

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 675](#)  
**TITLE:** Affordable Housing  
**SPONSOR(S):** Driskell

**COMPANION BILL:** [SB 756](#) (Davis)  
**LINKED BILLS:** None  
**RELATED BILLS:** [SB 752](#) (DiCeglie)

### Committee References

[Housing, Agriculture & Tourism](#)  
15 Y, 0 N, As CS

[Ways & Means](#)

[Commerce](#)

## SUMMARY

### Effect of the Bill:

The bill makes the following changes to the Live Local Act:

- Increases the time period for which certain rental units must remain affordable to qualify for the zoning variance from 30 years to 50 years.
- Specifies that any incentives provided by a municipality or a county to a developer must be used for the construction of affordable housing.
- Decreases the maximum area median income (AMI) used to determine eligibility for the 75 percent ad valorem tax exemption for affordable units from 120 percent to 100 percent of the AMI.

The bill exempts deeds, transfers, or other conveyances of residential property to (and certain documents executed by) first-time homebuyers from documentary stamp taxes.

### Fiscal or Economic Impact:

The bill has an indeterminate impact on the private sector and state government.

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## ANALYSIS

### EFFECT OF THE BILL:

#### Live Local Act

The bill increases the period of time for which rental units in a proposed multifamily development must remain [affordable](#) to qualify for the Live Local zoning variance from 30 years to 50 years. (Section [1](#) for counties; Section [2](#) for municipalities.)

The bill requires that any [incentives](#) provided by a municipality or a county to a developer for its affordable housing contribution must be used for the construction of affordable housing. (Section [1](#) for counties; Section [2](#) for municipalities.)

The bill decreases the maximum area median income (AMI) used to determine eligibility for the Live Local [ad valorem tax exemption](#) for 75 percent of the assessed value of affordable housing units from 120 percent to 100 percent of the AMI. The bill does not change the requirements to receive the complete ad valorem tax exemption for property that provides housing to individuals or families that earn up to 80 percent of the AMI. (Section [3](#).)

#### Documentary Stamp Taxes

The bill exempts deeds, transfers, and conveyances of residential property to [first-time homebuyers](#) from documentary stamp taxes. The bill defines “first-time homebuyer” as a person (and if married, their spouse) who has not owned a principal residence during the 3-year period before the date of the purchase, and who is a

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moderate-income, low-income, or very-low-income person as defined in [s. 420.602, F.S.](#) (i.e., a person who has an AMI of less than 120 percent). (Section [4.](#))

The bill also exempts promissory notes, nonnegotiable notes, mortgages, trust deeds, security agreements, and other evidences of indebtedness executed by a first-time homebuyer in connection with the purchase of a principal residence from documentary stamp taxes. (Section [5.](#))

The bill has an effective date of July 1, 2026. (Section [6.](#))

## FISCAL OR ECONOMIC IMPACT:

### STATE GOVERNMENT:

The bill has an indeterminate negative, but likely minimal, fiscal impact on state government to the extent the General Revenue Fund and other state trust funds receive less documentary stamp taxes as a result of the bill's exemption for first-time homebuyers.

### PRIVATE SECTOR:

The bill's requirements for certain dwelling units to remain affordable for 50 years, rather than 30 years, has an indeterminate positive impact on individuals and families who rely on affordable housing programs. A request for a formal analysis was submitted to the Florida Housing Finance Corporation on December 17, 2025.

