

By the Committees on Fiscal Policy; and Community Affairs; and
Senators Calatayud, Osgood, and Stewart

594-02702A-24

2024328c2

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"; making
29 technical changes; providing requirements for

594-02702A-24

2024328c2

30 developments authorized located within a transit-
31 oriented development or area; clarifying that a county
32 or municipality, respectively, is not precluded from
33 granting additional exceptions; clarifying that a
34 proposed development is not precluded from receiving a
35 bonus for density, height, or floor area ratio if
36 specified conditions are satisfied; revising
37 applicability; authorizing specified developments to
38 be treated as a conforming use under certain
39 circumstances; authorizing specified developments to
40 be treated as a nonconforming use under certain
41 circumstances; amending s. 196.1978, F.S.; revising
42 the definition of the term "newly constructed";
43 revising conditions for when multifamily projects are
44 considered property used for a charitable purpose and
45 are eligible to receive an ad valorem property tax
46 exemption; making technical changes; requiring
47 property appraisers to make certain exemptions from ad
48 valorem property taxes; providing the method for
49 determining the value of a unit for certain purposes;
50 requiring property appraisers to review certain
51 applications and make certain determinations;
52 authorizing property appraisers to request and review
53 additional information; authorizing property
54 appraisers to grant exemptions only under certain
55 conditions; revising requirements for property owners
56 seeking a certification notice from the Florida
57 Housing Finance Corporation; providing that a certain
58 determination by the corporation does not constitute

594-02702A-24

2024328c2

59 an exemption; conforming provisions to changes made by
60 the act; amending s. 196.1979, F.S.; revising the
61 value to which a certain ad valorem property tax
62 exemption applies; revising a condition of eligibility
63 for vacant residential units to qualify for a certain
64 ad valorem property tax exemption; making technical
65 changes; revising the deadline for an application for
66 exemption; revising deadlines by which boards and
67 governing bodies must deliver to or notify the
68 Department of Revenue of the adoption, repeal, or
69 expiration of certain ordinances; requiring property
70 appraisers to review certain applications and make
71 certain determinations; authorizing property
72 appraisers to request and review additional
73 information; authorizing property appraisers to grant
74 exemptions only under certain conditions; providing
75 the method for determining the value of a unit for
76 certain purposes; providing for retroactive
77 application; amending s. 333.03, F.S.; excluding
78 certain proposed developments from specified airport
79 zoning provisions; amending s. 420.507, F.S.; revising
80 the enumerated powers of the corporation; amending s.
81 420.5096, F.S.; making technical changes; amending s.
82 420.518, F.S.; specifying conditions under which the
83 corporation may preclude applicants from corporation
84 programs; providing an appropriation; providing an
85 effective date.

86
87 Be It Enacted by the Legislature of the State of Florida:

594-02702A-24

2024328c2

88

89 Section 1. Subsection (7) of section 125.01055, Florida
90 Statutes, is amended, and subsection (8) is added to that
91 section, to read:

92 125.01055 Affordable housing.—

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

107 (b) A county may not restrict the density of a proposed
108 development authorized under this subsection below the highest
109 currently allowed density on any unincorporated land in the
110 county where residential development is allowed under the
111 county's land development regulations. For purposes of this
112 paragraph, the term "highest currently allowed density" does not
113 include the density of any development that met the requirements
114 of this subsection or the density of any development which has
115 received any bonus, variance, or other special exception for
116 density provided in the county's land development regulations as

594-02702A-24

2024328c2

117 an incentive for development.

118 (c) A county may not restrict the floor area ratio of a
119 proposed development authorized under this subsection below the
120 highest currently allowed floor area ratio on any unincorporated
121 land in the county where development is allowed under the
122 county's land development regulations. For purposes of this
123 paragraph, the term "highest currently allowed floor area ratio"
124 does not include the floor area ratio of any development that
125 met the requirements of this subsection or the floor area ratio
126 of any development which has received any bonus, variance, or
127 other special exception for floor area ratio provided in the
128 county's land development regulations as an incentive for
129 development. For purposes of this subsection, the term floor
130 area ratio includes floor lot ratio.

