

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic
Development

BILL: CS/SB 1714

INTRODUCER: Community Affairs Committee and Senator Burton and others

SUBJECT: Local Housing Assistance Plans

DATE: April 9, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hackett</u>	<u>Fleming</u>	<u>CA</u>	<u>Fav/CS</u>
2.	<u>Griffin</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1714 provides that a county's or municipality's local housing assistance plan under the State Housing Initiatives Partnership Program must include a strategy for providing program funds to mobile home owners, including lot rental assistance. Lot rental assistance is considered homeownership activity for the purposes of allocating program funds, while rehabilitation and emergency repairs for mobile homes is considered construction, rehabilitation, or emergency repair of affordable, eligible housing.

Under the bill, local governments may expend funds from their local housing distribution on lot rental assistance for mobile home owners not to exceed 6 months' rent. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Affordable Housing

Affordable housing is defined in terms of household income. Housing is considered affordable when monthly rent or mortgage payments including taxes and insurance do not exceed 30

percent of the household income.¹ Resident eligibility for Florida's state and federally funded housing programs is typically governed by area median income levels, published annually by the U.S. Department of Housing and Urban Development for every county and metropolitan area.

The two primary state housing assistance programs are the State Housing Initiatives Partnership (SHIP)² and the State Apartment Incentive Loan³ programs. The SHIP program provides funds to eligible local governments, allocated using a population-based formula, to address local housing needs as identified by the local government. The SAIL program provides low interest loans on a competitive basis as gap financing for the construction or substantial rehabilitation of multifamily affordable housing developments.⁴

State Housing Initiatives Partnership (SHIP) Program

The SHIP Program was created in 1992⁵ to provide funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The SHIP program provides funds to all 67 counties and 52 Community Development Block Grant⁶ entitlement cities on a population-based formula to finance and preserve affordable housing based on locally adopted housing plans.⁷ The program was designed to serve very-low, low, and moderate-income families and is administered by the Florida Housing Finance Corporation (FHFC).

A dedicated funding source for this program was established by the passage of the 1992 William E. Sadowski Affordable Housing Act. The SHIP Program is funded through a statutory distribution of documentary stamp tax revenues, which are deposited into the Local Government Housing Trust Fund. Subject to specific appropriation, funds are distributed quarterly to local governments participating in the program under an established formula.⁸ A county or eligible municipality seeking funds from the SHIP Program must adopt an ordinance that:

- Creates a local housing assistance trust fund;
- Adopts a local housing assistance plan to be implemented through a local housing partnership;
- Designates responsibility for administering the local housing assistance plan; and
- Creates an affordable housing advisory committee.⁹

¹ Section 420.9071(2), F.S. Public housing, commonly referred to as Section 8 Housing, is provided by local housing agencies (HAs) for low-income residents. Funding for HAs is provided directly from HUD.

² Sections 420.907-9079, F.S.

³ Section 420.5087, F.S.

⁴ Section 420.5087, F.S.

⁵ Chapter 92-317, Laws of Fla.

⁶ The CDBG program is a federal program created in 1974 that provides funding for housing and community development activities.

⁷ See ss. 420.907-420.9089, F.S.

⁸ Section 420.9073, F.S.

⁹ Section 420.9072, F.S.

Funds are expended per each local government's adopted Local Housing Assistance Plan (LHAP), which details the housing strategies it will use.¹⁰ Local governments submit their LHAPs to the FHFC for review to ensure that they meet the broad statutory guidelines and the requirements of the program rules. The FHFC must approve an LHAP before a local government may receive the SHIP funding.

A local government may not expend money distributed to it to provide ongoing rent subsidies, except for:¹¹

- Security and utility deposit assistance;
- Eviction prevention not to exceed six months' rent; or
- A rent subsidy program for very-low-income households with at least one adult who is a person with special needs¹² or is homeless,¹³ not to exceed 12 months' rental assistance.