The bill also has an indeterminate positive impact on individuals and families who qualify as first-time homebuyers under the bill, as those individuals and families will no longer have to pay documentary stamp taxes when purchasing and financing a principal residence.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### **Affordable Housing**

Housing is considered [affordable](#) when monthly rents or monthly mortgage payments, including taxes, insurance, and utilities, do not exceed 30 percent of a family's gross income.<sup>1</sup> Over 2.4 million low-income Florida households pay more than 30% of their incomes towards housing, which is the maximum amount considered affordable by experts.<sup>2</sup> Over half of these households, or 1.3 million low-income households, spend more than 50% of their income towards housing costs.<sup>3</sup> This makes it difficult for those households to save for retirement or emergencies and afford other necessities such as food and childcare.<sup>4</sup>

Eligibility to participate in Florida's state and federally-funded housing programs is determined by area median income (AMI) or statewide median family income, which is published annually by the United States Department of Housing and Urban Development (HUD).<sup>5</sup> In Florida, the current statewide AMI for a family of **four** is \$95,300 (as family size changes, the income range also varies).<sup>6</sup>

<sup>1</sup> [S. 420.0004\(3\), F.S.](#)

<sup>2</sup> Florida Housing Coalition, *2025 Home Matters Report*, p. 1. <https://flhousing.org/wp-content/uploads/2025/09/Home-Matters-Report-2025-V5-DIGITAL.pdf> (last visited Jan. 23, 2026).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> See U.S. Dept. of Housing and Urban Development (HUD): Office of Policy Development and Research, *Income Limits*, <https://www.huduser.gov/portal/datasets/il.html#year2025> (last visited Jan. 23, 2026).

<sup>6</sup> HUD: Office of Policy Development and Research, *FY 2025 State Income Limits: Florida*, [https://www.huduser.gov/portal/datasets/il/il2025/2025summary.odn?inputname=STTLT\\*1299999999%2BFlorida&select\\_ion\\_type=county&stname=Florida&statefp=12.0&year=2025](https://www.huduser.gov/portal/datasets/il/il2025/2025summary.odn?inputname=STTLT*1299999999%2BFlorida&select_ion_type=county&stname=Florida&statefp=12.0&year=2025) (last visited Jan. 23, 2026).

- Extremely-low-income – earning up to 30 percent of the AMI (at or below \$28,600);<sup>7</sup>
- Very-low-income – earning from 30.01 to 50 percent of the AMI (\$28,601 to \$47,650);<sup>8</sup>
- Low-income – earning from 50.01 to 80 percent of the AMI (\$47,651 to \$76,250);<sup>9</sup> and
- Moderate-income – earning from 80.01 to 120 percent of the AMI (\$76,251 to \$114,360).<sup>10</sup>

As of 2025, Florida had only 24 affordable and available rental units for every 100 extremely-low-income renters.<sup>11</sup> In addition, there were little to no communities in Florida that could provide enough housing to support this group of renters, which is primarily made up of low-income workers, retirees, and people with disabilities.<sup>12</sup>

### **Land Use for Affordable Housing Development**

All development, both public and private, and all development orders<sup>13</sup> approved by a local government must be consistent with the local government's comprehensive plan.<sup>14</sup> The Growth Management Act requires every county and municipality to create and implement a comprehensive plan to guide future development.<sup>15</sup> A comprehensive plan is intended to provide for the future use of land, which contemplates a gradual and ordered growth, and establishes a long-range maximum limit on the possible intensity of land use.

A locality's comprehensive plan lays out the locations for future public facilities, including roads, water and sewer facilities, neighborhoods, parks, schools, and commercial and industrial developments. A comprehensive plan is made up of 10 required elements, each laying out regulations for a different facet of development.<sup>16</sup>

The future land use element designates proposed future general distribution, location, and extent of the uses of land. Specified use designations include those for residential, commercial, industry, agriculture, recreation, conservation, education, and public facilities. The approximate acreage and the general range of density or intensity of use must be provided for each land use category.<sup>17</sup> The specific use and intensities for specific parcels are decided by a more detailed, implementing zoning map.<sup>18</sup>

The housing element sets forth guidelines and strategies for the creation and preservation of affordable housing for all current and anticipated future residents of the jurisdiction, elimination of substandard housing conditions, provision of adequate sites for future housing, and distribution of housing for a range of incomes and types.<sup>19</sup>

<sup>7</sup> *Id.*; see also [s. 420.0004\(9\), F.S.](#)

<sup>8</sup> *Supra* note 6; see also [s. 420.0004\(17\), F.S.](#)

<sup>9</sup> *Supra* note 6; see also [s. 420.0004\(11\), F.S.](#)

<sup>10</sup> *Supra* note 6; see also [s. 420.0004\(12\), F.S.](#)

<sup>11</sup> *Supra* note 2, at p. 2.

