A bill to be entitled
An act relating to funding from the national mortgage
settlement; providing an appropriation from the
General Revenue Fund to the Florida Housing Finance
Corporation to fund housing down payment assistance
loans; providing distribution requirements; providing
requirements for loan recipients; providing for loan
forgiveness under certain conditions; providing an
appropriation from the General Revenue Fund to the
Florida Housing Finance Corporation for certain
administrative expenses; providing an appropriation
from the General Revenue Fund to the Florida Prepaid
Tuition Scholarship Program to purchase 2-year
dormitory residence advance payment contracts for
certain students; providing an appropriation from the
General Revenue Fund to the state courts system to
provide technology solutions to expedite foreclosure
cases through the judicial process; providing an
appropriation from the General Revenue Fund to the
state courts system to provide certain supplemental
resources; providing an appropriation from the General
Revenue Fund to the clerks of the court to assist and
support the courts in expediting the processing of
backlogged foreclosure cases; providing an
appropriation from the General Revenue Fund to the
Department of Children and Families to fund capital
improvement grants for certified domestic violence
centers; providing an appropriation from the General
Revenue Fund to the Department of Economic Opportunity
to provide a grant to Habitat for Humanity of Florida
for certain purposes; providing requirements for
Habitat for Humanity of Florida; providing financial
audit reporting requirements; requiring certain funds
to be repaid by Habitat for Humanity of Florida to the
Department of Financial Services for deposit into the
State Housing Trust Fund; providing an appropriation
from the General Revenue Fund to the Florida Housing
Finance Corporation to provide funding to reduce rents
on new or existing rental units through the State
Apartment Incentive Loan Program; providing an
appropriation from the General Revenue Fund to the
Office of the Attorney General to provide legal aid
services to low-income and moderate-income homeowners
facing foreclosure; authorizing the Office of the
Attorney General to establish, coordinate, and promote
an advertising campaign for certain purposes;
providing an appropriation for such purposes;
providing requirements for the expenditure,
disbursement, and transfer to the State Housing Trust
Fund of certain appropriated funds; providing a
contingent effective date.

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

Section 1. (1) The nonrecurring sum of $45 million is
appropriated from the General Revenue Fund to the Florida
Housing Finance Corporation for the purpose of providing housing down payment assistance loans as specified in this section.

(2) The Florida Housing Finance Corporation shall make loans available on a first-come, first-served basis to qualified applicants, providing up to $10,000 per approved applicant for down payment assistance for purchasing a Florida property that will be the applicant's permanent residence. A qualified applicant must have been a Florida resident for a minimum of 12 consecutive months before closing on the purchased property. All down payment assistance loans for approved applicants shall be paid to the closing agent to be applied to the recipient's closing costs.

(3) For a minimum of 48 months after closing on the purchased property, the recipient of a loan must maintain residency in the property being purchased. At the time of closing, and for 48 months after closing on the purchased property, the recipient must be:

(a) A teacher who is assigned to teach in a public elementary, middle, or high school that has earned a grade of "D" or "F" as provided in s. 1008.34, Florida Statutes, at the time the application is submitted and is designated as an effective or highly effective teacher as provided in s. 1012.34, Florida Statutes. A recipient under this paragraph who transfers to another school that has earned a grade of "D" or "F" and who continues to meet all other applicable qualifications within the specified time period is not required to repay the loan pursuant to paragraph (4)(c);

(b) An assistant state attorney, assistant public
defender, or assistant regional conflict counsel;

c) A veteran as defined in s. 1.01(14), Florida Statutes;

d) A member of a uniformed service on active duty as defined in s. 250.01(1), Florida Statutes. A recipient under this paragraph who is reassigned to a new duty station is not required to repay the loan pursuant to paragraph (4)(c) if he or she provides a certified copy of the permanent change of station order or relocation order to the Florida Housing Finance Corporation; or

e) A health practitioner who is licensed as a physician, registered nurse, nurse practitioner, physician assistant, dentist, paramedic, emergency medical technician, pharmacist, psychologist, or clinical social worker and works in a rural area as defined in s. 381.0406, Florida Statutes.

(4) Loans shall be forgiven upon compliance with all requirements of this section.

(a) The loan will be forgiven on a pro rata basis, with 25 percent of the loan forgiven at the end of each year following closing.

(b) Borrowers must, by December 31 of each year following closing, certify compliance with all applicable conditions to the Florida Housing Finance Corporation until the loan has been repaid or completely forgiven. The corporation shall perform any inspections, reviews, or investigations necessary on select compliance certifications to ensure the requirements of this section are met.

(c) The loan shall become due upon the failure of the borrower to maintain any of the requirements of this section.
(d) Forfeited loan awards shall be collected by the Florida Housing Finance Corporation and transferred to the Department of Financial Services for deposit into the State Housing Trust Fund within the Department of Economic Opportunity.

Section 2. The nonrecurring sum of $3 million is appropriated from the General Revenue Fund to the Florida Housing Finance Corporation for administrative expenses associated with establishing, coordinating, monitoring compliance with, and providing down payment assistance loans pursuant to this act.

Section 3. Notwithstanding the funding match provisions in s. 1009.984(2), Florida Statutes, the nonrecurring sum of $15 million is appropriated from the General Revenue Fund to the Florida Prepaid Tuition Scholarship Program as established in s. 1009.984, Florida Statutes, to purchase 2-year dormitory residence advance payment contracts for eligible students who are in grades 10 and 11 during the 2012-2013 school year and have been selected to participate in the scholarship program.

