

1 A bill to be entitled
2 An act relating to affordable housing; amending s.
3 159.807, F.S.; removes prohibition on the state allocation
4 pool from being used to provide written confirmations for
5 private activity bonds that are to be issued by the
6 Florida Housing Finance Corporation; amending s. 163.3177,
7 F.S.; revising elements of local government comprehensive
8 plans relating to future land use, transportation, and
9 housing; amending s. 163.3180, F.S.; authorizing local
10 governments to grant an exception from the concurrency
11 requirement for transportation facilities; authorizing
12 local governments to exempt certain trips from the
13 concurrency requirement; amending s. 163.3187, F.S.;
14 authorizing local governments to identify the types of
15 housing development and conditions under which it will
16 expedite consideration of amendments to comprehensive
17 plans; providing amendment notice requirements; requiring
18 a public hearing; creating s. 193.018, F.S.; creating the
19 Affordable Housing Property Tax Relief Initiative;
20 providing criteria to be used in assessing just valuation
21 of certain affordable housing properties serving
22 extremely-low-income persons, low-income persons,
23 moderate-income persons, and very-low-income persons;
24 providing assessment guidelines; authorizing certain
25 agreements to be considered a land use regulation and a
26 limitation on the highest and best use of the property;
27 creating s. 193.0185, F.S.; providing assessment criteria
28 for improvements used for permanently affordable housing

29 subject to a 99-year ground lease; amending s. 196.1978,
30 F.S.; revising an affordable housing property exemption to
31 require that the owner be a corporation not for profit or
32 a limited partnership the sole general partner of which is
33 such a corporation; expanding scope of exemption; amending
34 s. 420.0006, F.S.; removing a provision requiring the
35 Department of Community Affairs inspector general to
36 perform certain functions; removing a provision deeming
37 the Florida Housing Finance Corporation to be an agency
38 for certain purposes; amending s. 420.504, F.S.; providing
39 that the corporation is a state agency for purposes of the
40 state allocation pool; authorizing the corporation to
41 provide notice of internal review committee meetings by
42 publication on an Internet website; providing that the
43 corporation is not governed by certain provisions relating
44 to corporations not for profit; amending s. 420.506, F.S.;
45 deleting a provision relating to lease of certain state
46 employees; providing for the appointment of an inspector
47 general by the executive director of the corporation;
48 providing powers of the inspector general; providing
49 educational and experience requirements for the inspector
50 general; providing that the scope and assignment of the
51 audits shall be determined by the inspector general;
52 authorizing the executive director to direct the inspector
53 general to perform audits of special programs; providing
54 that audit workpapers and reports shall be public records;
55 providing reporting requirements for the inspector
56 general; amending s. 420.5061, F.S.; deleting obsolete

57 | provisions; removing a provision requiring all assets and
58 | liabilities and rights and obligations of the Florida
59 | Housing Finance Agency to be transferred to the
60 | corporation; providing that the corporation is the legal
61 | successor to the agency; removing a provision requiring
62 | the corporation to make transfers to certain trust funds;
63 | removing a provision requiring all state property in use
64 | by the agency to be transferred to and become the property
65 | of the corporation; amending s. 420.507, F.S.; providing
66 | the corporation the power to require that an agreement be
67 | recorded in the official records of the county where the
68 | real property is located; amending s. 420.5095, F.S.;
69 | removing pilot status of the Community Workforce Housing
70 | Innovation Program; requiring the corporation to establish
71 | a review committee for the program; providing for
72 | membership; requiring the corporation to establish a
73 | scoring system for evaluation and competitive ranking of
74 | applications; providing powers and duties of the
75 | committee; requiring the corporation board to make the
76 | final ranking and program participant decision; revising
77 | which projects may receive priority consideration for
78 | funding; requiring the processing of certain approvals of
79 | development orders or development permits to be expedited;
80 | providing applicant requirements; authorizing certain
81 | incentives to be offered by local governments for program
82 | participants; removing a requirement that the corporation
83 | review the success of the pilot program; amending s.
84 | 420.513, F.S.; providing exemption from taxes for certain

85 instruments issued in connection with the financing of
 86 certain housing; amending s. 420.606, F.S.; revising
 87 legislative findings and purpose of the training and
 88 technical assistance program; amending s. 420.9076, F.S.;
 89 increasing affordable housing advisory committee
 90 membership; providing membership criteria; authorizing the
 91 use of fewer members under certain circumstances; revising
 92 and providing duties of the advisory committee; creating
 93 s. 624.46226, F.S.; authorizing certain public housing
 94 authorities to create a self-insurance fund; exempting
 95 such authorities from certain taxes and assessments;
 96 providing an effective date.

97

98 Be It Enacted by the Legislature of the State of Florida:

99

100 Section 1. Subsection (4) of section 159.807, Florida
 101 Statutes, is amended to read:

102 159.807 State allocation pool.--

103 (4)(a) The state allocation pool shall also be used to
 104 provide written confirmations for private activity bonds that
 105 are to be issued by state agencies, which bonds, notwithstanding
 106 any other provisions of this part, shall receive priority in the
 107 use of the pool available at the time the notice of intent to
 108 issue such bonds is filed with the division.

109 ~~(b) This subsection does not apply to the Florida Housing~~
 110 ~~Finance Corporation.~~

111 ~~1. Until its allocation pursuant to s. 159.804(3) has been~~
 112 ~~exhausted, is unavailable, or is inadequate to provide an~~

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113 ~~allocation pursuant to s. 159.804(3) and any carryforwards of~~
114 ~~volume limitation from prior years for the same carryforward~~
115 ~~purpose, as that term is defined in s. 146 of the Code, as the~~
116 ~~bonds it intends to issue have been completely utilized or have~~
117 ~~expired.~~

118 ~~2. Prior to July 1 of any year, when housing bonds for~~
119 ~~which the Florida Housing Finance Corporation has made an~~
120 ~~assignment of its allocation permitted by s. 159.804(3)(c) have~~
121 ~~not been issued.~~

122 Section 2. Paragraphs (a), (b), (f), and (j) of subsection
123 (6) of section 163.3177, Florida Statutes, are amended to read:

124 163.3177 Required and optional elements of comprehensive
125 plan; studies and surveys.--

126 (6) In addition to the requirements of subsections (1)-(5)
127 and (12), the comprehensive plan shall include the following
128 elements:

129 (a) A future land use plan element designating proposed
130 future general distribution, location, and extent of the uses of
131 land for residential uses, commercial uses, industry,
132 agriculture, recreation, conservation, education, public
133 buildings and grounds, other public facilities, and other
134 categories of the public and private uses of land. Counties are
135 encouraged to designate rural land stewardship areas, pursuant
136 to the provisions of paragraph (11)(d), as overlays on the
137 future land use map. Each future land use category must be
138 defined in terms of uses included, and must include standards to
139 be followed in the control and distribution of population
140 densities and building and structure intensities. The proposed

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141 distribution, location, and extent of the various categories of
142 land use shall be shown on a land use map or map series which
143 shall be supplemented by goals, policies, and measurable
144 objectives. The future land use plan shall be based upon
145 surveys, studies, and data regarding the area, including the
146 amount of land required to accommodate anticipated growth; the
147 projected population of the area; the character of undeveloped
148 land; the availability of water supplies, public facilities, and
149 services; the need for redevelopment, including the renewal of
150 blighted areas and the elimination of nonconforming uses which
151 are inconsistent with the character of the community; the
152 compatibility of uses on lands adjacent to or closely proximate
153 to military installations; the need for affordable housing
154 adjacent to or closely proximate to employment centers; and, in
155 rural communities, the need for job creation, capital
156 investment, and economic development that will strengthen and
157 diversify the community's economy. The future land use plan may
158 designate areas for future planned development use involving
159 combinations of types of uses for which special regulations may
160 be necessary to ensure development in accord with the principles
161 and standards of the comprehensive plan and this act. The future
162 land use plan element shall include criteria to be used to
163 achieve the compatibility of adjacent or closely proximate lands
164 with military installations. If the local government elects to
165 provide transportation concurrency exceptions for trips
166 associated with affordable housing, the future land use plan
167 element shall include criteria used to determine how the local
168 government will determine what qualifies as affordable housing