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

142 2. If the proposed development is adjacent to, on two or
143 more sides, a parcel zoned for single-family residential use
144 that is within a single-family residential development with at
145 least 25 contiguous single-family homes, the county may restrict

594-02702A-24

2024328c2

146 the height of the proposed development to 150 percent of the
147 tallest building on property within one-quarter mile of the
148 proposed development or 3 stories, whichever is higher.

149 (e)~~(d)~~ A proposed development authorized under this
150 subsection must be administratively approved and no further
151 action by the board of county commissioners is required if the
152 development satisfies the county's land development regulations
153 for multifamily developments in areas zoned for such use and is
154 otherwise consistent with the comprehensive plan, with the
155 exception of provisions establishing allowable densities, floor
156 area ratios, height, and land use. Such land development
157 regulations include, but are not limited to, regulations
158 relating to setbacks and parking requirements. A proposed
159 development located within one-quarter mile of a military
160 installation identified in s. 163.3175(2) may not be
161 administratively approved. Each county shall maintain on its
162 website a policy containing procedures and expectations for
163 administrative approval pursuant to this subsection.

164 (f)1.~~(e)~~ A county must consider reducing parking
165 requirements for a proposed development authorized under this
166 subsection if the development is located within one-quarter ~~one-~~
167 ~~half~~ mile of a ~~major~~ transit stop, as defined in the county's
168 land development code, and the ~~major~~ transit stop is accessible
169 from the development.

170 2. A county must reduce parking requirements by 20 percent
171 for a proposed development authorized under this subsection if
172 the development:

173 a. Is located within one-half mile of a major
174 transportation hub that is accessible from the proposed

594-02702A-24

2024328c2

175 development by safe, pedestrian-friendly means, such as
176 sidewalks, crosswalks, elevated pedestrian or bike paths, or
177 other multimodal design features; and

178 b. Has available parking within 600 feet of the proposed
179 development which may consist of options such as on-street
180 parking, parking lots, or parking garages available for use by
181 residents of the proposed development.

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

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

190 (g) ~~(f)~~ For proposed multifamily developments in an
191 unincorporated area zoned for commercial or industrial use which
192 is within the boundaries of a multicounty independent special
193 district that was created to provide municipal services and is
194 not authorized to levy ad valorem taxes, and less than 20
195 percent of the land area within such district is designated for
196 commercial or industrial use, a county must authorize, as
197 provided in this subsection, such development only if the
198 development is mixed-use residential.

199 (h) A proposed development authorized under this subsection
200 which is located within a transit-oriented development or area,
201 as recognized by the county, must be mixed-use residential and
202 otherwise comply with requirements of the county's regulations
203 applicable to the transit-oriented development or area except

594-02702A-24

2024328c2

204 for use, height, density, and floor area ratio as provided in
205 this subsection or as otherwise agreed to by the county and the
206 applicant for the development.

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

210 (j)1. Nothing in this subsection precludes a county from
211 granting a bonus, variance, conditional use, or other special
212 exception for height, density, or floor area ratio in addition
213 to the height, density, and floor area ratio requirements in
214 this subsection.

215 2. Nothing in this subsection precludes a proposed
216 development authorized under this subsection from receiving a
217 bonus for density, height, or floor area ratio pursuant to an
218 ordinance or regulation of the jurisdiction where the proposed
219 development is located if the proposed development satisfies the
220 conditions to receive the bonus except for any condition which
221 conflicts with this subsection.

222 (k)~~(h)~~ This subsection does not apply to:

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

224 2. Property defined as recreational and commercial working
225 waterfront in s. 342.201(2)(b) in any area zoned as industrial.

