

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|---------------|-------|
| ADOPTED | <u> </u> | (Y/N) |
| ADOPTED AS AMENDED | <u> </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u> </u> | (Y/N) |
| FAILED TO ADOPT | <u> </u> | (Y/N) |
| WITHDRAWN | <u> </u> | (Y/N) |
| OTHER | <u> </u> | |

1 Committee/Subcommittee hearing bill: Housing, Agriculture &
 2 Tourism Subcommittee

3 Representative Stark offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Subparagraph 3. of paragraph (7) (b) of section**
 8 **420.9072, Florida Statutes, is amended to read:**

9 3. Lot rental assistance to mobile homes as defined in s.
 10 723.003, not to exceed 6 months' rent.

11 ~~4.3.~~ A rent subsidy program for very-low-income households
 12 with at least one adult who is a person with special needs as
 13 defined in s. 420.0004 or homeless as defined in s. 420.621. The
 14 period of rental assistance may not exceed 12 months for any
 15 eligible household.

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16 **Section 2. Paragraphs (c) and (d) of subsection (3) of**
17 **section 420.9075, Florida Statutes, are amended, paragraphs (d)**
18 **through (g) are redesignated as paragraphs (e) through (h),**
19 **respectively, new paragraph (i) is added to that subsection, and**
20 **paragraph (a) of subsection (5) is amended to read:**

21 420.9075 Local housing assistance plans; partnerships.—

22 (3)

23 (c) Each county and each eligible municipality is
24 encouraged to develop a strategy within its local housing
25 assistance plan that addresses the needs of persons who are
26 deprived of affordable housing due to the ~~closure of a mobile~~
27 ~~home park or the~~ conversion of affordable rental units to
28 condominiums.

29 (d) Each county and each eligible municipality shall
30 develop a strategy within its local housing assistance plan that
31 addresses the needs of persons who are deprived of affordable
32 housing due to the closure of a mobile home park.

33 ~~(e)-(d)~~ Each county and each eligible municipality shall
34 describe initiatives in the local housing assistance plan to
35 encourage or require innovative design, green building
36 principles, storm-resistant construction, or other elements that
37 reduce long-term costs relating to maintenance, utilities, or
38 insurance.

39 (f) ~~(e)~~ Each county and each eligible municipality is
40 encouraged to develop a strategy within its local housing

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41 assistance plan which provides program funds for the
42 preservation of assisted housing.

43 (g) ~~(f)~~ Each county and each eligible municipality is
44 encouraged to develop a strategy within its local housing
45 assistance plan which provides program funds for reducing
46 homelessness.

47 (h) ~~(g)~~ Local governments may create regional partnerships
48 across jurisdictional boundaries through the pooling of
49 appropriated funds to address homeless housing needs identified
50 in local housing assistance plans.

51 (i) Each county and each eligible municipality shall
52 include in its local housing assistance plan a strategy for
53 providing program funds to mobile home owners as defined in s.
54 723.003, which must include lot rental assistance.

55 (5) The following criteria apply to awards made to
56 eligible sponsors or eligible persons for the purpose of
57 providing eligible housing:

58 (a) At least 65 percent of the funds made available in
59 each county and eligible municipality from the local housing
60 distribution must be reserved for home ownership for eligible
61 persons. For purposes of this paragraph, lot rental assistance
62 for eligible mobile home owners as defined in s. 723.003 is an
63 approved home ownership activity.

64 (b) Up to 25 percent of the funds made available in each
65 county and eligible municipality from the local housing

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66 distribution may be reserved for rental housing for eligible
67 persons or for the purposes enumerated in s. 420.9072(7)(b).

68 (c) At least 75 percent of the funds made available in
69 each county and eligible municipality from the local housing
70 distribution must be reserved for construction, rehabilitation,
71 or emergency repair of affordable, eligible housing. Funds may
72 be provided to mobile home owners as defined in s. 723.003 for
73 rehabilitation and emergency repairs under this paragraph.

74 (d) Each local government must use a minimum of 20 percent
75 of its local housing distribution to serve persons with special
76 needs as defined in s. 420.0004. A local government must certify
77 that it will meet this requirement through existing approved
78 strategies in the local housing assistance plan or submit a new
79 local housing assistance plan strategy for this purpose to the
80 corporation for approval to ensure that the plan meets this
81 requirement. The first priority of these special needs funds
82 must be to serve persons with developmental disabilities as
83 defined in s. 393.063, with an emphasis on home modifications,
84 including technological enhancements and devices, which will
85 allow homeowners to remain independent in their own homes and
86 maintain their homeownership.

87 ~~(e) Not more than 20 percent of the funds made available~~
88 ~~in each county and eligible municipality from the local housing~~
89 ~~distribution may be used for manufactured housing.~~

90 ~~(f)~~ The sales price or value of new or existing eligible

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91 housing may not exceed 90 percent of the average area purchase
92 price in the statistical area in which the eligible housing is
93 located. Such average area purchase price may be that calculated
94 for any 12-month period beginning not earlier than the fourth
95 calendar year prior to the year in which the award occurs or as
96 otherwise established by the United States Department of the
97 Treasury.