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169 adjacent to or closely proximate to employment centers. In
170 addition, for rural communities, the amount of land designated
171 for future planned industrial use shall be based upon surveys
172 and studies that reflect the need for job creation, capital
173 investment, and the necessity to strengthen and diversify the
174 local economies, and shall not be limited solely by the
175 projected population of the rural community. The future land use
176 plan of a county may also designate areas for possible future
177 municipal incorporation. The land use maps or map series shall
178 generally identify and depict historic district boundaries and
179 shall designate historically significant properties meriting
180 protection. For coastal counties, the future land use element
181 must include, without limitation, regulatory incentives and
182 criteria that encourage the preservation of recreational and
183 commercial working waterfronts as defined in s. 342.07. The
184 future land use element must clearly identify the land use
185 categories in which public schools are an allowable use. When
186 delineating the land use categories in which public schools are
187 an allowable use, a local government shall include in the
188 categories sufficient land proximate to residential development
189 to meet the projected needs for schools in coordination with
190 public school boards and may establish differing criteria for
191 schools of different type or size. Each local government shall
192 include lands contiguous to existing school sites, to the
193 maximum extent possible, within the land use categories in which
194 public schools are an allowable use. The failure by a local
195 government to comply with these school siting requirements will
196 result in the prohibition of the local government's ability to

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197 amend the local comprehensive plan, except for plan amendments
198 described in s. 163.3187(1)(b), until the school siting
199 requirements are met. Amendments proposed by a local government
200 for purposes of identifying the land use categories in which
201 public schools are an allowable use are exempt from the
202 limitation on the frequency of plan amendments contained in s.
203 163.3187. The future land use element shall include criteria
204 that encourage the location of schools proximate to urban
205 residential areas to the extent possible and shall require that
206 the local government seek to collocate public facilities, such
207 as parks, libraries, and community centers, with schools to the
208 extent possible and to encourage the use of elementary schools
209 as focal points for neighborhoods. For schools serving
210 predominantly rural counties, defined as a county with a
211 population of 100,000 or fewer, an agricultural land use
212 category shall be eligible for the location of public school
213 facilities if the local comprehensive plan contains school
214 siting criteria and the location is consistent with such
215 criteria. Local governments required to update or amend their
216 comprehensive plan to include criteria and address compatibility
217 of adjacent or closely proximate lands with existing military
218 installations in their future land use plan element shall
219 transmit the update or amendment to the department by June 30,
220 2006.

221 (b)1. A traffic circulation element consisting of the
222 types, locations, and extent of existing and proposed major
223 thoroughfares and transportation routes, including bicycle and
224 pedestrian ways. The traffic circulation element shall reflect

225 how the pattern of development of the future land use element
 226 and map impact the transportation system. This may include, but
 227 is not limited to, consideration of appropriate land use mixes
 228 that will affect trip lengths, such as impact of housing
 229 locations to employment centers.

230 2. Transportation corridors, as defined in s. 334.03, may
 231 be designated in the traffic circulation element pursuant to s.
 232 337.273. If the transportation corridors are designated, the
 233 local government may adopt a transportation corridor management
 234 ordinance.

235 (f)1. A housing element consisting of standards, plans,
 236 and principles to be followed in:

237 a. The provision of housing for all current and
 238 anticipated future residents of the jurisdiction.

239 b. The elimination of substandard dwelling conditions.

240 c. The structural and aesthetic improvement of existing
 241 housing.

242 d. The provision of adequate sites for future housing,
 243 including housing for low-income, very low-income, and moderate-
 244 income families, mobile homes, and group home facilities and
 245 foster care facilities, with supporting infrastructure and
 246 public facilities.

247 e. The provision of ~~for~~ relocation housing and
 248 identification of historically significant and other housing for
 249 purposes of conservation, rehabilitation, or replacement.

250 f. The formulation of housing implementation programs.

251 g. The creation or preservation of affordable housing to
 252 minimize the need for additional local services and avoid the

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253 concentration of affordable housing units only in specific areas
254 of the jurisdiction.

255 h. The provision of housing adjacent to or closely
256 proximate to employment centers that reduce trip lengths and is
257 affordable to the employees and persons served by the employment
258 center.

259

260 The goals, objectives, and policies of the housing element must
261 be based on the data and analysis prepared on housing needs,
262 including the affordable housing needs assessment. State and
263 federal housing plans prepared on behalf of the local government
264 must be consistent with the goals, objectives, and policies of
265 the housing element. Local governments are encouraged to utilize
266 job training, job creation, and economic solutions to address a
267 portion of their affordable housing concerns.

268 2. To assist local governments in housing data collection
269 and analysis and assure uniform and consistent information
270 regarding the state's housing needs, the state land planning
271 agency shall conduct an affordable housing needs assessment for
272 all local jurisdictions on a schedule that coordinates the
273 implementation of the needs assessment with the evaluation and
274 appraisal reports required by s. 163.3191. Each local government
275 shall utilize the data and analysis from the needs assessment as
276 one basis for the housing element of its local comprehensive
277 plan. The agency shall allow a local government the option to
278 perform its own needs assessment, if it uses the methodology
279 established by the agency by rule.

280 3. The housing element shall contain goals and policies to

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281 guide the local government in facilitating private and public
282 provision of affordable housing to serve the residents and
283 workforce with consideration given to recommendations by the
284 affordable housing advisory committee pursuant to s. 420.9076,
285 if applicable.

286 (j) For each unit of local government within an urbanized
287 area designated for purposes of s. 339.175, a transportation
288 element, which shall be prepared and adopted in lieu of the
289 requirements of paragraph (b) and paragraphs (7)(a), (b), (c),
290 and (d) and which shall address the following issues:

291 1. Traffic circulation, including major thoroughfares and
292 other routes, including bicycle and pedestrian ways.

293 2. All alternative modes of travel, such as public
294 transportation, pedestrian, and bicycle travel.

295 3. Parking facilities.

296 4. Aviation, rail, seaport facilities, access to those
297 facilities, and intermodal terminals.

298 5. The availability of facilities and services to serve
299 existing land uses and the compatibility between future land use
300 and transportation elements.

301 6. The capability to evacuate the coastal population prior
302 to an impending natural disaster.

303 7. Airports, projected airport and aviation development,
304 and land use compatibility around airports.

305 8. An identification of land use densities, building
306 intensities, and transportation management programs to promote
307 public transportation systems in designated public
308 transportation corridors so as to encourage population densities

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309 sufficient to support such systems.

310 9. An identification of how the pattern of development of
311 the future land use element and map impact the transportation
312 system. This may include, but not be limited to, consideration
313 of appropriate land use mixes that will affect trip lengths,
314 such as impact of housing locations to employment centers.

315 ~~10.9-~~ May include transportation corridors, as defined in
316 s. 334.03, intended for future transportation facilities
317 designated pursuant to s. 337.273. If transportation corridors
318 are designated, the local government may adopt a transportation
319 corridor management ordinance.