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

227 (8) Any development authorized under paragraph (7)(a) must
228 be treated as a conforming use even after the expiration of
229 subsection (7) and the development's affordability period as
230 provided in paragraph (7)(a), notwithstanding the county's
231 comprehensive plan, future land use designation, or zoning. If
232 at any point during the development's affordability period the

594-02702A-24

2024328c2

233 development violates the affordability period requirement
234 provided in paragraph (7) (a), the development must be allowed a
235 reasonable time to cure such violation. If the violation is not
236 cured within a reasonable time, the development must be treated
237 as a nonconforming use.

238 Section 2. Subsection (7) of section 166.04151, Florida
239 Statutes, is amended, and subsection (8) is added to that
240 section, to read:

241 166.04151 Affordable housing.—

242 (7) (a) A municipality must authorize multifamily and mixed-
243 use residential as allowable uses in any area zoned for
244 commercial, industrial, or mixed use if at least 40 percent of
245 the residential units in a proposed multifamily ~~rental~~
246 development are rental units that, for a period of at least 30
247 years, are affordable as defined in s. 420.0004. Notwithstanding
248 any other law, local ordinance, or regulation to the contrary, a
249 municipality may not require a proposed multifamily development
250 to obtain a zoning or land use change, special exception,
251 conditional use approval, variance, or comprehensive plan
252 amendment for the building height, zoning, and densities
253 authorized under this subsection. For mixed-use residential
254 projects, at least 65 percent of the total square footage must
255 be used for residential purposes.

256 (b) A municipality may not restrict the density of a
257 proposed development authorized under this subsection below the
258 highest currently allowed density on any land in the
259 municipality where residential development is allowed under the
260 municipality's land development regulations. For purposes of
261 this paragraph, the term "highest currently allowed density"

594-02702A-24

2024328c2

262 does not include the density of any development that met the
263 requirements of this subsection or the density of any
264 development which has received any bonus, variance, or other
265 special exception for density provided in the municipality's
266 land development regulations as an incentive for development.

267 (c) A municipality may not restrict the floor area ratio of
268 a proposed development authorized under this subsection below
269 the highest currently allowed floor area ratio on any land in
270 the municipality where development is allowed under the
271 municipality's land development regulations. For purposes of
272 this paragraph, the term "highest currently allowed floor area
273 ratio" does not include the floor area ratio of any development
274 that met the requirements of this subsection or the floor area
275 ratio of any development which has received any bonus, variance,
276 or other special exception for floor area ratio provided in the
277 municipality's land development regulations as an incentive for
278 development. For purposes of this subsection, the term "floor
279 area ratio" includes floor lot ratio.

280 (d)1.~~(e)~~ A municipality may not restrict the height of a
281 proposed development authorized under this subsection below the
282 highest currently allowed height for a commercial or residential
283 building ~~development~~ located in its jurisdiction within 1 mile
284 of the proposed development or 3 stories, whichever is higher.
285 For purposes of this paragraph, the term "highest currently
286 allowed height" does not include the height of any development
287 that met the requirements of this subsection or the height of
288 any development which has received any bonus, variance, or other
289 special exception for height provided in the municipality's land
290 development regulations as an incentive for development.

594-02702A-24

2024328c2

291 2. If the proposed development is adjacent to, on two or
292 more sides, a parcel zoned for single-family residential use
293 that is within a single-family residential development with at
294 least 25 contiguous single-family homes, the municipality may
295 restrict the height of the proposed development to 150 percent
296 of the tallest building on property within one-quarter mile of
297 the proposed development or 3 stories, whichever is higher.

298 (e)~~(d)~~ A proposed development authorized under this
299 subsection must be administratively approved and no further
300 action by the governing body of the municipality is required if
301 the development satisfies the municipality's land development
302 regulations for multifamily developments in areas zoned for such
303 use and is otherwise consistent with the comprehensive plan,
304 with the exception of provisions establishing allowable
305 densities, floor area ratios, height, and land use. Such land
306 development regulations include, but are not limited to,
307 regulations relating to setbacks and parking requirements. A
308 proposed development located within one-quarter mile of a
309 military installation identified in s. 163.3175(2) may not be
310 administratively approved. Each municipality shall maintain on
311 its website a policy containing procedures and expectations for
312 administrative approval pursuant to this subsection.