<sup>12</sup> *Id.*

<sup>13</sup> "Development order" means any order granting, denying, or granting with conditions an application for a development permit. See [s. 163.3164\(15\), F.S.](#) "Development permit" includes any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land. See [s. 163.3164\(16\), F.S.](#)

<sup>14</sup> [S. 163.3194\(3\), F.S.](#)

<sup>15</sup> [S. 163.3167\(2\), F.S.](#)

<sup>16</sup> [S. 163.3177\(6\), F.S.](#) The 10 required elements include capital improvements; future land use plan; transportation; general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge; conservation; recreation and open space; housing; coastal management; intergovernmental coordination; and property rights. Throughout statutes exist plans and programs that may be added as optional elements.

<sup>17</sup> [S. 163.3177\(6\)\(a\), F.S.](#)

<sup>18</sup> Richard Grosso, A Guide to Development Order "Consistency" Challenges Under Florida Statutes Section 163.3215, 34 J. Envtl. L. & Litig. 129, 154 (2019) citing *Brevard Cty. v. Snyder*, 627 So. 2d 469, 475 (Fla. 1993).

<sup>19</sup> [S. 163.3177\(6\)\(f\), F.S.](#)

A comprehensive plan is implemented through the adoption of land development regulations<sup>20</sup> that are consistent with the plan and that contain specific and detailed provisions necessary to implement the plan.<sup>21</sup> Such regulations must, among other requirements, regulate the subdivision of land and the use of land for the land use categories in the land use element of the comprehensive plan.<sup>22</sup> Substantially affected persons have the right to maintain administrative actions that ensure land development regulations are implemented and consistent with the comprehensive plan.<sup>23</sup>

Development that does not conform to the comprehensive plan may not be approved by a local government unless the local government first amends its comprehensive plan. State law requires a proposed comprehensive plan amendment to receive two public hearings, the first held by the local planning board and the second held by the governing board.<sup>24</sup> Following the hearings, the local government must transmit the plan to several statutorily identified agencies, including the Department of Commerce as the state land planning agency, for review.<sup>25</sup> Most plan amendments are placed into the expedited state review process, while plan amendments relating to large-scale developments are placed into the state coordinated review process.<sup>26</sup>

### Live Local Act

The Live Local Act (Act), which became law in 2023, preempts certain county and municipal zoning and land use decisions to encourage development of affordable multifamily rental housing in targeted land use areas.<sup>27</sup> Specifically, counties and municipalities must allow a multifamily or mixed-use residential<sup>28</sup> rental development in any area zoned for commercial, industrial, or mixed-use, and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use, if at least 40 percent of the residential units in the development are rental units that, for a period of at least 30 years, meet certain affordability requirements.<sup>29</sup>

Local governments are prohibited from restricting the density<sup>30</sup> of a proposed development below the highest density currently allowed (or the highest allowed on July 1, 2023) on land within its jurisdiction where residential development is allowed<sup>31</sup> and may not restrict the floor area ratio<sup>32</sup> of a proposed development below 150 percent of the highest floor area ratio currently allowed (or the highest allowed on July 1, 2023) on land within its jurisdiction where residential development is allowed.<sup>33</sup>

<sup>20</sup> “Land development regulations” means ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land.... See [s. 163.3164\(26\), F.S.](#)

<sup>21</sup> [S. 163.3202, F.S.](#)

<sup>22</sup> *Id.*

<sup>23</sup> [S. 163.3213, F.S.](#)

<sup>24</sup> [Ss. 163.3174\(4\)\(a\) and 163.3184, F.S.](#)

<sup>25</sup> [S. 163.3184, F.S.](#)

<sup>26</sup> See [ss. 163.3184 and 380.06, F.S.](#) In the Expedited State Review Process, the Department of Commerce reviews and approves or amends the proposed comprehensive plan amendment. This process can take 4 to 6 months. The State Coordinated Review Process is a more thorough, complex, multi-phase process. For more information, see <https://floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/amendments-that-must-follow-the-state-coordinated-review-process-procedures-and-timeframes> (last visited Jan. 23, 2026).