320 Section 3. Subsection (5) of section 163.3180, Florida
321 Statutes, is amended to read:

322 163.3180 Concurrency.--

323 (5) (a) The Legislature finds that under limited
324 circumstances dealing with transportation facilities,
325 countervailing planning and public policy goals may come into
326 conflict with the requirement that adequate public facilities
327 and services be available concurrent with the impacts of such
328 development. The Legislature further finds that often the
329 unintended result of the concurrency requirement for
330 transportation facilities is the discouragement of urban infill
331 development and redevelopment. Such unintended results directly
332 conflict with the goals and policies of the state comprehensive
333 plan and the intent of this part. Therefore, exceptions from the
334 concurrency requirement for transportation facilities may be
335 granted as provided by this subsection.

336 (b) A local government may grant an exception from the

337 concurrency requirement for transportation facilities if the
 338 proposed development is otherwise consistent with the adopted
 339 local government comprehensive plan and is a project that
 340 promotes public transportation, provides affordable housing in
 341 close proximity to employment centers, or is located within an
 342 area designated in the comprehensive plan for:

- 343 1. Urban infill development,
- 344 2. Urban redevelopment,
- 345 3. Downtown revitalization, or
- 346 4. Urban infill and redevelopment under s. 163.2517.

347 (c) The Legislature also finds that developments located
 348 within urban infill, urban redevelopment, existing urban
 349 service, or downtown revitalization areas or areas designated as
 350 urban infill and redevelopment areas under s. 163.2517 which
 351 pose only special part-time demands on the transportation system
 352 should be excepted from the concurrency requirement for
 353 transportation facilities. A special part-time demand is one
 354 that does not have more than 200 scheduled events during any
 355 calendar year and does not affect the 100 highest traffic volume
 356 hours.

357 (d) The Legislature finds that where residential units are
 358 placed in close proximity to places of employment to reduce the
 359 burden on transportation facilities, and where the units are
 360 developed in a manner to be affordable to the workforce of that
 361 employment center, local governments should consider the
 362 systemwide benefits to the transportation system and may exempt
 363 trips associated with the residential units from concurrency if
 364 locating additional residential units in specific areas will

365 reduce long trip length burdens on the larger transportation
366 system.

367 (e)~~(d)~~ A local government shall establish guidelines in
368 the comprehensive plan for granting the exceptions authorized in
369 paragraphs (b), and (c), and (d) and subsections (7) and (15)
370 which must be consistent with and support a comprehensive
371 strategy adopted in the plan to promote the purpose of the
372 exceptions.

373 (f)~~(e)~~ The local government shall adopt into the plan and
374 implement strategies to support and fund mobility within the
375 designated exception area, including alternative modes of
376 transportation. The plan amendment shall also demonstrate how
377 strategies will support the purpose of the exception and how
378 mobility within the designated exception area will be provided.
379 In addition, the strategies must address urban design;
380 appropriate land use mixes, including intensity and density; and
381 network connectivity plans needed to promote urban infill,
382 redevelopment, or downtown revitalization. The comprehensive
383 plan amendment designating the concurrency exception area shall
384 be accompanied by data and analysis justifying the size of the
385 area.

386 (g)~~(f)~~ Prior to the designation of a concurrency exception
387 area, the Department of Transportation shall be consulted by the
388 local government to assess the impact that the proposed
389 exception area is expected to have on the adopted level-of-
390 service standards established for Strategic Intermodal System
391 facilities, as defined in s. 339.64, and roadway facilities
392 funded in accordance with s. 339.2819. Further, the local

393 government shall, in cooperation with the Department of
 394 Transportation, develop a plan to mitigate any impacts to the
 395 Strategic Intermodal System, including, if appropriate, the
 396 development of a long-term concurrency management system
 397 pursuant to subsection (9) and s. 163.3177(3)(d). The exceptions
 398 may be available only within the specific geographic area of the
 399 jurisdiction designated in the plan. Pursuant to s. 163.3184,
 400 any affected person may challenge a plan amendment establishing
 401 these guidelines and the areas within which an exception could
 402 be granted.

403 (h) ~~(g)~~ Transportation concurrency exception areas existing
 404 prior to July 1, 2005, shall meet, at a minimum, the provisions
 405 of this section by July 1, 2006, or at the time of the
 406 comprehensive plan update pursuant to the evaluation and
 407 appraisal report, whichever occurs last.

408 Section 4. Paragraph (p) is added to subsection (1) of
 409 section 163.3187, Florida Statutes, to read:

410 163.3187 Amendment of adopted comprehensive plan.--

411 (1) Amendments to comprehensive plans adopted pursuant to
 412 this part may be made not more than two times during any
 413 calendar year, except:

414 (p) Notwithstanding the provisions of s. 163.3184(3)-(6),
 415 any local government may identify in its comprehensive plan the
 416 types of housing development and conditions under which it will
 417 expedite consideration of amendments consistent with the local
 418 housing incentive strategies identified in s. 420.9076 and
 419 authorized by the local government. At least 30 days prior to
 420 adopting a plan amendment pursuant to this subsection, the local

421 government shall notify the state land planning agency of its
 422 intent to adopt such an amendment, and the notice shall include
 423 the local government's evaluation related to site suitability
 424 and availability of facilities and services. The public notice
 425 of the hearing required by s. 163.3184(15)(e) shall include a
 426 statement that the local government intends to utilize the
 427 expedited adoption process authorized by this subsection. Such
 428 amendments shall require only a single public hearing before the
 429 governing board, which shall be an adoption hearing as described
 430 in s. 163.3184(7), and the state land planning agency shall
 431 issue its notice of intent pursuant to s. 163.3184(8) within 30
 432 days after determining that the amendment package is complete.
 433 Any further proceedings shall be governed by ss. 163.3184(9)-
 434 (16).

435 Section 5. Section 193.018, Florida Statutes, is created
 436 to read:

437 193.018 Affordable Housing Property Tax Relief
 438 Initiative.--

439 (1) For the purpose of assessing just valuation of
 440 affordable housing properties serving extremely-low-income
 441 persons, low-income persons, moderate-income persons, and very-
 442 low-income persons, as defined in s. 420.0004(8), (10), (11),
 443 and (15), the actual rental income from rent-restricted units in
 444 such a property shall be recognized by the property appraiser
 445 for assessment purposes, and a rental income approach pursuant
 446 to s. 193.011(7) shall be used for assessment of the following
 447 affordable housing properties:

448 (a) Properties that are funded by the United States
449 Department of Housing and Urban Development under s. 8 of the
450 United States Housing Act of 1937 that is used to provide
451 affordable housing serving eligible persons as defined by s.
452 159.603(7) and elderly persons, extremely-low-income persons,
453 and very-low-income persons as defined by s. 420.0004(7), (8),
454 and (15) and that has undergone financial restructuring as
455 provided in s. 501, Title V, Subtitle A of the Multifamily
456 Assisted Housing Reform and Affordability Act of 1997;

457 (b) Multifamily, farmworker, or elderly rental properties
458 that are funded by the Florida Housing Finance Corporation under
459 ss. 420.5087 and 420.5089 and the State Housing Initiatives
460 Partnership Program under ss. 420.9072 and 420.9075, s. 42 of
461 the Internal Revenue Code, 26 U.S.C. s. 42; the HOME Investment
462 Partnership Program under the Cranston-Gonzalez National
463 Affordable Housing Act, 42 U.S.C. ss. 12741 et seq.; or the
464 Federal Home Loan Banks' Affordable Housing Program established
465 pursuant to the Financial Institutions Reform, Recovery and
466 Enforcement Act of 1989, Pub. L. No. 101-73; or

467 (c) Multifamily residential rental properties of 10 or
468 more units that are deed restricted as affordable housing and
469 certified by the local housing agency as having 100 percent of
470 its units providing affordable housing to extremely-low-income
471 persons, low-income persons, moderate-income persons, and very-
472 low-income persons, as defined by s. 420.0004(8), (10), (11),
473 and (15).

