100 percent of eligible contributions
 236 received under this section for the State Apartment Incentive
 237 Loan Program under s. 420.5087. However, the corporation may use
 238 up to \$25 million of eligible contributions to provide loans for
 239 the construction of large-scale projects of significant regional
 240 impact, including new construction projects that have received
 241 development assistance from the federal government to replace
 242 obsolete homes in mobile home parks and manufactured home
 243 communities based on a comprehensive redevelopment plan. Such
 244 projects must include a substantial civic, educational, or
 245 health care use and may include a commercial use, any of which
 246 must be incorporated within or contiguous to the project
 247 property. Such a loan must be made, except as otherwise provided
 248 in this subsection, in accordance with the practices and
 249 policies of the State Apartment Incentive Loan Program. Such a
 250 loan is subject to the competitive application process and may

251 not exceed 25 percent of the total project cost. The corporation
252 must find that the loan provides a unique opportunity for
253 investment alongside local government participation that would
254 enable creation of a significant amount of affordable housing.
255 Projects approved under this section are intended to provide
256 housing that is affordable as defined in s. 420.0004,
257 notwithstanding the income limitations in s. 420.5087(2).

258 ~~2.(b)~~ Upon receipt of an eligible contribution, provide
259 the taxpayer that made the contribution with a certificate of
260 contribution. A certificate of contribution must include the
261 taxpayer's name; its federal employer identification number, if
262 available; the amount contributed; and the date of contribution.

263 ~~3.(e)~~ Within 10 days after issuing a certificate of
264 contribution, provide a copy to the Department of Revenue.

265 (b) A project financed under this section may not require
266 that low-income housing tax credits under s. 42 of the Internal
267 Revenue Code or tax-exempt bond financing be a part of the
268 financing structure for the project.

269 Section 7. This act shall take effect July 1, 2024.