<sup>27</sup> [Ch. 2023-17, ss. 3, 5, Laws of Fla.](#), codified as [ss. 125.01055\(7\) and 166.04151\(7\), F.S.](#)

<sup>28</sup> For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes; local governments may not require that more than 10 percent of the total square footage be used for nonresidential purposes. [Ss. 125.01055\(7\)\(a\) and 166.04151\(7\)\(a\), F.S.](#)

<sup>29</sup> [Ss. 125.01055\(7\)\(a\) and 166.04151\(7\)\(a\), F.S.](#)

<sup>30</sup> “Density” means an objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre. See [s. 163.3164\(12\), F.S.](#)

<sup>31</sup> [Ss. 125.01055\(7\)\(b\) and 166.04151\(7\)\(b\), F.S.](#)

<sup>32</sup> For purposes of these provisions, “floor area ratio” includes floor lot ratio and lot coverage. [Ss. 125.01055\(7\)\(c\) and 166.04151\(7\)\(c\), F.S.](#)

<sup>33</sup> [Ss. 125.01055\(7\)\(c\) and 166.04151\(7\)\(c\), F.S.](#)

Local governments are also prohibited from restricting the height of a proposed development below the highest height currently allowed (or the highest allowed on July 1, 2023) for a commercial or residential building located in its jurisdiction within one mile of the proposed development or three stories, whichever is higher.<sup>34</sup> However, a local government may restrict the height of a proposed development if:

- The proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential in a single-family residential development with at least 25 contiguous single-family homes, in which case the local government may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest height currently allowed (or the highest allowed on July 1, 2023) for the property provided in the local government's land development regulations, or three stories, whichever is higher, but not to exceed 10 stories;<sup>35</sup> or
- The proposed development is on a parcel with a contributing structure or building within a historic district listed in the National Register of Historic Places<sup>36</sup> (Register) before January 1, 2000, or is on a parcel with a structure or building individually listed in the Register, in which case a local government may restrict the height of the proposed development to the highest height currently allowed (or the highest allowed on July 1, 2023) for a commercial or residential building within three-fourths of a mile of the proposed development or 3 stories, whichever is higher.<sup>37</sup>

An application for a development authorized by the Act must be administratively approved without further action by the governing body of the local government or any quasi-judicial or administrative board or reviewing body, provided the development satisfies the local government's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the jurisdiction's comprehensive plan, with the exception of provisions establishing density, floor area ratios, height, and land use requirements.<sup>38</sup>

Under the Act, local governments are required, upon request of an applicant, to reduce parking requirements for a proposed development by 15 percent if the development:

- Is located within one-quarter mile of a transit stop, as defined in the local government's land development code, and the transit stop is accessible from the development;
- Is located within one-half mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features; or
- Has available parking within 600 feet of the proposed development, which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development.<sup>39</sup>

<sup>34</sup> [Ss. 125.01055\(7\)\(d\)1.](#) and [166.04151\(7\)\(d\)1., F.S.](#)

<sup>35</sup> [Ss. 125.01055\(7\)\(d\)2.](#) and [166.04151\(7\)\(d\)2., F.S.](#)

<sup>36</sup> The National Register of Historic Places (Register) is the official list of the nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the Register is maintained by the National Park Service (NPS) as a part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources. As of May 13, 2025, over 100,000 places have been listed in the Register for their significance in American history, art, architecture, engineering, and culture. See NPS, *What is the National Register of Historic Places?* <https://www.nps.gov/subjects/nationalregister/index.htm> (last visited Jan. 7, 2026); see also, NPS, *National Register of Historic Places: Program Updates May 13, 2025*, <https://www.nps.gov/subjects/nationalregister/program-updates.htm> (last visited Jan. 23, 2026).