474 (2) Properties used for affordable housing which have
475 received a low-income housing tax credit from the Florida

476 Housing Finance Corporation, as authorized by s. 420.5099, shall
 477 be assessed with the rental income approach under s. 193.011(7)
 478 and, consistent with s. 420.5099(5) and (6), pursuant to this
 479 section, the following assumptions shall apply:

480 (a) The tax credits granted and the financing generated by
 481 the tax credits may not be considered as income to the property.

482 (b) The actual rental income from rent-restricted units in
 483 such a property shall be recognized by the property appraiser as
 484 the real rents for assessing just value.

485 (c) Any costs paid for by tax credits and costs paid for
 486 by additional financing proceeds received under chapter 420 may
 487 not be included in the valuation of the property.

488 (3) If an extended low-income housing agreement is filed
 489 in the official public records of the county in which an
 490 affordable housing property serving extremely-low-income
 491 persons, low-income persons, moderate-income persons, and very-
 492 low-income persons, as defined in s. 420.0004(8), (10), (11),
 493 and (15), is located, the agreement and any recorded amendment
 494 or supplement thereto shall be considered a land use regulation
 495 and a limitation on the highest and best use of the property
 496 during the term of the agreement, amendment, or supplement.

497 Section 6. Section 193.0185, Florida Statutes, is created
 498 to read:

499 193.0185 Community land trusts.--Improvements used for
 500 permanently affordable housing subject to a 99-year ground lease
 501 shall be assessed under s. 193.011 as follows:

502 (1) The amount a willing purchaser would pay a willing
 503 seller is limited to the restricted resale price permitted under

504 the 99-year ground lease.

505 (2) If a 99-year ground lease agreement or memorandum of
 506 such agreement containing a resale restriction for the purpose
 507 of proving permanently affordable housing is filed in the
 508 official records of the county in which the property is located,
 509 the lease agreement and any amendment or supplement thereto
 510 shall be considered a land use regulation and a limitation on
 511 the highest and best use of the property during the term of the
 512 lease or lease renewal.

513 Section 7. Section 196.1978, Florida Statutes, is amended
 514 to read:

515 196.1978 Affordable housing property exemption.--Property
 516 used to provide affordable housing serving eligible persons as
 517 defined by s. 159.603(7) and persons meeting income limits
 518 specified in s. 420.0004(8), (10), (11), and (15), which
 519 property is owned entirely by a nonprofit entity that ~~which~~ is
 520 qualified as charitable under s. 501(c)(3) of the Internal
 521 Revenue Code, that ~~and which~~ complies with Rev. Proc. 96-32,
 522 1996-1 C.B. 717, and that must be a corporation not for profit
 523 pursuant to chapter 617 or a limited partnership formed under
 524 the laws of this state the sole general partner of which is a
 525 corporation not for profit pursuant to chapter 617, shall be
 526 considered property owned by an exempt entity and used for a
 527 charitable purpose, and those portions of the affordable housing
 528 property which provide housing to individuals with incomes as
 529 defined in s. 420.0004(10) and (15) shall be exempt from ad
 530 valorem taxation to the extent authorized in s. 196.196. All
 531 property identified in this section shall comply with the

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532 criteria for determination of exempt status to be applied by
533 property appraisers on an annual basis as defined in s. 196.195.
534 The Legislature intends that any property owned by a limited
535 liability company or limited liability partnership which is
536 disregarded as an entity for federal income tax purposes
537 pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) shall be
538 treated as owned by its sole member. The exemption provided in
539 this section shall also extend to land that is owned by an
540 exempt entity subject to a 99-year ground lease for the purpose
541 of providing permanently affordable housing.

542 Section 8. Section 420.0006, Florida Statutes, is amended
543 to read:

544 420.0006 Authority to contract with corporation; contract
545 requirements; nonperformance.--The secretary of the department
546 shall contract, notwithstanding the provisions of part I of
547 chapter 287, with the Florida Housing Finance Corporation on a
548 multiyear basis to stimulate, provide, and foster affordable
549 housing in the state. The contract must incorporate the
550 performance measures required by s. 420.511 and must be
551 consistent with the provisions of the corporation's strategic
552 plan prepared in accordance with s. 420.511 and compatible with
553 s. 216.0166. The contract must provide that, in the event the
554 corporation fails to comply with any of the performance measures
555 required by s. 420.511, the secretary shall notify the Governor
556 and shall refer the nonperformance to the department's inspector
557 general for review and determination as to whether such failure
558 is due to forces beyond the corporation's control or whether
559 such failure is due to inadequate management of the

560 corporation's resources. Advances shall continue to be made
 561 pursuant to s. 420.0005 during the pendency of the review by the
 562 department's inspector general. If such failure is due to
 563 outside forces, it shall not be deemed a violation of the
 564 contract. If such failure is due to inadequate management, the
 565 department's inspector general shall provide recommendations
 566 regarding solutions. The Governor is authorized to resolve any
 567 differences of opinion with respect to performance under the
 568 contract and may request that advances continue in the event of
 569 a failure under the contract due to inadequate management. The
 570 Chief Financial Officer shall approve the request absent a
 571 finding by the Chief Financial Officer that continuing such
 572 advances would adversely impact the state; however, in any event
 573 the Chief Financial Officer shall provide advances sufficient to
 574 meet the debt service requirements of the corporation and
 575 sufficient to fund contracts committing funds from the State
 576 Housing Trust Fund so long as such contracts are in accordance
 577 with the laws of this state. ~~The department inspector general~~
 578 ~~shall perform for the corporation the functions set forth in s.~~
 579 ~~20.055 and report to the secretary of the department. The~~
 580 ~~corporation shall be deemed an agency for the purposes of s.~~
 581 ~~20.055.~~

582 Section 9. Subsection (2) of section 420.504, Florida
 583 Statutes, is amended to read:

584 420.504 Public corporation; creation, membership, terms,
 585 expenses.--

586 (2) The corporation is constituted as a public
 587 instrumentality, and the exercise by the corporation of the

588 power conferred by this act is considered to be the performance
 589 of an essential public function. The corporation shall
 590 constitute an agency for the purposes of s. 120.52. The
 591 corporation is a state agency for purposes of s. 159.807(4). The
 592 corporation is subject to chapter 119, subject to exceptions
 593 applicable to the corporation, and to the provisions of chapter
 594 286; however, the corporation shall be entitled to provide
 595 notice of internal review committee meetings for competitive
 596 proposals or procurement to applicants by mail, ~~or~~ facsimile, or
 597 publication on an Internet website, rather than by means of
 598 publication. The corporation is not governed by chapter 607 or
 599 chapter 617, but by the provisions of this part. If for any
 600 reason the establishment of the corporation is deemed in
 601 violation of law, such provision is severable and the remainder
 602 of this act remains in full force and effect.