313 (f)1.~~(e)~~ A municipality must consider reducing parking
314 requirements for a proposed development authorized under this
315 subsection if the development is located within one-quarter ~~one-~~
316 ~~half~~ mile of a ~~major~~ transit stop, as defined in the
317 municipality's land development code, and the ~~major~~ transit stop
318 is accessible from the development.

319 2. A municipality must reduce parking requirements by 20

594-02702A-24

2024328c2

320 percent for a proposed development authorized under this
321 subsection if the development:

322 a. Is located within one-half mile of a major
323 transportation hub that is accessible from the proposed
324 development by safe, pedestrian-friendly means, such as
325 sidewalks, crosswalks, elevated pedestrian or bike paths, or
326 other multimodal design features.

327 b. Has available parking within 600 feet of the proposed
328 development which may consist of options such as on-street
329 parking, parking lots, or parking garages available for use by
330 residents of the proposed development.

331 3. A municipality must eliminate parking requirements for a
332 proposed mixed-use residential development authorized under this
333 subsection within an area recognized by the municipality as a
334 transit-oriented development or area, as provided in paragraph
335 (h).

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

340 (g) ~~(f)~~ A municipality that designates less than 20 percent
341 of the land area within its jurisdiction for commercial or
342 industrial use must authorize a proposed multifamily development
343 as provided in this subsection in areas zoned for commercial or
344 industrial use only if the proposed multifamily development is
345 mixed-use residential.

346 (h) A proposed development authorized under this subsection
347 which is located within a transit-oriented development or area,
348 as recognized by the municipality, must be mixed-use residential

594-02702A-24

2024328c2

349 and otherwise comply with requirements of the municipality's
350 regulations applicable to the transit-oriented development or
351 area except for use, height, density, and floor area ratio as
352 provided in this subsection or as otherwise agreed to by the
353 municipality and the applicant for the development.

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

357 (j)1. Nothing in this subsection precludes a municipality
358 from granting a bonus, variance, conditional use, or other
359 special exception to height, density, or floor area ratio in
360 addition to the height, density, and floor area ratio
361 requirements in this subsection.

362 2. Nothing in this subsection precludes a proposed
363 development authorized under this subsection from receiving a
364 bonus for density, height, or floor area ratio pursuant to an
365 ordinance or regulation of the jurisdiction where the proposed
366 development is located if the proposed development satisfies the
367 conditions to receive the bonus except for any condition which
368 conflicts with this subsection.

369 (k)~~(h)~~ This subsection does not apply to:

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

371 2. Property defined as recreational and commercial working
372 waterfront in s. 342.201(2)(b) in any area zoned as industrial.

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

374 (8) Any development authorized under paragraph (7)(a) must
375 be treated as a conforming use even after the expiration of
376 subsection (7) and the development's affordability period as
377 provided in paragraph (7)(a), notwithstanding the municipality's

594-02702A-24

2024328c2

378 comprehensive plan, future land use designation, or zoning. If
 379 at any point during the development's affordability period the
 380 development violates the affordability period requirement
 381 provided in paragraph (7) (a), the development must be allowed a
 382 reasonable time to cure such violation. If the violation is not
 383 cured within a reasonable time, the development must be treated
 384 as a nonconforming use.

385 Section 3. Subsection (3) of section 196.1978, Florida
 386 Statutes, is amended to read:

387 196.1978 Affordable housing property exemption.-

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

389 1. "Corporation" means the Florida Housing Finance
 390 Corporation.

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

396 3. "Substantially completed" has the same meaning as in s.
 397 192.042(1).