Section 4. The nonrecurring sum of $5.3 million is appropriated from the General Revenue Fund to the state courts system to provide technology solutions that expedite foreclosure cases through the judicial process. Such technology solutions must enable judges and staff to effectively use electronic documents when disposing of foreclosure cases, produce orders electronically, provide for electronic calendaring, serve orders electronically, and generate case management reports. All technology enhancements to expedite the mortgage foreclosure
cases must be completed in accordance with standards set by the Florida Court Technology Commission regarding functionality as outlined in the Case Processing Application Standards.

Section 5. The nonrecurring sum of $13 million is appropriated from the General Revenue Fund to the state courts system to provide supplemental resources including, but not limited to, additional senior judge days and temporary case management staff in the trial courts to reduce the backlog of pending foreclosure cases.

Section 6. The nonrecurring sum of $6.7 million is appropriated from the General Revenue Fund to the clerks of the court to enhance levels of service to assist and support the courts in expediting the processing of backlogged foreclosure cases.

Section 7. The nonrecurring sum of $20 million is appropriated from the General Revenue Fund in a Fixed Capital Outlay appropriation category to the Department of Children and Families for capital improvement grants to certified domestic violence centers in accordance with s. 39.9055, Florida Statutes. The Florida Coalition Against Domestic Violence shall serve as the lead entity to create a competitive request for proposals with the primary focus of increasing bed space and expanding capacity of emergency shelter services. Award decisions shall be completed within 60 days after the effective date of this act.

Section 8. (1) The nonrecurring sum of $35 million is appropriated from the General Revenue Fund to the Department of Economic Opportunity to provide a grant to Habitat for Humanity
of Florida for the acquisition and rehabilitation or
reconstruction of existing housing stock to provide affordable
housing to low-income applicants. Habitat for Humanity of
Florida may use up to 1 percent of the grant award for direct
administrative costs.

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

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

(b) Develop a request for proposals to be released to the
58 Habitat for Humanity of Florida affiliates no later than 60
days after the effective date of this act. The request for
proposals shall be limited to projects that undertake the
acquisition and rehabilitation or reconstruction of existing
housing stock and provide affordable housing to low-income
applicants.

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

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

(e) Establish a volunteer committee of at least six
members from any of the 58 Habitat for Humanity of Florida
affiliates to evaluate and rank project proposals received and
determine project awards based on that evaluation and ranking.
1. Project awards shall be provided on a cost-
reimbursement basis for work completed and paid for by the
Habitat for Humanity of Florida affiliate for a qualifying home
that was acquired and rehabilitated or reconstructed for a low-
income applicant.

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

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

(f) Provide technical support and assistance for the use
of grant award funds by the Habitat for Humanity of Florida
affiliates, which shall not exceed 2 percent of the grant award.

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

1. Events occurring during the quarter, or anticipated to
occur in the near future, that affect the ability of Habitat for
Habitat for Humanity of Florida to use the grant award for the intended
purpose pursuant to this section.
2. Action plans for addressing any policy and administrative issues.

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

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

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

6. Activities related to technical support and assistance.

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

8. Progress towards meeting the goal of spending the full grant award within 2 years, the start date of which will be 30 days after the request for proposals is released to the 58 Habitat for Humanity of Florida affiliates.

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

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

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

Section 9. The nonrecurring sum of $50 million is
appropriated from the General Revenue Fund to the Florida
Housing Finance Corporation to provide funding to reduce rents
on new or existing rental units through the State Apartment
Incentive Loan Program created by s. 420.5087, Florida Statutes.
Notwithstanding any provision of s. 420.5087, Florida Statutes,
$25 million of these funds shall be reserved for rental units
for the elderly as defined in s. 420.0004(8), Florida Statutes,
and $25 million shall be reserved for rental units for
extremely-low-income persons as defined in s. 420.0004(9),
Florida Statutes.

Section 10. The nonrecurring sum of $5 million is
appropriated from the General Revenue Fund to the Office of the
Attorney General, who will contract directly with regional legal
aid service providers that will provide legal aid services to
low-income and moderate-income homeowners facing foreclosure.
Administrative costs or fees may not be collected or used by the
Office of the Attorney General, any association, or any
foundation for providing such services.
Section 11. The Legislature finds that there is a need for
a promotional campaign to increase consumer awareness of
affordable housing availability and housing assistance
opportunities as outlined in this act. To this end, the Office
of the Attorney General may establish, coordinate, and promote
such an advertising campaign, which may include public relations
activities and contracting with media representatives for the
purpose of dispersing promotional materials and opportunities
for consumer assistance. The nonrecurring sum of $2 million is
appropriated from the General Revenue Fund to the Office of the
Attorney General for this purpose.

Section 12. Except as otherwise provided in section 8,
notwithstanding s. 216.301, Florida Statutes, and pursuant to s.
216.351, Florida Statutes, entities to which funds are
appropriated pursuant to this act may expend such funds through
the 2014-2015 fiscal year. Any funds that are encumbered by June
30, 2015, must be disbursed by September 30, 2015. On September
30, 2015, any funds that remain undisbursed must be transferred
to the State Housing Trust Fund within the Department of
Economic Opportunity.

Section 13. This act shall take effect upon the deposit of
$200,080,474 into the General Revenue Fund from the escrow
account created as a result of the consent judgment entered into
by the Attorney General on April 4, 2012, in the case of United
12-0361-RMC, in the United States District Court for the
District of Columbia.