603 Section 10. Section 420.506, Florida Statutes, is amended
 604 to read:

605 420.506 Executive director; inspector general; agents and
 606 employees.--

607 (1) The appointment and removal of an executive director
 608 shall be by the Secretary of Community Affairs, with the advice
 609 and consent of the corporation's board of directors. The
 610 executive director shall employ legal and technical experts and
 611 such other agents and employees, permanent and temporary, as the
 612 corporation may require, and shall communicate with and provide
 613 information to the Legislature with respect to the corporation's
 614 activities. The board is authorized, notwithstanding the
 615 provisions of s. 216.262, to develop and implement rules

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616 regarding the employment of employees of the corporation and
617 service providers, including legal counsel. ~~The corporation is~~
618 ~~authorized to enter into a lease agreement with the Department~~
619 ~~of Management Services or the Department of Community Affairs~~
620 ~~for the lease of state employees from such entities, wherein an~~
621 ~~employee shall retain his or her status as a state employee but~~
622 ~~shall work under the direct supervision of the corporation, and~~
623 ~~shall retain the right to participate in the Florida Retirement~~
624 ~~System.~~

625 (2) (a) The inspector general shall be appointed by the
626 executive director. Such appointment shall be without regard to
627 political affiliation.

628 (b) The inspector general shall report to and be under the
629 general supervision of the executive director and shall not be
630 subject to supervision by any other employee of the corporation.

631 (c) The inspector general may be removed from office by
632 the board of directors.

633 (d) The executive director, employees, or board of
634 directors shall not prevent or prohibit the inspector general
635 from initiating, carrying out, or completing any audit or
636 investigation.

637 (e) To ensure that corporation audits are performed in
638 accordance with applicable auditing standards, the inspector
639 general shall possess the following education and experience
640 qualifications:

641 1. A bachelor's degree from an accredited college or
642 university with a major in accounting and 5 years of experience;

643 2. A master's degree in accounting from an accredited

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644 college or university and 4 years of experience; or

645 3. A certified public accountant license issued pursuant
646 to chapter 473 or a certified internal audit certificate issued
647 by the Institute of Internal Auditors or earned by examination,
648 and 4 years of experience.

649
650 Experience shall be as an internal auditor or independent
651 postauditor, information systems auditor, or any combination
652 thereof and shall at a minimum consist of audits of units of
653 government or private business enterprises, operating for profit
654 or not for profit.

655 (f) The scope and assignment of the audits shall be
656 determined by the inspector general; however, the executive
657 director or the board of directors may at any time direct the
658 inspector general to perform an audit of a special program,
659 function, or organizational unit.

660 (g) Audit workpapers and reports shall be public records
661 to the extent that they do not include information that has been
662 made confidential and exempt from the provisions of s. 119.07(1)
663 pursuant to law. However, when the inspector general or a member
664 of the staff receives from an individual a complaint or
665 information that falls within the definition provided in s.
666 112.3187(5), the name or identity of the individual shall not be
667 disclosed to anyone without the written consent of the
668 individual as provided in s. 112.3188, unless the inspector
669 general determines that such disclosure is unavoidable during
670 the course of the audit or investigation.

671 (h) The inspector general and his or her staff shall have

672 access to any records, data, and other information of the
 673 corporation he or she deems necessary to carry out his or her
 674 duties. The inspector general is also authorized to request such
 675 information or assistance as may be necessary from the
 676 corporation or from any federal, state, or local governmental
 677 entity.

678 (i) At the conclusion of each audit, the inspector general
 679 shall submit preliminary findings and recommendations to the
 680 person responsible for supervision of the program function or
 681 operational unit who shall respond to any adverse findings
 682 within 20 working days after receipt of the tentative findings.
 683 Such response and the inspector general's rebuttal to the
 684 response shall be included in the final audit report.

685 (j) The inspector general shall submit the final report to
 686 the executive director and to the board of directors.

687 (3) The board of directors of the corporation is entitled
 688 to establish travel procedures and guidelines for employees of
 689 the corporation. The executive director's office and the
 690 corporation's files and records must be located in Leon County.

691 Section 11. Section 420.5061, Florida Statutes, is amended
 692 to read:

693 420.5061 Transfer of agency assets and
 694 liabilities. ~~Effective January 1, 1998, all assets and~~
 695 ~~liabilities and rights and obligations, including any~~
 696 ~~outstanding contractual obligations, of the agency shall be~~
 697 ~~transferred to~~ The corporation is the as legal successor in all
 698 respects to the agency, ~~and~~ the corporation is ~~shall thereupon~~
 699 ~~become~~ obligated to the same extent as the agency under any

700 ~~existing~~ agreements existing on December 31, 1997, and is be
 701 entitled to any rights and remedies previously afforded the
 702 agency by law or contract, including specifically the rights of
 703 the agency under chapter 201 and part VI of chapter 159. The
 704 ~~corporation is a state agency for purposes of s. 159.807(4)(a).~~
 705 Effective January 1, 1998, all references under Florida law to
 706 the agency are deemed to mean the corporation. ~~The corporation~~
 707 ~~shall transfer to the General Revenue Fund an amount which~~
 708 ~~otherwise would have been deducted as a service charge pursuant~~
 709 ~~to s. 215.20(1) if the Florida Housing Finance Corporation Fund~~
 710 ~~established by s. 420.508(5), the State Apartment Incentive Loan~~
 711 ~~Fund established by s. 420.5087(7), the Florida Homeownership~~
 712 ~~Assistance Fund established by s. 420.5088(4), the HOME~~
 713 ~~Investment Partnership Fund established by s. 420.5089(1), and~~
 714 ~~the Housing Predevelopment Loan Fund established by s.~~
 715 ~~420.525(1) were each trust funds.~~ For purposes of s. 112.313,
 716 the corporation is deemed to be a continuation of the agency,
 717 and the provisions thereof are deemed to apply as if the same
 718 entity remained in place. Any employees of the agency and agency
 719 board members covered by s. 112.313(9)(a)6. shall continue to be
 720 entitled to the exemption in that subparagraph, notwithstanding
 721 being hired by the corporation or appointed as board members of
 722 the corporation. ~~Effective January 1, 1998, all state property~~
 723 ~~in use by the agency shall be transferred to and become the~~
 724 ~~property of the corporation.~~

725 Section 12. Subsection (46) is added to section 420.507,
 726 Florida Statutes, to read:

727 420.507 Powers of the corporation.--The corporation shall

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728 have all the powers necessary or convenient to carry out and
 729 effectuate the purposes and provisions of this part, including
 730 the following powers which are in addition to all other powers
 731 granted by other provisions of this part:

732 (46) To require, as a condition of financing a multifamily
 733 rental project, that an agreement be recorded in the official
 734 records of the county where the real property is located, which
 735 requires that the project be used for housing defined as
 736 affordable in s. 420.0004(3) by persons defined in 420.0004(8),
 737 (10), (11), and (15). Such an agreement is a state land use
 738 regulation that limits the highest and best use of the property
 739 within the meaning of s. 193.011(2).

740 Section 13. Section 420.5095, Florida Statutes, is amended
 741 to read:

742 420.5095 Community Workforce Housing Innovation ~~Pilot~~
 743 Program.--

744 (1) The Legislature finds and declares that recent rapid
 745 increases in the median purchase price of a home and the cost of
 746 rental housing have far outstripped the increases in median
 747 income in the state, preventing essential services personnel
 748 from living in the communities where they serve and thereby
 749 creating the need for innovative solutions for the provision of
 750 housing opportunities for essential services personnel.

751 (2) The Community Workforce Housing Innovation ~~Pilot~~
 752 Program is created to provide affordable rental and home
 753 ownership community workforce housing for essential services
 754 personnel affected by the high cost of housing, using regulatory
 755 incentives and state and local funds to promote local public-

756 private partnerships and leverage government and private
757 resources.