<sup>37</sup> [Ss. 125.01055\(7\)\(d\)3.](#) and [166.04151\(7\)\(d\)3.](#)

<sup>38</sup> However, if a proposed development is on a parcel with a contributing structure or building within a historic district which was listed in the Register before January 1, 2000, or is on a parcel with a structure or building individually listed in the Register, the local government may administratively require the proposed development to comply with local regulations relating to architectural design, such as façade replication, provided it does not affect height, floor area ratio, or density of the proposed development. [Ss. 125.01055\(7\)\(e\)](#) and [166.04151\(7\)\(e\), F.S.](#)

<sup>39</sup> A local government, however, may not require that the available parking compensate for the reduction in parking requirements. [Ss. 125.01055\(7\)\(f\)1.](#) and [166.04151\(7\)\(f\)1., F.S.](#)



The provisions of the Act described above do not apply to airport-impacted areas,<sup>40</sup> recreational and commercial waterfronts in industrial areas,<sup>41</sup> the Wekiva Study Area,<sup>42</sup> or the Everglades Protection Area.<sup>43,44</sup>

These provisions of the Act are effective until October 1, 2033.<sup>45</sup>

### **Ad Valorem Tax Exemption for Affordable Housing**

The ad valorem tax or “property tax” is an annual tax levied by counties, municipalities, school districts, and some special districts. The tax is based on the taxable value of property as of January 1 of each year.<sup>46</sup> The property appraiser annually determines the “just value”<sup>47</sup> of property within the taxing jurisdiction and then applies relevant exclusions, assessment limitations, and exemptions to determine the property’s “taxable value.”<sup>48</sup> Tax bills are mailed in November of each year based on the previous January 1 valuation, and payment is due by March 31 of the following year.

The Florida Constitution prohibits the state from levying ad valorem taxes,<sup>49</sup> and it limits the Legislature’s authority to provide for property valuations at less than just value, unless expressly authorized.<sup>50</sup>

### **Ad Valorem Tax Exemption for Newly Constructed Affordable Housing**

The Act established a new [ad valorem tax exemption](#) for owners of newly constructed multifamily rental developments who use a portion of the development to provide affordable housing.<sup>51</sup> Eligible property includes units in a newly constructed multifamily development containing more than 70 units dedicated to housing natural persons or families below certain income thresholds.<sup>52</sup> However, units subject to an agreement with the Florida Housing Finance Corporation (Corporation) are not eligible for the exemption.<sup>53</sup>

“Newly constructed” is defined as an improvement substantially completed within five years before the property owner’s first application for a certification notice.<sup>54</sup> The units must be occupied by such individuals or families and rent limited so as to provide affordable housing at either the 80 or 120 percent AMI threshold.<sup>55</sup> Rent for such units may not exceed 90 percent of the fair market value of rent as determined by a rental market study.<sup>56</sup>

Qualified property used to provide affordable housing at the 80 to 120 percent AMI threshold receives an exemption of 75 percent of the assessed value of the affordable units, while such property providing affordable housing up to the 80 percent AMI threshold receives a complete ad valorem tax exemption for the affordable

<sup>40</sup> See [s. 333.03, F.S.](#)

<sup>41</sup> See [s. 342.201\(2\)\(b\), F.S.](#)

<sup>42</sup> See [s. 369.316, F.S.](#)

<sup>43</sup> See [s. 373.4592\(2\), F.S.](#)

<sup>44</sup> [Ss. 125.01055\(7\)\(o\) and 166.04151\(7\)\(o\), F.S.](#)

<sup>45</sup> [Ss. 125.01055\(7\)\(p\) and 166.04151\(7\)\(p\), F.S.](#)

<sup>46</sup> Both real property and tangible personal property are subject to tax. [S. 192.001\(12\), F.S.](#), defines “real property” as land, buildings, fixtures, and all other improvements to land. [S. 192.001\(11\)\(d\), F.S.](#), defines “tangible personal property” as all goods, chattels, and other articles of value capable of manual possession and whose chief value is intrinsic to the article itself.

