

1                   A bill to be entitled  
2     An act relating to affordable housing; amending ss.  
3     125.010555 and 166.04151, F.S.; requiring certain  
4     incentives be used for the construction of affordable  
5     housing; revising upwards the length of time that  
6     certain rental units must remain affordable in order  
7     to qualify for a specified zoning variance; amending  
8     s. 196.1978, F.S.; revising downward the maximum  
9     median income used to determine eligibility for  
10    certain tax incentives; amending s. 201.02, F.S.;  
11    specifying that documentary stamp taxes do not apply  
12    to deeds, transfers, or conveyances of residential  
13    property to first-time homebuyers; defining the term  
14    "first-time homebuyer"; amending s. 201.08, F.S.;  
15    specifying that documentary stamp taxes do not apply  
16    to certain documents executed by a first-time  
17    homebuyer in connection with the purchase of a  
18    principal residence; defining the term "first-time  
19    homebuyer"; providing an effective date.

20  
21   Be It Enacted by the Legislature of the State of Florida:

22  
23       **Section 1. Subsection (4) and paragraph (a) of subsection**  
24   **(7) of section 125.01055, Florida Statutes, are amended to read:**  
25       125.01055   Affordable housing.—

26           (4) In exchange for a developer fulfilling the  
27 requirements of subsection (2) or, for residential or mixed-use  
28 residential development, the requirements of subsection (3), a  
29 county must provide incentives to fully offset all costs to the  
30 developer of its affordable housing contribution or linkage fee.  
31 Such incentives may include, but are not limited to:

32           (a) Allowing the developer density or intensity bonus  
33 incentives or more floor space than allowed under the current or  
34 proposed future land use designation or zoning;

35           (b) Reducing or waiving fees, such as impact fees or water  
36 and sewer charges; or

37           (c) Granting other incentives.  
38

39 Any incentives provided under this subsection must be used for  
40 the construction of affordable housing.

41           (7) (a) A county must authorize multifamily and mixed-use  
42 residential as allowable uses in any area zoned for commercial,  
43 industrial, or mixed use, and in portions of any flexibly zoned  
44 area such as a planned unit development permitted for  
45 commercial, industrial, or mixed use, if at least 40 percent of  
46 the residential units in a proposed multifamily development are  
47 rental units that, for a period of at least 50 ~~30~~ years, are  
48 affordable as defined in s. 420.0004. Notwithstanding any other  
49 law, local ordinance, or regulation to the contrary, a county  
50 may not require a proposed multifamily development to obtain a

51 zoning or land use change, special exception, conditional use  
52 approval, variance, transfer of density or development units,  
53 amendment to a development of regional impact, or comprehensive  
54 plan amendment for the building height, zoning, and densities  
55 authorized under this subsection. For mixed-use residential  
56 projects, at least 65 percent of the total square footage must  
57 be used for residential purposes. The county may not require  
58 that more than 10 percent of the total square footage of such  
59 mixed-use residential projects be used for nonresidential  
60 purposes.

61       **Section 2. Subsection (4) and paragraph (a) of subsection**  
62 **(7) of section 166.04151, Florida Statutes, are amended to read:**

63       166.04151 Affordable housing.—

64       (4) In exchange for a developer fulfilling the  
65 requirements of subsection (2) or, for residential or mixed-use  
66 residential development, the requirements of subsection (3), a  
67 municipality must provide incentives to fully offset all costs  
68 to the developer of its affordable housing contribution or  
69 linkage fee. Such incentives may include, but are not limited  
70 to:

71       (a) Allowing the developer density or intensity bonus  
72 incentives or more floor space than allowed under the current or  
73 proposed future land use designation or zoning;

74       (b) Reducing or waiving fees, such as impact fees or water  
75 and sewer charges; or

76           (c)   Granting other incentives.

77  
78   Any incentives provided under this subsection must be used for  
79   the construction of affordable housing.

80           (7)(a)   A municipality must authorize multifamily and  
81   mixed-use residential as allowable uses in any area zoned for  
82   commercial, industrial, or mixed use, and in portions of any  
83   flexibly zoned area such as a planned unit development permitted  
84   for commercial, industrial, or mixed use, if at least 40 percent  
85   of the residential units in a proposed multifamily development  
86   are rental units that, for a period of at least 50 ~~30~~ years, are  
87   affordable as defined in s. 420.0004. Notwithstanding any other  
88   law, local ordinance, or regulation to the contrary, a  
89   municipality may not require a proposed multifamily development  
90   to obtain a zoning or land use change, special exception,  
91   conditional use approval, variance, transfer of density or  
92   development units, amendment to a development of regional  
93   impact, amendment to a municipal charter, or comprehensive plan  
94   amendment for the building height, zoning, and densities  
95   authorized under this subsection. For mixed-use residential  
96   projects, at least 65 percent of the total square footage must  
97   be used for residential purposes. The municipality may not  
98   require that more than 10 percent of the total square footage of  
99   such mixed-use residential projects be used for nonresidential  
100   purposes.