758 (3) For purposes of this section, the following
759 definitions apply:

760 (a) "Workforce housing" means housing affordable to
761 natural persons or families whose total annual household income
762 does not exceed 140 percent of the area median income, adjusted
763 for household size, or 150 percent of area median income,
764 adjusted for household size, in areas of critical state concern
765 designated under s. 380.05, for which the Legislature has
766 declared its intent to provide affordable housing, and areas
767 that were designated as areas of critical state concern for at
768 least 20 consecutive years prior to removal of the designation.

769 (b) "Essential services personnel" means persons in need
770 of affordable housing who are employed in occupations or
771 professions in which they are considered essential services
772 personnel, as defined by each county and eligible municipality
773 within its respective local housing assistance plan pursuant to
774 s. 420.9075(3)(a).

775 (c) "Public-private partnership" means any form of
776 business entity that includes substantial involvement of at
777 least one county, one municipality, or one public sector entity,
778 such as a school district or other unit of local government in
779 which the project is to be located, and at least one private
780 sector for-profit or not-for-profit business or charitable
781 entity, and may be any form of business entity, including a
782 joint venture or contractual agreement.

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783 (4) The Florida Housing Finance Corporation is authorized
784 to provide Community Workforce Housing Innovation ~~Pilot~~ Program
785 loans to an applicant for new construction or rehabilitation of
786 workforce housing in eligible areas. The corporation shall
787 establish a funding process and selection criteria by rule ~~or~~
788 ~~request for proposals~~. This funding is intended to be used with
789 other public and private sector resources.

790 (5)(a) The corporation shall provide by rule for the
791 establishment of a review committee composed of corporation
792 staff and, in addition, may include three private citizens
793 representing the areas of housing or real estate development,
794 banking, community planning, or other areas related to the
795 development or financing of workforce affordable housing. The
796 review and selection process shall include a process for curing
797 minor errors in the applications. The corporation shall
798 establish by rule a scoring system for evaluation and
799 competitive ranking of applications submitted in this program,
800 including, but not limited to, the following criteria:

801 1. Private and public sector entities' involvement as
802 partners in the project.

803 2. The sponsor's agreement to reserve more than:

804 a. Eighty percent of the units in the project for persons
805 or families who have incomes that do not exceed 140 percent of
806 the area median income adjusted for household size. In areas of
807 critical state concern designated under s. 380.05, for which the
808 Legislature has declared its intent to provide affordable
809 housing, and in areas that were designated as areas of critical
810 state concern for at least 20 consecutive years prior to removal

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811 of the designation, the area median income served may not exceed
812 150 percent of area median income, adjusted for household size;
813 or

814 b. Fifty percent of the units in the project for essential
815 services personnel.

816 3. Projects requiring the least amount of a community
817 workforce housing loan compared to overall project cost.

818 4. Contributions to the project.

819 5. Local government comprehensive planning, zoning,
820 permitting, and other regulatory and financial incentives that
821 promote workforce housing.

822 6. Proximity to employment centers and transportation
823 facilities.

824 7. Project feasibility.

825 8. Economic viability of the project.

826 9. Commitment of first mortgage financing.

827 10. The sponsor's prior affordable housing development and
828 management experience.

829 11. The sponsor's ability to proceed with construction.

830 (b) The corporation may reject any and all applications.

831 (c) The corporation may approve and reject applications
832 for the purpose of achieving geographic and demographic
833 targeting.

834 (d) The review committee established pursuant to this
835 subsection shall make recommendations to the board of directors
836 of the corporation regarding program participation under the
837 Community Workforce Housing Innovation Program.

838 (e) The corporation board shall make the final ranking and
 839 the decisions regarding which applicants shall become program
 840 participants based on the scores received in the competitive
 841 ranking, further review of applications, and the recommendations
 842 of the review committee. The corporation board shall approve or
 843 reject applications for loans and shall determine the tentative
 844 loan amount available to each applicant selected for
 845 participation in the program. The maximum loan amount shall be
 846 determined pursuant to rule adopted by the corporation.

847 (6)-(5) The corporation shall provide incentives for local
 848 governments in eligible areas to use local affordable housing
 849 funds, such as those from the State Housing Initiatives
 850 Partnership Program, to assist in meeting the affordable housing
 851 needs of persons eligible under this program. Local governments
 852 are authorized to utilize State Housing Initiatives Partnership
 853 Program funds for residents with incomes up to 120 percent of
 854 the area median income in workforce housing projects funded
 855 under this program.

856 (7)-(6) Funding shall be targeted to innovative projects in
 857 areas where:

858 (a) The disparity between the area median income and the
 859 median sales price for a single-family home is greatest;;~~and~~
 860 ~~for projects in areas where~~

861 (b) The population growth as a percentage rate of increase
 862 is greatest; and

863 (c) There is a demonstrated need for workforce housing for
 864 essential services personnel and ~~. The corporation may also fund~~
 865 ~~projects in areas where innovative regulatory and financial~~

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866 incentives are made available.

867

868 The corporation shall fund at least one eligible project in as
869 many counties as possible and make every effort to fund projects
870 in every region of the state.

871 (8)~~(7)~~ Projects shall receive priority consideration for
872 funding where:

873 (a) The local jurisdiction has adopted, or is committed to
874 adopting, adopts appropriate regulatory incentives, local
875 contributions or financial strategies, or other funding sources
876 to promote the development and ongoing financial viability of
877 such projects. Local incentives include such actions as
878 expediting review of development orders and permits, supporting
879 development near transportation hubs and major employment
880 centers, and adopting land development regulations designed to
881 allow flexibility in densities, use of accessory units, mixed-
882 use developments, and flexible lot configurations. Financial
883 strategies include such actions as promoting employer-assisted
884 housing programs, providing tax increment financing, and
885 providing land.

886 (b) Projects are innovative and include new construction
887 or rehabilitation, mixed-income housing, or commercial and
888 housing mixed-use elements and those that promote homeownership.
889 The program funding shall not exceed the costs attributable to
890 the portion of the project that is set aside to provide housing
891 for the targeted population.

892 (c) Projects that set aside at least 80 percent of units
893 for workforce housing and at least 50 percent for essential

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894 services personnel and for projects that require the least
895 amount of program funding compared to the overall housing costs
896 for the project.

897 (9)~~(8)~~ Notwithstanding the provisions of s. 163.3184(3)-
898 (6), any local government comprehensive plan amendment to
899 implement a Community Workforce Housing Innovation ~~Pilot~~ Program
900 project found consistent with the provisions of this section
901 shall be expedited as provided in this subsection. At least 30
902 days prior to adopting a plan amendment pursuant to this
903 subsection, the local government shall notify the state land
904 planning agency of its intent to adopt such an amendment, and
905 the notice shall include its evaluation related to site
906 suitability and availability of facilities and services. The
907 public notice of the hearing required by s. 163.3184(15)(e)
908 shall include a statement that the local government intends to
909 utilize the expedited adoption process authorized by this
910 subsection. Such amendments shall require only a single public
911 hearing before the governing board, which shall be an adoption
912 hearing as described in s. 163.3184(7), and the state land
913 planning agency shall issue its notice of intent pursuant to s.
914 163.3184(8) within 30 days after determining that the amendment
915 package is complete. Any further proceedings shall be governed
916 by ss. 163.3184(9)-(16). Amendments proposed under this section
917 are not subject to the restriction of s. 163.3187(1) limiting
918 the adoption of a comprehensive plan amendment to no more than
919 two times during any calendar year.

920 (10) The processing of approvals of development orders or
 921 development permits, as defined in s. 163.3164(7) and (8), for
 922 affordable housing projects shall be expedited.