<sup>47</sup> Property must be valued at “just value” for purposes of property taxation, unless the Florida Constitution provides otherwise. FLA. CONST. art VII, s. 4. Just value has been interpreted by the courts to mean the fair market value that a willing buyer would pay a willing seller for the property in an arm’s-length transaction. See *Walter v. Shuler*, 176 So. 2d 81 (Fla. 1965); *Deltona Corp. v. Bailey*, 336 So. 2d 1163 (Fla. 1976); *Southern Bell Tel. & Tel. Co. v. Dade Cnty.*, 275 So. 2d 4 (Fla. 1973).

<sup>48</sup> See [s. 192.001\(2\) and \(16\), F.S.](#)

<sup>49</sup> FLA. CONST. art. VII, s. 1(a).

<sup>50</sup> See FLA. CONST. art. VII, s. 4.

<sup>51</sup> [Ch. 2023-17, s. 8, Laws of Fla.](#), codified as [s. 196.1978\(3\), F.S.](#)

<sup>52</sup> [S. 196.1978\(3\)\(b\), F.S.](#)

<sup>53</sup> [S. 196.1978\(3\)\(j\), F.S.](#)

<sup>54</sup> [S. 196.1978\(3\)\(a\)2., F.S.](#)

<sup>55</sup> [S. 196.1978\(3\)\(b\)1., F.S.](#)

<sup>56</sup> [S. 196.1978\(3\)\(b\)3., F.S.](#)

units.<sup>57</sup> When determining the value of a unit for purposes of applying an exemption, the property appraiser must include in such valuation the proportionate share of the residential common areas, including the land, fairly attributable to the unit.<sup>58</sup>

To receive this exemption, a property owner must apply by March 1 to the property appraiser, accompanied by a certification notice from the Corporation.<sup>59</sup> To receive the Corporation's certification, a property owner must submit a request on a form including the most recent market study, which must have been conducted by an independent certified general appraiser in the preceding three years, a list of units for which the exemption is sought, the rent amount received for each unit, and a sworn statement restricting the property for a period of not less than three years to provide affordable housing.<sup>60</sup>

The certification process is administered within the Corporation. The Corporation is responsible for publishing the deadline for submission, reviewing each request, sending certification notices to both the successful property owner and the appropriate property appraiser, and notifying unsuccessful property owners and providing reasons for the denial.<sup>61</sup>

This exemption first applied to the 2024 tax roll and will expire on December 31, 2059.

### **Developer Incentives to Provide Affordable Housing**

Florida law authorizes local governments to adopt any law, ordinance, rule, or other measure that aims to increase the supply of affordable housing using land use mechanisms such as inclusionary housing or linkage fee ordinances.<sup>62</sup>

An inclusionary housing ordinance may require a developer to provide a specified number or percentage of affordable housing units to be included in a development or allow a developer to contribute to a housing fund or other alternatives in lieu of building the units.<sup>63</sup> An affordable housing linkage fee ordinance may require the payment of a flat or percentage-based fee, which may be calculated on the basis of the number of approved dwelling units, the amount of approved square footage, or otherwise.<sup>64</sup>

In exchange for a developer fulfilling the requirements of an inclusionary housing ordinance or affordable housing linkage fee, a local government must provide [incentives](#) to fully offset all costs to the developer of its affordable housing contribution or linkage fee.<sup>65</sup> Such incentives may include, but are not limited to, the following:

- Allowing the developer density or intensity bonus incentives or more floor space than allowed under the current or proposed future land use designation or zoning;
- Reducing or waiving fees, such as impact fees or water and sewer charges; or
- Granting other incentives.<sup>66</sup>

