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1
2 An act relating to funding from the National Mortgage
3 Settlement; providing an appropriation from the
4 General Revenue Fund to the Florida Prepaid Tuition
5 Scholarship Program to purchase 2-year dormitory
6 residence advance payment contracts for certain
7 students; providing an appropriation from the General
8 Revenue Fund to the state courts system to provide
9 technology solutions to expedite foreclosure cases
10 through the judicial process; providing an
11 appropriation from the General Revenue Fund to the
12 state courts system to provide certain supplemental
13 resources; providing an appropriation from the General
14 Revenue Fund to the clerks of the court to assist and
15 support the courts in expediting the processing of
16 backlogged foreclosure cases; providing an
17 appropriation from the General Revenue Fund to the
18 Office of the Attorney General to provide legal aid
19 services to low- and moderate-income homeowners facing
20 foreclosure; providing an appropriation from the
21 General Revenue Fund to the Department of Children and
22 Families to fund capital improvement grants for
23 certified domestic violence centers; providing an
24 appropriation from the General Revenue Fund to the
25 Department of Economic Opportunity to provide a grant
26 to Habitat for Humanity of Florida for certain
27 purposes; providing requirements for Habitat for
28 Humanity of Florida; providing financial audit
29 reporting requirements; requiring certain funds to be

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30 repaid by Habitat for Humanity of Florida to the
31 Department of Financial Services for deposit into the
32 State Housing Trust Fund; providing an appropriation
33 from the General Revenue Fund to the Florida Housing
34 Finance Corporation to provide funding to reduce rents
35 on new or existing rental units through the State
36 Apartment Incentive Loan Program; providing an
37 appropriation from the General Revenue Fund to the
38 Department of Economic Opportunity for specified
39 purposes; providing requirements for the expenditure,
40 disbursement, and transfer to the State Housing Trust
41 Fund of certain appropriated funds; providing a
42 contingent effective date.

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

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46 Section 1. Notwithstanding the funding match provisions in
47 s. 1009.984(2), Florida Statutes, the nonrecurring sum of
48 \$9,117,895 is appropriated from the General Revenue Fund to the
49 Florida Prepaid Tuition Scholarship Program as established in s.
50 1009.984, Florida Statutes, in order for Take Stock in Children,
51 Inc., to purchase 2-year dormitory residence advance payment
52 contracts for eligible students who are in grades 10 and 11
53 during the 2012-2013 school year and have been selected to
54 participate in the scholarship program.

55 Section 2. The nonrecurring sum of \$5,262,579 is
56 appropriated from the General Revenue Fund to the state courts
57 system to provide technology solutions that expedite foreclosure
58 cases through the judicial process. Such technology solutions

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59 must enable judges and staff to effectively use electronic
60 documents when disposing of foreclosure cases, produce orders
61 electronically, provide for electronic calendaring, serve orders
62 electronically, and generate case management reports. All
63 technology enhancements to expedite mortgage foreclosure cases
64 must be completed in accordance with the standards set by the
65 Florida Court Technology Commission regarding functionality as
66 outlined in the Case Processing Application Standards.

67 Section 3. The nonrecurring sum of \$16 million is
68 appropriated from the General Revenue Fund to the state courts
69 system to provide supplemental resources, including, but not
70 limited to, additional senior judge days and temporary case
71 management staff in the trial courts to reduce the backlog of
72 pending foreclosure cases.

73 Section 4. The nonrecurring sum of \$9.7 million is
74 appropriated from the General Revenue Fund to the clerks of the
75 court to enhance levels of service to assist and support the
76 courts in expediting the processing of backlogged foreclosure
77 cases.

78 Section 5. The nonrecurring sum of \$10 million is
79 appropriated from the General Revenue Fund to the Office of the
80 Attorney General, who must contract directly with regional legal
81 aid service providers to provide legal aid services to low-
82 income and moderate-income homeowners facing foreclosure.
83 Administrative costs or fees may not be collected or used by the
84 Office of the Attorney General, any association, or any
85 foundation for providing services with the funds appropriated in
86 this section.

87 Section 6. The nonrecurring sum of \$10 million is

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88 appropriated from the General Revenue Fund in a fixed capital
89 outlay appropriation category to the Department of Children and
90 Families for capital improvement grants to certified domestic
91 violence centers in accordance with s. 39.9055, Florida
92 Statutes. The Florida Coalition Against Domestic Violence shall
93 serve as the lead entity to create a competitive request for
94 proposals with the primary focus of increasing bed space and
95 expanding capacity of emergency shelter services. Award
96 decisions shall be completed within 60 days after the effective
97 date of this act.

98 Section 7. (1) The nonrecurring sum of \$20 million is
99 appropriated from the General Revenue Fund to the Department of
100 Economic Opportunity to provide a grant to Habitat for Humanity
101 of Florida for the acquisition and rehabilitation or
102 reconstruction of existing housing stock to provide affordable
103 housing to low-income applicants. Habitat for Humanity of
104 Florida may use up to 1 percent of the grant award for direct
105 administrative costs.

