

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 247 (2025)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER

Committee/Subcommittee hearing bill: Intergovernmental Affairs
Subcommittee

Representative Conerly offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

**Section 1. Subsections (3) and (4) and present subsection
(5) of section 163.31771, Florida Statutes, are amended,
paragraph (h) is added to subsection (2) of that section, and a
new subsection (5) is added to that section, to read:**

163.31771 Accessory dwelling units.—

(2) As used in this section, the term:

(h) "Primary dwelling unit" means the existing or proposed
single-family dwelling on the property where a proposed
accessory dwelling unit would be located.

Amendment No. 1

16 (3) By December 1, 2025, a local government shall ~~may~~
17 adopt an ordinance to allow accessory dwelling units in any area
18 zoned for single-family residential use. Such ordinance must
19 apply prospectively to accessory dwelling units approved after
20 the date the ordinance is adopted. Such ordinance may regulate
21 the permitting, construction, and use of an accessory dwelling
22 unit, but may not do any of the following:

23 (a) Prohibit the renting or leasing of an accessory
24 dwelling unit, except to prohibit the renting or leasing of an
25 accessory dwelling unit approved after the effective date of the
26 ordinance for a term of less than 1 month, notwithstanding s.
27 509.032 (7) (b) .

28 (b) Require that the owner of a parcel on which an
29 accessory dwelling unit is constructed reside in the primary
30 dwelling unit.

31 (c) Increase parking requirements on any parcel that can
32 accommodate an additional motor vehicle on a driveway without
33 impeding access to the primary dwelling unit.

34 (d) Require replacement parking if a garage, carport, or
35 covered parking structure is converted to create an accessory
36 dwelling unit.

37 (4) ~~An application for a building permit to construct an~~
38 ~~accessory dwelling unit must include an affidavit from the~~
39 ~~applicant which attests that the unit will be rented at an~~

Amendment No. 1

~~affordable rate to an extremely low income, very low income,
low income, or moderate income person or persons.~~

~~(5)~~ Each accessory dwelling unit allowed by an ordinance adopted under this section which provides affordable rental housing shall apply toward satisfying the affordable housing component of the housing element in the local government's comprehensive plan under s. 163.3177(6) (f).

(5) The owner of a property with an accessory dwelling unit may not be denied a homestead exemption for those portions of property on which the owner maintains a permanent residence solely on the basis of the property containing an accessory dwelling unit that is or may be rented to another person. However, if the accessory dwelling unit is rented to another person, the accessory dwelling unit must be assessed separately from the homestead property and taxed according to its use

Section 2. Subsection (1) of section 420.615, Florida Statutes, is amended to read:

420.615 Affordable housing land donation density bonus incentives.—

(1) A local government may provide density bonus incentives pursuant to the provisions of this section to any landowner who voluntarily donates fee simple interest in real property to the local government for the purpose of assisting the local government in providing affordable housing, including housing that is affordable for military families receiving the

Amendment No. 1

65 basic allowance for housing. Donated real property must be
66 determined by the local government to be appropriate for use as
67 affordable housing and must be subject to deed restrictions to
68 ensure that the property will be used for affordable housing.

69 **Section 3.** The Office of Program Policy Analysis and
70 Government Accountability (OPPAGA) shall evaluate the efficacy
71 of using mezzanine finance, or second-position short-term debt,
72 to stimulate the construction of owner-occupied housing that is
73 affordable as defined in s. 420.0004(3), Florida Statutes, in
74 this state. OPPAGA shall also evaluate the potential of tiny
75 homes in meeting the need for affordable housing in this state.
76 OPPAGA shall consult with the Florida Housing Finance
77 Corporation and the Shimberg Center for Housing Studies at the
78 University of Florida in conducting its evaluation. By December
79 31, 2026, OPPAGA shall submit a report of its findings to the
80 President of the Senate and the Speaker of the House of
81 Representatives. Such report must include recommendations for
82 the structuring of a model mezzanine finance program.

83 **Section 4.** This act shall take effect July 1, 2025.
84

85 -----
86 **T I T L E A M E N D M E N T**

87 Remove everything before the enacting clause and insert:

88 An act relating to affordable housing; amending s.

89 163.31771, F.S.; defining the term "primary dwelling

761231 - h0247-strike.docx

Published On: 4/8/2025 1:36:03 PM

Amendment No. 1

unit"; requiring, rather than authorizing, local governments to adopt, by a specified date, an ordinance to allow accessory dwelling units in certain areas; requiring such ordinances to apply prospectively; prohibiting such ordinances from including certain requirements or prohibitions; deleting a requirement that an application for a building permit to construct an accessory dwelling unit include a certain affidavit; revising the accessory dwelling units that apply toward satisfying a certain component of a local government's comprehensive plan; prohibiting the denial of a homestead exemption for certain portions of property on a specified basis; requiring that a rented accessory dwelling unit be assessed separately from the homestead property and taxed according to its use; amending s. 420.615, F.S.; authorizing a local government to provide a density bonus incentive to landowners who make certain real property donations to assist in the provision of affordable housing for military families; requiring the Office of Program Policy Analysis and Government Accountability to evaluate the efficacy of using mezzanine finance and the potential of tiny homes for specified purposes; requiring the office to consult with certain entities;

761231 - h0247-strike.docx

Published On: 4/8/2025 1:36:03 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 247 (2025)

Amendment No. 1

115 | requiring the office to submit a certain report to the
116 | Legislature by a specified date; providing an
117 | effective date.