### **Documentary Stamp Tax**

The documentary stamp tax imposes an excise tax on deeds or other documents that convey an interest in Florida real property. The tax comprises two taxes imposed on different bases at different tax rates. The first tax rate is 70 cents on each \$100 of consideration for deeds, instruments, or writings whereby lands or other real property or interests are granted, assigned, transferred, conveyed, or vested in a purchaser.<sup>67</sup> The second tax rate is 35 cents

<sup>57</sup> [S. 196.1978\(3\)\(d\)1, F.S.](#)

<sup>58</sup> [S. 196.1978\(3\)\(d\)2, F.S.](#)

<sup>59</sup> [S. 196.1978\(3\)\(e\), F.S.](#)

<sup>60</sup> [S. 196.1978\(3\)\(f\), F.S.](#)

<sup>61</sup> [S. 196.1978\(3\)\(g\), F.S.](#)

<sup>62</sup> [Ss. 125.01055\(1\) and 166.04151\(1\), F.S.](#)

<sup>63</sup> [Ss. 125.01055\(2\) and 166.04151\(2\), F.S.](#)

<sup>64</sup> [Ss. 125.01055\(3\) and 166.04151\(3\), F.S.](#)

<sup>65</sup> [Ss. 125.01055\(4\) and 166.04151\(4\), F.S.](#)

<sup>66</sup> [Ss. 125.01055\(4\)\(a\)-\(c\) and 166.04151\(4\)\(a\)-\(c\), F.S.](#)

<sup>67</sup> [S. 201.02, F.S.](#)

per each \$100 of consideration for certificates of indebtedness, promissory notes, wage assignments, and retail charge account agreements.<sup>68</sup> Revenue collected from the documentary stamp tax is divided between the General Revenue Fund and various trust funds<sup>69</sup> according to the statutory formula established in [s. 201.15, F.S.](#)

### **Definition of “First-Time Homebuyer”**

The Internal Revenue Code of 1986<sup>70</sup> defines [“first-time homebuyer”](#) as any individual if such individual (and if married, such individual’s spouse) had no present ownership interest in a principal residence during the 3-year period ending on the date of the purchase of a principal residence.<sup>71</sup>

### **RECENT LEGISLATION:**

YEAR	BILL #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2023	<a href="#">CS/CS/HB 627</a>	Busatta, Lopez, V./ <i>Calatayud</i>	Approved by the Governor. Created the Live Local Act.
2024	<a href="#">CS/CS/HB 1239</a>	Lopez, V./ <i>Calatayud</i>	Approved by the Governor. Made certain changes to the Live Local Act.
2025	<a href="#">CS/CS/CS/HB 943</a>	Lopez, V./ <i>Calatayud</i>	Approved by the Governor. Made additional changes to the Live Local Act.

## **BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Housing, Agriculture &amp; Tourism Subcommittee</a>	15 Y, 0 N, As CS	1/29/2026	Curtin	Fletcher
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>Specified that certain incentives provided by a county to a developer must be used for the construction of affordable housing, which mirrors the bill’s requirement for incentives provided by a municipality.</li> <li>Revised the definition of “first-time homebuyer” to mean an individual (and if married, their spouse) who has not owned a principal residence in the preceding three years, and who is a moderate-income person, low-income person, or very-low-income person.</li> </ul>			
<a href="#">Ways &amp; Means Committee</a>				
<a href="#">Commerce Committee</a>				

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>68</sup> [Ss. 201.07](#) and [201.08, F.S.](#)

<sup>69</sup> The Land Acquisition Trust Fund, the State Transportation Trust Fund, the State Economic Enhancement and Development Trust Fund, the General Inspection Trust Fund, the Water Protection and Sustainability Program Trust Fund, the Resilient Florida Trust Fund, the State Housing Trust Fund, the Local Government Housing Trust Fund, and the Grants and Donations Trust Fund in the Department of Commerce.

<sup>70</sup> 26 U.S.C. § 1, et al.

<sup>71</sup> 26 U.S.C. § 36(c)(1).