106 (2) Habitat for Humanity of Florida shall provide
107 compliance and oversight for the grant award and shall:

108 (a) Provide to the Department of Economic Opportunity the
109 name and contact information for the Habitat for Humanity of
110 Florida compliance officer, to be updated within 10 business
111 days after any change.

112 (b) Develop a request for proposals to be released to the
113 58 Habitat for Humanity of Florida affiliates no later than 60
114 days after the effective date of this act. The request for
115 proposals shall be limited to projects that undertake the
116 acquisition and rehabilitation or reconstruction of existing

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117 housing stock and provide affordable housing to low-income
118 applicants.

119 (c) Use the grant award within 2 years, the start date of
120 which is 30 days after the request for proposals is released to
121 the 58 Habitat for Humanity of Florida affiliates.

122 (d) Provide the 58 Habitat for Humanity of Florida
123 affiliates a minimum of 30 days to respond to the request for
124 proposals.

125 (e) Establish a volunteer committee of at least six members
126 from any of the 58 Habitat for Humanity of Florida affiliates to
127 evaluate and rank project proposals received and determine
128 project awards based on that evaluation and ranking.

129 1. Project awards shall be provided on a cost-reimbursement
130 basis for work completed and paid for by the Habitat for
131 Humanity of Florida affiliate for a qualifying home that was
132 acquired and rehabilitated or reconstructed for a low-income
133 applicant.

134 2. The Habitat for Humanity of Florida compliance officer
135 is responsible for verifying that all project work is completed
136 and has been paid for by the Habitat for Humanity of Florida
137 affiliate before a cost reimbursement.

138 3. A Habitat for Humanity of Florida affiliate may not
139 receive cost reimbursements in excess of 10 percent of the total
140 appropriation, except that an affiliate may receive cost
141 reimbursements in excess of 10 percent during the second year if
142 the only project proposals remaining are from Habitat for
143 Humanity of Florida affiliates that have reached the 10-percent
144 cap.

145 (f) Provide technical support and assistance for the use of

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146 grant award funds by the Habitat for Humanity of Florida
147 affiliates, which shall not exceed 2 percent of the grant award.

148 (g) Submit a quarterly progress report to the Department of
149 Economic Opportunity within 30 days after the end of each
150 quarter until all grant award funds have been expended. The
151 quarterly progress report shall include, but need not be limited
152 to:

153 1. Events occurring during the quarter, or anticipated to
154 occur in the near future, which affect the ability of Habitat
155 for Humanity of Florida to use the grant award for the intended
156 purpose pursuant to this section.

157 2. Action plans for addressing any policy and
158 administrative issues.

159 3. Habitat for Humanity of Florida efforts related to
160 collecting and verifying data.

161 4. Data collected and verified, such as the number of
162 existing housing stock acquired and rehabilitated or
163 reconstructed for the quarter and to date, the number of
164 requests for proposals received, and income data on applicants
165 who are using the provided housing.

166 5. Grant award data disaggregated by recipient and
167 activity, such as technical support and assistance, direct
168 administrative costs, housing acquisition, and housing
169 rehabilitation or reconstruction.

170 6. Activities related to technical support and assistance.

171 7. The name of each volunteer committee member and his or
172 her Habitat for Humanity of Florida affiliate.

173 8. Progress toward meeting the goal of spending the full
174 grant award within 2 years, the start date of which is 30 days

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175 after the request for proposals is released to the 58 Habitat
176 for Humanity of Florida affiliates.

177 (h) Submit annually by September 1 to the Department of
178 Economic Opportunity a financial audit performed by an
179 independent certified public accountant for the most recently
180 completed fiscal year which establishes that no material
181 weaknesses or instances of material noncompliance exist.

182 (3) The Department of Economic Opportunity shall submit a
183 copy of each financial audit from Habitat for Humanity of
184 Florida to the President of the Senate and the Speaker of the
185 House of Representatives within 15 days after its receipt.

186 (4) Any funds that are not expended or encumbered by June
187 30, 2015, and any funds that were deemed encumbered on June 30,
188 2015, and not expended by September 30, 2015, shall be repaid by
189 Habitat for Humanity of Florida to the Department of Financial
190 Services for deposit into the State Housing Trust Fund within
191 the Department of Economic Opportunity. A final audit shall be
192 submitted to the Department of Economic Opportunity by January
193 30, 2016, for any expenditures made after June 30, 2015.

194 Section 8. The nonrecurring sum of \$50 million is
195 appropriated from the General Revenue Fund to the Department of
196 Economic Opportunity for transfer to the Florida Housing Finance
197 Corporation (FHFC) to provide funding to reduce rents on new or
198 existing rental units through the State Apartment Incentive Loan
199 Program created under s. 420.5087, Florida Statutes.

200 Notwithstanding s. 420.5087, Florida Statutes, \$25 million of
201 these funds shall be reserved for rental units for the elderly
202 as defined in s. 420.0004, Florida Statutes, and \$25 million
203 shall be reserved for rental units for extremely-low-income

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204 persons as defined in s. 420.0004, Florida Statutes.