923 ~~(11)(9)~~ The corporation shall award loans with interest
 924 rates set at 1 to 3 percent, which may be made forgivable when
 925 long-term affordability is provided and when at least 80 percent
 926 of the units are set aside for workforce housing and at least 50
 927 percent of the units are set aside for essential services
 928 personnel.

929 ~~(12)(10)~~ All eligible applications shall:

930 (a) For home ownership, limit the sales price of a
 931 detached unit, townhome, or condominium unit to not more than 90
 932 ~~80~~ percent of the median sales price for that type of unit in
 933 that county, or the statewide median sales price for that type
 934 of unit, whichever is higher, and require that all eligible
 935 purchasers of home ownership units occupy the homes as their
 936 primary residence.

937 (b) For rental units, restrict rents for all workforce
 938 housing serving those with incomes at or below 120 percent of
 939 area median income at the appropriate income level using the
 940 restricted rents for the federal low-income housing tax credit
 941 program and, for workforce housing units serving those with
 942 incomes above 120 percent of area median income, restrict rents
 943 to those established by the corporation, not to exceed 30
 944 percent of the maximum household income adjusted to unit size.

945 (c) Demonstrate that the applicant is a public-private
 946 partnership in an agreement, contract, partnership agreement,

947 memorandum of understanding, or other written instrument signed
 948 by all the project partners.

949 (d) Have grants, donations of land, or contributions from
 950 the public-private partnership or other sources collectively
 951 totaling at least 10 ~~15~~ percent of the total development cost or
 952 \$2 million, whichever is less. Such grants, donations of land,
 953 or contributions must be evidenced by a letter of commitment, an
 954 agreement, contract, deed, memorandum of understanding, or other
 955 written instrument ~~only~~ at the time of application. Grants,
 956 donations of land, or contributions in excess of 10 ~~15~~ percent
 957 of the development cost shall increase the application score.

958 (e) Demonstrate how the applicant will use the regulatory
 959 incentives and financial strategies outlined in paragraph (7)(a)
 960 and subsection (13) from the local jurisdiction in which the
 961 proposed project is to be located. The corporation may consult
 962 with the Department of Community Affairs in evaluating the use
 963 of regulatory incentives by applicants.

964 (f) Demonstrate that the applicant possesses title to or
 965 site control of land and evidences availability of required
 966 infrastructure.

967 ~~(g) Demonstrate the applicant's affordable housing~~
 968 ~~development and management experience.~~

969 ~~(h) Provide any research or facts available supporting the~~
 970 ~~demand and need for rental or home ownership workforce housing~~
 971 ~~for eligible persons in the market in which the project is~~
 972 ~~proposed.~~

973 (13) Local governments are authorized to make available to
 974 approved Community Workforce Housing Innovation Program projects

975 workforce housing incentives to promote the financial viability,
976 successful development, and ongoing maintenance of these housing
977 developments, including, but not limited to:

978 (a) Impact fees may be reduced by 50 percent, may be
979 waived entirely, or may be deferred by the local government, or
980 an applicant shall be provided with an alternative method of fee
981 payment by the local government in which the proposed project is
982 to be located.

983 (b) Increased density levels or higher density per acre
984 may be allowed.

985 (c) The infrastructure capacity in the local comprehensive
986 plan for affordable housing may be reserved for these
987 communities.

988 (d) Additional affordable residential units in residential
989 zoning districts may be allowed.

990 (e) Open space and setback requirements for affordable
991 housing may be reduced by 50 percent.

992 (f) Zero-lot-line configurations may be allowed.

993 (g) Trips associated with affordable housing in close
994 proximity of employment centers may be exempt from
995 transportation concurrency pursuant to s. 163.3180(5)(d).

996 (h) Local transportation infrastructure funding may be
997 prioritized by local metropolitan planning organizations.

998 (i) Local State Housing Initiatives Partnership program
999 funds may be used to support construction of workforce housing
1000 projects and down payment assistance for residents with incomes
1001 that do not exceed 120 percent of the area median income
1002 residing in such projects.

1003 (j) Tax increment financing may be made available to
 1004 workforce housing projects to assist in maintaining long term
 1005 affordability of the units.

1006 ~~(14)(11)~~ Projects may include manufactured housing
 1007 constructed after June 1994 and installed in accordance with
 1008 mobile home installation standards of the Department of Highway
 1009 Safety and Motor Vehicles.

1010 ~~(15)(12)~~ The corporation may adopt rules pursuant to ss.
 1011 120.536(1) and 120.54 to implement the provisions of this
 1012 section.

1013 ~~(16)(13)~~ The corporation may use a maximum of 2 percent of
 1014 the annual program appropriation for administration and
 1015 compliance monitoring.

1016 ~~(14) The corporation shall review the success of the~~
 1017 ~~Community Workforce Housing Innovation Pilot Program to~~
 1018 ~~ascertain whether the projects financed by the program are~~
 1019 ~~useful in meeting the housing needs of eligible areas. The~~
 1020 ~~corporation shall submit its report and any recommendations~~
 1021 ~~regarding the program to the Governor, the Speaker of the House~~
 1022 ~~of Representatives, and the President of the Senate not later~~
 1023 ~~than 2 months after the end of the corporation's fiscal year.~~

1024 Section 14. Subsection (1) of section 420.513, Florida
 1025 Statutes, is amended to read:

1026 420.513 Exemption from taxes and eligibility as
 1027 investment.--

1028 (1) The property of the corporation, the transactions and
 1029 operations thereof, the income therefrom, and the bonds of the
 1030 corporation issued under this act, together with all notes,

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1031 mortgages, security agreements, letters of credit, or other
 1032 instruments that arise out of or are given to secure the
 1033 repayment of bonds issued in connection with the financing of
 1034 any housing ~~development~~ under this part, and all notes,
 1035 mortgages, security agreements, letters of credit, or other
 1036 instruments that arise out of or are given to secure the
 1037 repayment of loans issued in connection with the financing of
 1038 any housing under this part, as well as the interest thereon and
 1039 income therefrom, regardless of the status of any party thereto
 1040 as a private party, shall be exempt from taxation by the state
 1041 and its political subdivisions. The exemption granted by this
 1042 subsection shall not apply to any tax imposed by chapter 220 on
 1043 interest, income, or profits on debt obligations owned by
 1044 corporations.

1045 Section 15. Subsections (1) and (2) of section 420.606,
 1046 Florida Statutes, are amended to read:

1047 420.606 Training and technical assistance program.--

1048 (1) LEGISLATIVE FINDINGS.--In addition to the legislative
 1049 findings set forth in s. 420.6015, the Legislature finds and
 1050 declares that:

1051 (a) Housing in economically declining or distressed areas
 1052 is frequently substandard and is often unaffordable to very-low-
 1053 income persons and low-income persons.†

1054 (b) Recent rapid increases in the median purchase price of
 1055 homes and the cost of rental housing have far outstripped the
 1056 increases in median income in the state, preventing essential
 1057 services personnel from living in the communities where they
 1058 serve and thereby creating the need for innovative solutions for

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1059 the provision of housing opportunities for essential services
1060 personnel.

1061 ~~(c)-(b)~~ Community-based organizations often have limited
1062 experience in development of quality housing for very-low-income
1063 persons and low-income persons in economically declining or
1064 distressed areas. ~~and~~

1065 (d) The private market should be encouraged to provide
1066 affordable rental and home ownership housing for essential
1067 services personnel affected by the high cost of housing.
1068 Technical assistance should address development costs through
1069 promoting local public-private partnerships that leverage
1070 government and private resources.