398 (b) Notwithstanding ss. 196.195 and 196.196, portions of
 399 property in a multifamily project are considered property used
 400 for a charitable purpose and are eligible to receive an ad
 401 valorem property tax exemption if such portions meet all of the
 402 following conditions:

403 1. Provide affordable housing to natural persons or
 404 families meeting the income limitations provided in paragraph
 405 (d) .†

406 2. a. Are within a newly constructed multifamily project

594-02702A-24

2024328c2

407 that contains more than 70 units dedicated to housing natural
408 persons or families meeting the income limitations provided in
409 paragraph (d); or

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

415 3. Are rented for an amount that does not exceed the amount
416 as specified by the most recent multifamily rental programs
417 income and rent limit chart posted by the corporation and
418 derived from the Multifamily Tax Subsidy Projects Income Limits
419 published by the United States Department of Housing and Urban
420 Development or 90 percent of the fair market value rent as
421 determined by a rental market study meeting the requirements of
422 paragraph (1) ~~(m)~~, whichever is less.

423 (c) If a unit that in the previous year received ~~qualified~~
424 ~~for~~ the exemption under this subsection and was occupied by a
425 tenant is vacant on January 1, the vacant unit is eligible for
426 the exemption if the use of the unit is restricted to providing
427 affordable housing that would otherwise meet the requirements of
428 this subsection and a reasonable effort is made to lease the
429 unit to eligible persons or families.

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

431 a. Seventy-five percent of the assessed value of the units
432 in multifamily projects that meet the requirements of this
433 subsection and are ~~Qualified property~~ used to house natural
434 persons or families whose annual household income is greater
435 than 80 percent but not more than 120 percent of the median

594-02702A-24

2024328c2

436 annual adjusted gross income for households within the
437 metropolitan statistical area or, if not within a metropolitan
438 statistical area, within the county in which the person or
439 family resides; ~~and, must receive an ad valorem property tax~~
440 ~~exemption of 75 percent of the assessed value.~~

441 b.2. From ad valorem property taxes the units in
442 multifamily projects that meet the requirements of this
443 subsection and are Qualified property used to house natural
444 persons or families whose annual household income does not
445 exceed 80 percent of the median annual adjusted gross income for
446 households within the metropolitan statistical area or, if not
447 within a metropolitan statistical area, within the county in
448 which the person or family resides, ~~is exempt from ad valorem~~
449 ~~property taxes.~~

450 2. When determining the value of a unit for purposes of
451 applying an exemption pursuant to this paragraph, the property
452 appraiser must include in such valuation the proportionate share
453 of the residential common areas, including the land, fairly
454 attributable to such unit.

455 (e) To be eligible to receive an exemption under this
456 subsection, a property owner must submit an application on a
457 form prescribed by the department by March 1 for the exemption,
458 accompanied by a certification notice from the corporation to
459 the property appraiser. The property appraiser shall review the
460 application and determine whether the applicant meets all of the
461 requirements of this subsection and is entitled to an exemption.
462 A property appraiser may request and review additional
463 information necessary to make such determination. A property
464 appraiser may grant an exemption only for a property for which

594-02702A-24

2024328c2

465 the corporation has issued a certification notice and which the
466 property appraiser determines is entitled to an exemption.

467 (f) To receive a certification notice, a property owner
468 must submit a request to the corporation ~~for certification~~ on a
469 form provided by the corporation which includes all of the
470 following:

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

473 2. A list of the units for which the property owner seeks
474 an exemption.

475 3. The rent amount received by the property owner for each
476 unit for which the property owner seeks an exemption. If a unit
477 is vacant and qualifies for an exemption under paragraph (c),
478 the property owner must provide evidence of the published rent
479 amount for each vacant unit.

480 4. A sworn statement, under penalty of perjury, from the
481 applicant restricting the property for a period of not less than
482 3 years to housing persons or families who meet the income
483 limitations under this subsection.

484 (g) The corporation shall review the request for a
485 certification notice and certify whether a property ~~that~~ meets
486 the ~~eligibility~~ criteria of paragraphs (b) and (c) ~~this~~
487 ~~subsection~~. A determination by the corporation regarding a
488 request for a certification notice does not constitute a grant
489 of an exemption pursuant to this subsection or final agency
490 action pursuant to chapter 120.

491 1. If the corporation determines that the property meets
492 the ~~eligibility~~ criteria ~~for an exemption under this subsection,~~
493 the corporation must send a certification notice to the property

594-02702A-24

2024328c2

494 owner and the property appraiser.