205 Section 9. (1) The nonrecurring sum of \$10 million is
206 appropriated from the General Revenue Fund to the Department of
207 Economic Opportunity for transfer to the Florida Housing Finance
208 Corporation (FHFC) to fund the construction or rehabilitation of
209 units through the State Apartment Incentive Loan Program (SAIL).

210 (2) Each SAIL development that receives funds under this
211 section must include up to 25 percent, but not less than 10
212 percent, of its units designed, constructed, and targeted for
213 persons with developmental disabilities as defined in s.
214 393.063, Florida Statutes. Each development shall be required to
215 enter into an agreement with at least one designated supportive
216 services lead agency, such as the local Center for Independent
217 Living, the Agency for Persons with Disabilities, or any other
218 such agency approved by FHFC, for the purpose of coordinating
219 services and housing for persons with disabilities.

220 Section 10. (1) The nonrecurring sum of \$40 million is
221 appropriated from the General Revenue Trust Fund to the
222 Department of Economic Opportunity for transfer to the Florida
223 Housing Finance Corporation (FHFC) to fund the State Housing
224 Initiative Program (SHIP). The FHFC shall allocate the funding
225 to all eligible counties and cities. Except as otherwise
226 specified in this section, local governments must use this
227 funding according to the SHIP statute and rules and within the
228 parameters of their adopted local housing assistance plan.

229 (2) All funding appropriated under this section must be
230 targeted for one or more of the following strategies:

231 (a) Rehabilitating or modifying owner-occupied houses,
232 including blighted homes or neighborhoods.

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233 (b) Assisting with purchases of existing housing, with or
234 without rehabilitation.

235 (c) Providing housing counseling services.

236 (d) Providing lease-purchase assistance.

237 (e) Implementing strategies approved by FHFC which are
238 related to assisting households and communities impacted by
239 foreclosures, using existing housing stock.

240 (3) Of the funding provided in this section, each local
241 government must use a minimum of 20 percent of its allocation to
242 serve persons with special needs as defined in s. 420.0004,
243 Florida Statutes. Before this portion of the allocation is
244 released by FHFC, a local government must certify that it will
245 meet this requirement through existing approved strategies in
246 the local assistance plan or submit a new local housing
247 assistance plan strategy for this purpose to the FHFC for
248 approval to ensure that it meets these specifications. The first
249 priority of these special needs funds must be to use them for
250 persons with developmental disabilities as defined in s.
251 393.063, Florida Statutes, with an emphasis on home
252 modifications, including technological enhancements and devices,
253 which will allow homeowners to remain independent in their own
254 homes and maintain their homeownership.

255 (4) Local governments may not use more than 3 percent of
256 their allocations under this section for administrative costs.

257 Section 11. The nonrecurring sum of \$10 million is
258 appropriated from the General Revenue Fund to the Department of
259 Economic Opportunity for transfer to the Florida Housing Finance
260 Corporation (FHFC) to fund a competitive grant program to
261 provide housing for homeless persons. The FHFC shall award funds

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262 on a competitive basis to private nonprofit organizations to
263 purchase and renovate existing houses and to construct small
264 specialty housing of 15 units or fewer for homeless individuals
265 or families, with priority given to extremely-low-income
266 households.

267 Section 12. The nonrecurring sum of \$10 million is
268 appropriated from the General Revenue Fund to the Department of
269 Economic Opportunity for transfer to the Florida Housing Finance
270 Corporation (FHFC) to fund a competitive grant program for
271 housing developments designed, constructed, and targeted for
272 persons with developmental disabilities as defined in s.
273 393.063, Florida Statutes. Private nonprofit organizations whose
274 primary mission includes serving persons with developmental
275 disabilities as defined in s. 393.063, Florida Statutes, shall
276 be eligible for these grant funds. Housing projects funded with
277 these grants may include community residential homes as defined
278 in s. 419.001, Florida Statutes, or individual housing units,
279 and may include new construction and renovation of existing
280 housing units. In evaluating proposals for these funds, the FHFC
281 shall consider: the extent to which funds from local and other
282 sources will be used by the applicant to leverage the grant
283 funds provided under this section; employment opportunities and
284 supports that will be available to residents of the proposed
285 housing; a plan for residents to effectively and efficiently
286 access community-based services, resources, and amenities; and
287 partnerships with other supportive services agencies.

288 Section 13. Except as otherwise provided in section 7 of
289 this act, notwithstanding s. 216.301, Florida Statutes, and
290 pursuant to s. 216.351, Florida Statutes, entities to which

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291 funds are appropriated pursuant to this act may expend such
292 funds through the 2014-2015 fiscal year. Any funds that are
293 encumbered by June 30, 2015, must be disbursed by September 30,
294 2015. On September 30, 2015, any funds that remain undisbursed
295 must be transferred to the State Housing Trust Fund within the
296 Department of Economic Opportunity.

297 Section 14. This act shall take effect upon the deposit of
298 \$200,080,474 into the General Revenue Fund from the escrow
299 account created as a result of the consent judgment entered into
300 by the Attorney General on April 4, 2012, in the case of United
301 States of America, et al. v. Bank of America Corp., et al., No.
302 12-0361-RMC, in the United States District Court for the
303 District of Columbia.