1071 ~~(e)-(e)~~ The staffs and board members of community-based
1072 organizations need additional training in housing development as
1073 well as technical support to assist them in gaining the
1074 experience they need to better serve their communities.

1075 ~~(f)-(d)~~ The staffs of state and regional agencies and local
1076 governments, whether directly involved in the production of
1077 affordable housing or acting in a supportive role, can better
1078 serve the goals of state and local governments if their
1079 expertise in housing development is expanded.

1080 (2) PURPOSE.--The purpose of this section is to provide
1081 community-based organizations and staff of state and local
1082 governments with the necessary training and technical assistance
1083 to meet the needs of very-low-income persons, low-income
1084 persons, and moderate-income persons for standard, affordable
1085 housing and for workforce housing in those areas where housing
1086 costs have severely limited housing affordability.

1087 Section 16. Subsections (2), (4), and (5) of section
 1088 420.9076, Florida Statutes, are amended, and subsection (8) is
 1089 added to that section, to read:

1090 420.9076 Adoption of affordable housing incentive
 1091 strategies; committees.--

1092 (2) The governing board of a county or municipality shall
 1093 appoint the members of the affordable housing advisory committee
 1094 by resolution. Pursuant to the terms of any interlocal
 1095 agreement, a county and municipality may create and jointly
 1096 appoint an advisory committee to prepare a joint plan. The
 1097 ordinance adopted pursuant to s. 420.9072 which creates the
 1098 advisory committee or the resolution appointing the advisory
 1099 committee members must provide for eleven ~~nine~~ committee members
 1100 and their terms. The committee must include:

1101 (a) One citizen who is actively engaged in the residential
 1102 home building industry in connection with affordable housing.

1103 (b) One citizen who is actively engaged in the banking or
 1104 mortgage banking industry in connection with affordable housing.

1105 (c) One citizen who is a representative of those areas of
 1106 labor actively engaged in home building in connection with
 1107 affordable housing.

1108 (d) One citizen who is actively engaged as an advocate for
 1109 low-income persons in connection with affordable housing.

1110 (e) One citizen who is actively engaged as a for-profit
 1111 provider of affordable housing.

1112 (f) One citizen who is actively engaged as a not-for-
 1113 profit provider of affordable housing.

1114 (g) One citizen who is actively engaged as a real estate

1115 professional in connection with affordable housing.

1116 (h) One citizen who actively serves on the local planning
1117 agency pursuant to s. 163.3174.

1118 (i) One citizen who resides within the jurisdiction of the
1119 local governing body making the appointments.

1120 (j) One citizen who represents employers within the
1121 jurisdiction.

1122 (k) One citizen who represents essential services
1123 personnel, as defined in the local housing assistance plan.

1124

1125 If a county or eligible municipality whether due to its small
1126 size, the presence of a conflict of interest by prospective
1127 appointees, or other reasonable factor, is unable to appoint a
1128 citizen actively engaged in these activities in connection with
1129 affordable housing, a citizen engaged in the activity without
1130 regard to affordable housing may be appointed. Local governments
1131 that receive the minimum allocation under the State Housing
1132 Initiatives Partnership Program may elect to appoint an
1133 affordable housing advisory committee with fewer than eleven
1134 representatives if they are unable to find representatives that
1135 meet the criteria of paragraphs (a)-(k).

1136 (4) Biennially, the advisory committee shall review the
1137 established policies and procedures, ordinances, land
1138 development regulations, and adopted local government
1139 comprehensive plan of the appointing local government and shall
1140 recommend specific actions or initiatives to encourage or
1141 facilitate affordable housing while protecting the ability of
1142 the property to appreciate in value. Such recommendations may

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1143 include the modification or repeal of existing policies,
1144 procedures, ordinances, regulations, or plan provisions; the
1145 creation of exceptions applicable to affordable housing; or the
1146 adoption of new policies, procedures, regulations, ordinances,
1147 or plan provisions. At a minimum, each advisory committee shall
1148 submit a report to the local governing body that includes ~~make~~
1149 recommendations on, and biennially evaluates the implementation
1150 of, affordable housing incentives in the following areas:

1151 (a) The processing of approvals of development orders or
1152 permits, as defined in s. 163.3164(7) and (8), for affordable
1153 housing projects is expedited to a greater degree than other
1154 projects.

1155 (b) The modification of impact-fee requirements, including
1156 reduction or waiver of fees and alternative methods of fee
1157 payment for affordable housing.

1158 (c) The allowance of flexibility in densities ~~increased~~
1159 ~~density levels~~ for affordable housing.

1160 (d) The reservation of infrastructure capacity for housing
1161 for very-low-income persons and low-income persons.

1162 (e) The allowance of affordable accessory residential
1163 units in residential zoning districts.

1164 (f) The reduction of parking and setback requirements for
1165 affordable housing.

1166 (g) The allowance of flexible lot configurations,
1167 including zero-lot-line configurations for affordable housing.

1168 (h) The modification of street requirements for affordable
1169 housing.

1170 (i) The establishment of a process by which a local

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1171 government considers, before adoption, policies, procedures,
1172 ordinances, regulations, or plan provisions that increase the
1173 cost of housing.

1174 (j) The preparation of a printed inventory of locally
1175 owned public lands suitable for affordable housing.

1176 (k) The support of development near transportation hubs
1177 and major employment centers and mixed-use developments.

1178

1179 The advisory committee recommendations may ~~must~~ also include
1180 other affordable housing incentives identified by the advisory
1181 committee. Local governments that receive the minimum allocation
1182 under the State Housing Initiatives Partnership Program shall
1183 perform the initial review, but may elect to not perform the
1184 biennial review.

1185 (5) The approval by the advisory committee of its local
1186 housing incentive strategies recommendations and its review of
1187 local government implementation of previously recommended
1188 strategies must be made by affirmative vote of a majority of the
1189 membership of the advisory committee taken at a public hearing.
1190 Notice of the time, date, and place of the public hearing of the
1191 advisory committee to adopt final local housing incentive
1192 strategies recommendations must be published in a newspaper of
1193 general paid circulation in the county. Such notice must contain
1194 a short and concise summary of the local housing incentives
1195 strategies recommendations to be considered by the advisory
1196 committee. The notice must state the public place where a copy
1197 of the tentative advisory committee recommendations can be
1198 obtained by interested persons.

1199 (8) The advisory committee may perform other
 1200 responsibilities at the request of the local government,
 1201 including:

1202 (a) The provision of mentoring services to affordable
 1203 housing partners, including developers, banking institutions,
 1204 employers, and others to identify available incentives, assist
 1205 with applications for funding requests, and develop partnerships
 1206 between various parties.

1207 (b) The creation of best practices for development of
 1208 affordable housing in the community.

1209 Section 17. Section 624.46226, Florida Statutes, is
 1210 created to read:

1211 624.46226 Public housing authorities self-insurance funds;
 1212 exemption for taxation and assessments.--

1213 (1) Any two or more public housing authorities in this
 1214 state as defined in chapter 421 may also create a self-insurance
 1215 fund pursuant to s. 624.4622 for the purpose of self-insuring
 1216 real or personal property of every kind and every interest in
 1217 such property against loss or damage from any hazard or cause
 1218 and against any loss consequential to such loss or damage,
 1219 provided all the provisions of s. 624.4622 are met.

1220 (2) Any public housing authority as defined in chapter 421
 1221 in the state that is a member of a self-insurance fund pursuant
 1222 to this section shall be exempt from the taxes and assessments
 1223 imposed under ss. 624.509 and 627.351.

1224 Section 18. This act shall take effect July 1, 2007.