495 2. If the corporation determines that the property does not
496 meet the ~~eligibility~~ criteria, the corporation must notify the
497 property owner and include the reasons for such determination.

498 (h) The corporation shall post on its website the deadline
499 to submit a request for a certification notice. The deadline
500 must allow adequate time for a property owner to submit a timely
501 application for exemption to the property appraiser.

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

506 ~~(j)~~ If the property appraiser determines that for any year
507 during the immediately previous 10 years a person who was not
508 entitled to an exemption under this subsection was granted such
509 an exemption, the property appraiser must serve upon the owner a
510 notice of intent to record in the public records of the county a
511 notice of tax lien against any property owned by that person in
512 the county, and that property must be identified in the notice
513 of tax lien. Any property owned by the taxpayer and situated in
514 this state is subject to the taxes exempted by the improper
515 exemption, plus a penalty of 50 percent of the unpaid taxes for
516 each year and interest at a rate of 15 percent per annum. If an
517 exemption is improperly granted as a result of a clerical
518 mistake or an omission by the property appraiser, the property
519 owner improperly receiving the exemption may not be assessed a
520 penalty or interest.

521 (j) ~~(k)~~ Units subject to an agreement with the corporation
522 pursuant to chapter 420 recorded in the official records of the

594-02702A-24

2024328c2

523 county in which the property is located to provide housing to
524 natural persons or families meeting the extremely-low-income,
525 very-low-income, or low-income limits specified in s. 420.0004
526 are not eligible for this exemption.

527 (k)~~(l)~~ Property receiving an exemption pursuant to s.
528 196.1979 is not eligible for this exemption.

529 (l)~~(m)~~ A rental market study submitted as required by
530 subparagraph (f)1. ~~paragraph (f)~~ must identify the fair market
531 value rent of each unit for which a property owner seeks an
532 exemption. Only a certified general appraiser as defined in s.
533 475.611 may issue a rental market study. The certified general
534 appraiser must be independent of the property owner who requests
535 the rental market study. In preparing the rental market study, a
536 certified general appraiser shall comply with the standards of
537 professional practice pursuant to part II of chapter 475 and use
538 comparable property within the same geographic area and of the
539 same type as the property for which the exemption is sought. A
540 rental market study must have been completed within 3 years
541 before submission of the application.

542 (m)~~(n)~~ The corporation may adopt rules to implement this
543 section.

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

546 Section 4. Present subsections (6) and (7) of section
547 196.1979, Florida Statutes, are redesignated as subsections (8)
548 and (9), respectively, new subsections (6) and (7) are added to
549 that section, and paragraph (b) of subsection (1), subsection
550 (2), paragraphs (d), (f), and (l) of subsection (3), and
551 subsection (5) of that section are amended, to read:

594-02702A-24

2024328c2

552 196.1979 County and municipal affordable housing property
553 exemption.—

554 (1)

555 (b) Qualified property may receive an ad valorem property
556 tax exemption of:

557 1. Up to 75 percent of the assessed value of each
558 residential unit used to provide affordable housing if fewer
559 than 100 percent of the multifamily project's residential units
560 are used to provide affordable housing meeting the requirements
561 of this section.

562 2. Up to 100 percent of the assessed value of each
563 residential unit used to provide affordable housing if 100
564 percent of the multifamily project's residential units are used
565 to provide affordable housing meeting the requirements of this
566 section.

567 (2) If a residential unit that in the previous year
568 received ~~qualified for~~ the exemption under this section and was
569 occupied by a tenant is vacant on January 1, the vacant unit may
570 qualify for the exemption under this section if the use of the
571 unit is restricted to providing affordable housing that would
572 otherwise meet the requirements of this section and a reasonable
573 effort is made to lease the unit to eligible persons or
574 families.

575 (3) An ordinance granting the exemption authorized by this
576 section must:

577 (d) Require the local entity to verify and certify property
578 that meets the requirements of the ordinance as qualified
579 property and forward the certification to the property owner and
580 the property appraiser. If the local entity denies the

594-02702A-24

2024328c2

581 application for certification ~~exemption~~, it must notify the
582 applicant and include reasons for the denial.

