

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/SB 1456 — Counties Designated as Areas of Critical State Concern

by Finance and Tax Committee; Community Affairs Committee; and Senator Rodriguez

The bill provides various changes applying specifically to the Florida Keys and the City of Key West Areas of Critical State Concern. Development in these areas is subject to limits that maintain the ability to evacuate permanent residents 24 hours before a hurricane strikes, with non-permanent residents and visitors evacuated earlier. The bill revises the evacuation time criteria to provide that mobile home residents are not considered permanent residents to be evacuated in the last phase. The bill also clarifies that, for the purpose of calculations on evacuation time, Key West must be included with the other keys.

The bill also authorizes land authorities, which operate in areas of critical state concern, (i.e., the Monroe County Land Authority) to require compliance with income limitations on land conveyed for affordable housing by memorializing the original land authority funding or contribution in a recordable perpetual deed restriction. Additionally, until July 1, 2029, a county or municipality within an area of critical state concern is exempt from certain local housing assistance trust fund requirements to allow more flexibility in the households awarded.

Finally the bill allows a county designated as an area of critical state concern (i.e., Monroe County) to use any accumulated surplus revenue from tourist development and impact taxes incurred through September 30, 2024, for affordable housing. Revenues from these taxes may only be used for specified purposes, typically directly related to the tourism industry. The expenditure of funds on affordable housing under this bill cannot exceed \$35 million, and is subject to approval by a majority vote of the board of county commissioners. Affordable housing must be available to employees of private sector tourism-related businesses in the county. Any housing financed from the accumulated surplus must be used to provide affordable housing for no less than 99 years.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 39-0; House 115-0