98 (f)1.~~(g)1.~~ All units constructed, rehabilitated, or
99 otherwise assisted with the funds provided from the local
100 housing assistance trust fund must be occupied by very-low-
101 income persons, low-income persons, and moderate-income persons
102 except as otherwise provided in this section.

103 2.a. At least 30 percent of the funds deposited into the
104 local housing assistance trust fund must be reserved for awards
105 to very-low-income persons or eligible sponsors who will serve
106 very-low-income persons, and at least an additional 30 percent
107 of the funds deposited into the local housing assistance trust
108 fund must be reserved for awards to low-income persons or
109 eligible sponsors who will serve low-income persons.

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

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116 ~~(g)-(h)~~ Loans shall be provided for periods not exceeding
117 30 years, except for deferred payment loans or loans that extend
118 beyond 30 years which continue to serve eligible persons.

119 ~~(h)-(i)~~ Loans or grants for eligible rental housing
120 constructed, rehabilitated, or otherwise assisted from the local
121 housing assistance trust fund must be subject to recapture
122 requirements as provided by the county or eligible municipality
123 in its local housing assistance plan unless reserved for
124 eligible persons for 15 years or the term of the assistance,
125 whichever period is longer. Eligible sponsors that offer rental
126 housing for sale before 15 years or that have remaining
127 mortgages funded under this program must give a first right of
128 refusal to eligible nonprofit organizations for purchase at the
129 current market value for continued occupancy by eligible
130 persons.

131 ~~(i)-(j)~~ Loans or grants for eligible owner-occupied housing
132 constructed, rehabilitated, or otherwise assisted from proceeds
133 provided from the local housing assistance trust fund shall be
134 subject to recapture requirements as provided by the county or
135 eligible municipality in its local housing assistance plan.

136 ~~(j)-(k)~~ The total amount of monthly mortgage payments or
137 the amount of monthly rent charged by the eligible sponsor or
138 her or his designee must be made affordable.

139 ~~(k)-(l)~~ The maximum sales price or value per unit and the
140 maximum award per unit for eligible housing benefiting from

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141 awards made pursuant to this section must be established in the
142 local housing assistance plan.

143 (1)~~(m)~~ The benefit of assistance provided through the
144 State Housing Initiatives Partnership Program must accrue to
145 eligible persons occupying eligible housing. This provision
146 shall not be construed to prohibit use of the local housing
147 distribution funds for a mixed income rental development.

148 (m)~~(n)~~ Funds from the local housing distribution not used
149 to meet the criteria established in paragraph (a) or paragraph
150 (c) or not used for the administration of a local housing
151 assistance plan must be used for housing production and finance
152 activities, including, but not limited to, financing
153 preconstruction activities or the purchase of existing units,
154 providing rental housing, and providing home ownership training
155 to prospective home buyers and owners of homes assisted through
156 the local housing assistance plan.

157 1. Notwithstanding the provisions of paragraphs (a) and
158 (c), program income as defined in s. 420.9071(26) may also be
159 used to fund activities described in this paragraph.

160 2. When preconstruction due-diligence activities conducted
161 as part of a preservation strategy show that preservation of the
162 units is not feasible and will not result in the production of
163 an eligible unit, such costs shall be deemed a program expense
164 rather than an administrative expense if such program expenses
165 do not exceed 3 percent of the annual local housing

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166 distribution.

167 3. If both an award under the local housing assistance
168 plan and federal low-income housing tax credits are used to
169 assist a project and there is a conflict between the criteria
170 prescribed in this subsection and the requirements of s. 42 of
171 the Internal Revenue Code of 1986, as amended, the county or
172 eligible municipality may resolve the conflict by giving
173 precedence to the requirements of s. 42 of the Internal Revenue
174 Code of 1986, as amended, in lieu of following the criteria
175 prescribed in this subsection with the exception of paragraphs
176 (a) and (f) ~~(g)~~ of this subsection.

177 4. Each county and each eligible municipality may award
178 funds as a grant for construction, rehabilitation, or repair as
179 part of disaster recovery or emergency repairs or to remedy
180 accessibility or health and safety deficiencies. Any other
181 grants must be approved as part of the local housing assistance
182 plan.

183 **Section 3. Subsection (27) of section 420.9071, Florida**
184 **Statutes, is amended to read:**

185 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
186 term:

187 (27) "Recaptured funds" means funds that are recouped by a
188 county or eligible municipality in accordance with the recapture
189 provisions of its local housing assistance plan pursuant to s.
190 420.9075(5)(i) ~~s. 420.9075(5)(j)~~ from eligible persons or

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191 eligible sponsors, which funds were not used for assistance to
192 an eligible household for an eligible activity, when there is a
193 default on the terms of a grant award or loan award.

194 **Section 4.** This act shall take effect July 1, 2025.
195

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197 **T I T L E A M E N D M E N T**

198 Remove lines 3-9 and insert:

199 amending s. 420.9072, F.S.; providing an exception to
200 a prohibition on providing rent subsidies; amending s.
201 420.9075, F.S.; requiring each

202 Remove lines 18-21 and insert:

203 certain mobile homes; providing an effective date.