583 (f) Require the property owner to submit an application for
584 exemption, on a form prescribed by the department, accompanied
585 by the certification of qualified property, to the property
586 appraiser no later than the deadline specified in s. 196.011
587 ~~March 1~~.

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

591 (5) An ordinance adopted under this section must expire
592 before the fourth January 1 after adoption; however, the board
593 of county commissioners or the governing body of the
594 municipality may adopt a new ordinance to renew the exemption.
595 The board of county commissioners or the governing body of the
596 municipality shall deliver a copy of an ordinance adopted under
597 this section to the department and the property appraiser within
598 10 days after its adoption, but no later than January 1 of the
599 year such exemption will take effect. If the ordinance expires
600 or is repealed, the board of county commissioners or the
601 governing body of the municipality must notify the department
602 and the property appraiser within 10 days after its expiration
603 or repeal, but no later than January 1 of the year the repeal or
604 expiration of such exemption will take effect.

605 (6) The property appraiser shall review each application
606 for exemption and determine whether the applicant meets all of
607 the requirements of this section and is entitled to an
608 exemption. A property appraiser may request and review
609 additional information necessary to make such determination. A

594-02702A-24

2024328c2

610 property appraiser may grant an exemption only for a property
611 for which the local entity has certified as qualified property
612 and which the property appraiser determines is entitled to an
613 exemption.

614 (7) When determining the value of a unit for purposes of
615 applying an exemption pursuant to this section, the property
616 appraiser must include in such valuation the proportionate share
617 of the residential common areas, including the land, fairly
618 attributable to such unit.

619 Section 5. The amendments made by this act to ss. 196.1978
620 and 196.1979, Florida Statutes, are intended to be remedial and
621 clarifying in nature and apply retroactively to January 1, 2024.

622 Section 6. Present subsection (5) of section 333.03,
623 Florida Statutes, is redesignated as subsection (6), and a new
624 subsection (5) is added to that section, to read:

625 333.03 Requirement to adopt airport zoning regulations.—

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

628 (a) A proposed development near a runway within one-quarter
629 of a mile laterally from the runway edge and within an area that
630 is the width of one-quarter of a mile extending at right angles
631 from the end of the runway for a distance of 10,000 feet of any
632 existing airport runway or planned airport runway identified in
633 the local government's airport master plan.

634 (b) A proposed development within any airport noise zone
635 identified in the federal land use compatibility table or in a
636 land-use zoning or airport noise regulation adopted by the local
637 government.

638 (c) A proposed development that exceeds maximum height

594-02702A-24

2024328c2

639 restrictions identified in the political subdivision's airport
640 zoning regulation adopted pursuant to this section.

641 Section 7. Subsection (35) of section 420.507, Florida
642 Statutes, is amended to read:

643 420.507 Powers of the corporation.—The corporation shall
644 have all the powers necessary or convenient to carry out and
645 effectuate the purposes and provisions of this part, including
646 the following powers which are in addition to all other powers
647 granted by other provisions of this part:

648 (35) To preclude any applicant, sponsor, or affiliate of an
649 applicant or sponsor from further participation in any of the
650 corporation's programs as provided in s. 420.518, ~~any applicant~~
651 ~~or affiliate of an applicant which has made a material~~
652 ~~misrepresentation or engaged in fraudulent actions in connection~~
653 ~~with any application for a corporation program.~~

654 Section 8. Subsection (3) of section 420.5096, Florida
655 Statutes, is amended to read:

656 420.5096 Florida Hometown Hero Program.—

657 (3) For loans made available pursuant to s.
658 420.507(23)(a)1. or 2., the corporation may underwrite and make
659 those mortgage loans through the program to persons or families
660 who have household incomes that do not exceed 150 percent of the
661 state median income or local median income, whichever is
662 greater. A borrower must be seeking to purchase a home as a
663 primary residence; must be a first-time homebuyer and a Florida
664 resident; and must be employed full-time by a Florida-based
665 employer. The borrower must provide documentation of full-time
666 employment, ~~or full-time status for self-employed individuals,~~
667 ~~of 35 hours or more per week.~~ The requirement to be a first-time

594-02702A-24

2024328c2

668 homebuyer does not apply to a borrower who is an active duty
669 servicemember of a branch of the armed forces or the Florida
670 National Guard, as defined in s. 250.01, or a veteran.