Certain statutory requirements further restrict a local government's use of funds made available under the SHIP program (excluding amounts set aside for administrative costs):¹⁴

- At least 75 percent of SHIP funds *must* be reserved for construction, rehabilitation, or emergency repair of affordable, eligible housing;¹⁵ and
- Up to 25 percent of SHIP funds *may* be reserved for allowed rental services.¹⁶

Within those distributions by local governments, additional requirements must be met:

- At least 65 percent of SHIP funds must be reserved for home ownership for eligible persons;¹⁷
- At least 20 percent of SHIP funds must serve persons with special needs;
- Up to 20 percent of SHIP funds may be used for manufactured housing; and
- At least 30 percent of SHIP funds must be used for awards to very-low-income persons or eligible sponsors serving very-low-income persons, and another 30 percent must be used for awards for low-income-persons or eligible sponsors serving low-income persons.

¹⁰ Section 420.9075, F.S. Section 420.9075(3), F.S. outlines a list of strategies LHAPs are encouraged to employ, such as helping those affected by mobile home park closures, encouraging innovative housing design to reduce long-term housing costs, preserving assisted housing, and reducing homelessness.

¹¹ Section 420.072(7), F.S.

¹² As defined in s. 420.0004, F.S., "Person with special needs" means an adult person requiring independent living services in order to maintain housing or develop independent living skills and who has a disabling condition; a young adult formerly in foster care who is eligible for services under s. 409.1451(5), F.S.; a survivor of domestic violence as defined in s. 741.28, F.S.; or a person receiving benefits under the Social Security Disability Insurance (SSDI) program or the Supplemental Security Income (SSI) program or from veterans' disability benefits.

¹³ As defined in s. 420.621, F.S., "homeless" means an individual or family who lacks or will imminently lose access to a fixed, regular, and adequate nighttime residence.

¹⁴ Section 420.9075(5), F.S.

¹⁵ As defined in s. 420.9071(9), "Eligible housing" means any real and personal property located within the county or the eligible municipality which is designed and intended for the primary purpose of providing decent, safe, and sanitary residential units, or manufactured housing constructed after June 1994, for home ownership or rental for eligible persons as designated by each county or eligible municipality participating in the State Housing Initiatives Partnership Program.

¹⁶ See s. 420.9072(7)(b), F.S.

¹⁷ As defined in s. 420.9071(11), F.S., "Eligible person" or "eligible household" means one or more natural persons or a family determined by the county or eligible municipality to be of very low income, low income, or moderate income based upon the annual gross income of the household.

III. Effect of Proposed Changes:

Section 1 amends s. 420.9072, F.S., to permit local governments to expend funds from their local housing distribution on lot rental assistance for mobile home owners not to exceed 6 months' rent.

Section 2 amends s. 420.9075, F.S., to provide that a local housing assistance plan must include a strategy for providing program funds to mobile home owners,¹⁸ including lot rental assistance. Lot rental assistance is considered homeownership activity for the purposes of allocating program funds, while rehabilitation and emergency repairs for mobile homes is considered construction, rehabilitation, or emergency repair of affordable, eligible housing.

The bill also separates out the requirement, currently paired in statute with another, that a local government include in its local housing assistance plan a strategy that addresses the needs of persons who are deprived of affordable housing due to the closure of a mobile home park.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

¹⁸ Section 723.003(11), F.S., defines "mobile home owner" as a person who owns a mobile home and rents or leases a lot within a mobile home park for residential use. Section 720.003(12), F.S., defines "mobile home park" as a use of land in which lots or spaces are offered for rent or lease for the placement of mobile homes and in which the primary use of the park is residential.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not affect the amount of funds to be distributed to counties and municipalities under the SHIP program but alters how those funds may be expended throughout a community.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 420.9071, 420.9072 and 420.9075.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Community Affairs on March 31, 2025:

The committee substitute permits local governments to utilize SHIP funds for lot rental assistance for mobile home owners not exceeding 6 months' rent. The amendment also makes separate from another strategy the requirement that local governments maintain a strategy addressing the needs of persons who are deprived of affordable housing due to the closure of a mobile home park in their respective local housing assistance plans.

B. Amendments:

None.