101        **Section 3. Paragraphs (d) and (o) of subsection (3) of**  
102        **section 196.1978, Florida Statutes, are amended to read:**

103        196.1978 Affordable housing property exemption.—

104        (3)

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

106        a. Seventy-five percent of the assessed value of the units  
107        in multifamily projects that meet the requirements of this  
108        subsection and are used to house natural persons or families  
109        whose annual household income is greater than 80 percent but not  
110        more than 100 ~~120~~ percent of the median annual adjusted gross  
111        income for households within the metropolitan statistical area  
112        or, if not within a metropolitan statistical area, within the  
113        county in which the person or family resides; and

114        b. From ad valorem property taxes the units in multifamily  
115        projects that meet the requirements of this subsection and are  
116        used to house natural persons or families whose annual household  
117        income does not exceed 80 percent of the median annual adjusted  
118        gross income for households within the metropolitan statistical  
119        area or, if not within a metropolitan statistical area, within  
120        the county in which the person or family resides.

121        2. When determining the value of a unit for purposes of  
122        applying an exemption pursuant to this paragraph, the property  
123        appraiser must include in such valuation the proportionate share  
124        of the residential common areas, including the land, fairly  
125        attributable to such unit.

126           (o)1. Beginning with the 2025 tax roll, a taxing authority  
127 may elect, upon adoption of an ordinance or resolution approved  
128 by a two-thirds vote of the governing body, not to exempt  
129 property under sub-subparagraph (d)1.a. located in a county  
130 specified pursuant to subparagraph 2., subject to the conditions  
131 of this paragraph.

132           2. A taxing authority must make a finding in the ordinance  
133 or resolution that the most recently published Shimberg Center  
134 for Housing Studies Annual Report, prepared pursuant to s.  
135 420.6075, identifies that a county that is part of the  
136 jurisdiction of the taxing authority is within a metropolitan  
137 statistical area or region where the number of affordable and  
138 available units in the metropolitan statistical area or region  
139 is greater than the number of renter households in the  
140 metropolitan statistical area or region for the category  
141 entitled "0-100 ~~120~~ percent AMI."

142           3. An election made pursuant to this paragraph may apply  
143 only to the ad valorem property tax levies imposed within a  
144 county specified pursuant to subparagraph 2. by the taxing  
145 authority making the election.

146           4. The ordinance or resolution must take effect on the  
147 January 1 immediately succeeding adoption and shall expire on  
148 the second January 1 after the January 1 in which the ordinance  
149 or resolution takes effect. The ordinance or resolution may be  
150 renewed prior to its expiration pursuant to this paragraph.

151           5. The taxing authority proposing to make an election  
152 under this paragraph must advertise the ordinance or resolution  
153 or renewal thereof pursuant to the requirements of s. 50.011(1)  
154 prior to adoption.

155           6. The taxing authority must provide to the property  
156 appraiser the adopted ordinance or resolution or renewal thereof  
157 by the effective date of the ordinance or resolution or renewal  
158 thereof.

159           7. Notwithstanding an ordinance or resolution or renewal  
160 thereof adopted pursuant to this paragraph, property in a  
161 multifamily project that received an exemption pursuant to sub-  
162 subparagraph (d)1.a. before the adoption or renewal of such  
163 ordinance or resolution may continue to receive such exemption  
164 for each subsequent consecutive year that the same owner or each  
165 successive owner applies for and is granted the exemption.

166           **Section 4. Subsections (9), (10), and (11) of section**  
167 **201.02, Florida Statutes, are renumbered as subsections (10),**  
168 **(11), and (12), respectively, and a new subsection (9) is added**  
169 **to that section, to read:**

170           201.02 Tax on deeds and other instruments relating to real  
171 property or interests in real property.—

172           (9) Taxes imposed by this section do not apply to a deed,  
173 transfer, or conveyance that transfers or conveys residential  
174 property to a first-time homebuyer for use as a principal  
175 residence. For purposes of this subsection, the term "first-time

homebuyer" means an individual and, if married, such individual's spouse, who has no present ownership interest in a principal residence during the 3-year period ending on the date of purchase of the principal residence and who is a moderate-income person, low-income person, or very-low-income person as defined in s. 420.602.

**Section 5. Subsection (10) is added to section 201.08, Florida Statutes, to read:**

201.08 Tax on promissory or nonnegotiable notes, written obligations to pay money, or assignments of wages or other compensation; exception.—

(10) Taxes imposed by this section do not apply to documents described in subsection (1) that are executed by a first-time homebuyer in connection with the purchase of a principal residence. For purposes of this subsection, the term "first-time homebuyer" means an individual and, if married, such individual's spouse, who has no present ownership interest in a principal residence during the 3-year period ending on the date of purchase of the principal residence and who is a moderate-income person, low-income person, or very-low-income person as defined in s. 420.602.

**Section 6.** This act shall take effect July 1, 2026.