671 Section 9. Section 420.518, Florida Statutes, is amended to
672 read:

673 420.518 Preclusion from participation in corporation
674 programs ~~Fraudulent or material misrepresentation.~~-

675 (1) An applicant, a sponsor, or an affiliate of an
676 applicant or a sponsor may be precluded from participation in
677 any corporation program if the applicant or affiliate of the
678 applicant has:

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

681 (b) Been convicted or found guilty of, or entered a plea of
682 guilty or nolo contendere to, regardless of adjudication, a
683 crime in any jurisdiction which directly relates to the
684 financing, construction, or management of affordable housing or
685 the fraudulent procurement of state or federal funds. The record
686 of a conviction certified or authenticated in such form as to be
687 admissible in evidence under the laws of the state shall be
688 admissible as prima facie evidence of such guilt.

689 (c) Been excluded from any federal funding program related
690 to the provision of housing, including debarment from
691 participation in federal housing programs by the United States
692 Department of Housing and Urban Development.

693 (d) Been excluded from any federal or Florida procurement
694 programs.

695 (e) Offered or given consideration, other than the
696 consideration to provide affordable housing, with respect to a

594-02702A-24

2024328c2

697 local contribution.

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

702 (g) Materially or repeatedly violated any condition imposed
703 by the corporation in connection with the administration of a
704 corporation program, including a land use restriction agreement,
705 an extended use agreement, or any other financing or regulatory
706 agreement with the corporation.

707 (2) Upon a determination by the board of directors of the
708 corporation that an applicant or affiliate of the applicant be
709 precluded from participation in any corporation program, the
710 board may issue an order taking any or all of the following
711 actions:

712 (a) Preclude such applicant or affiliate from applying for
713 funding from any corporation program for a specified period. The
714 period may be a specified period of time or permanent in nature.
715 With regard to establishing the duration, the board shall
716 consider the facts and circumstances, inclusive of the
717 compliance history of the applicant or affiliate of the
718 applicant, the type of action under subsection (1), and the
719 degree of harm to the corporation's programs that has been or
720 may be done.

721 (b) Revoke any funding previously awarded by the
722 corporation for any development for which construction or
723 rehabilitation has not commenced.

724 (3) Before any order issued under this section can be
725 final, an administrative complaint must be served on the

594-02702A-24

2024328c2

726 applicant, affiliate of the applicant, or its registered agent
727 that provides notification of findings of the board, the
728 intended action, and the opportunity to request a proceeding
729 pursuant to ss. 120.569 and 120.57.

730 (4) Any funding, allocation of federal housing credits,
731 credit underwriting procedures, or application review for any
732 development for which construction or rehabilitation has not
733 commenced may be suspended by the corporation upon the service
734 of an administrative complaint on the applicant, affiliate of
735 the applicant, or its registered agent. The suspension shall be
736 effective from the date the administrative complaint is served
737 until an order issued by the corporation in regard to that
738 complaint becomes final.

739 Section 10. For the 2024-2025 fiscal year, from the funds
740 received and deposited into the General Revenue Fund from the
741 state's allocation from the federal Coronavirus State Fiscal
742 Recovery Fund created under the American Rescue Plan Act of
743 2021, Pub. L. No. 117-2, the sum of \$100 million in nonrecurring
744 funds is appropriated to the State Housing Trust Fund for use by
745 the Florida Housing Finance Corporation to implement the Florida
746 Hometown Hero Program established in s. 420.5096, Florida
747 Statutes.

748 Section 11. This act shall take effect upon becoming a law.