

1                   A bill to be entitled  
2           An act relating to housing assistance; amending s.  
3           420.5087, F.S., relating to the State Apartment  
4           Incentive Loan Program; revising the reservation of  
5           program funds within each notice of fund availability  
6           to specified tenant groups; amending s. 420.622, F.S.;  
7           requiring that the State Office on Homelessness  
8           coordinate among certain agencies and providers to  
9           produce a statewide consolidated inventory for the  
10          state's entire system of homeless programs which  
11          incorporates regionally developed plans; directing the  
12          State Office on Homelessness to create a task force to  
13          make recommendations regarding the implementation of a  
14          statewide Homeless Management Information System  
15          subject to certain requirements; requiring the task  
16          force to include in its recommendations the  
17          development of a statewide, centralized coordinated  
18          assessment system; requiring the task force to submit  
19          a report to the Council on Homelessness by a specified  
20          date, at which time the task force is abolished;  
21          deleting the requirement that the Council on  
22          Homelessness explore the potential of creating a  
23          statewide Management Information System and encourage  
24          future participation of certain award or grant  
25          recipients; requiring the State Office on Homelessness  
26          to provide support for managing entities for certain

27 | purposes; requiring the State Office on Homelessness  
28 | to accept and administer moneys appropriated to it to  
29 | provide annual challenge grants to certain lead  
30 | agencies of homeless assistance continuums of care;  
31 | removing the requirement that levels of grant awards  
32 | be based upon the total population within the  
33 | continuum of care catchment area and reflect the  
34 | differing degrees of homelessness in the respective  
35 | areas; allowing expenditures of leveraged funds or  
36 | resources only for eligible activities subject to  
37 | certain requirements; providing that preference for a  
38 | grant award must be given to those lead agencies that  
39 | have demonstrated the ability to leverage specified  
40 | federal homeless-assistance funding with local  
41 | government funding and private funding, for the  
42 | provision of services to individuals experiencing  
43 | homelessness; revising preference conditions relating  
44 | to grant applicants; requiring the State Office on  
45 | Homelessness, in conjunction with the Council on  
46 | Homelessness, to establish specific objectives by  
47 | which it may evaluate the outcomes of certain lead  
48 | agencies; requiring that any funding through the State  
49 | Office on Homelessness be distributed to lead agencies  
50 | based on their performance and achievement of  
51 | specified objectives; revising the factors that may be  
52 | included as criteria for evaluating the performance of

53 | lead agencies; amending s. 420.623, F.S.; requiring  
54 | that managing entities be given an opportunity to  
55 | participate in local coalitions for the homeless;  
56 | amending s. 420.624, F.S.; revising requirements for  
57 | the local homeless assistance continuum of care plan;  
58 | providing that the components of a continuum of care  
59 | plan should include Rapid ReHousing; requiring that  
60 | specified components of a continuum of care plan be  
61 | coordinated and integrated with other specified  
62 | services and programs; creating s. 420.6265, F.S.;  
63 | providing legislative findings and intent relating to  
64 | Rapid ReHousing; providing a Rapid ReHousing  
65 | methodology; amending s. 420.9071, F.S.; revising the  
66 | definition of the term "rent subsidies"; conforming a  
67 | cross-reference; amending s. 420.9072, F.S.;  
68 | prohibiting a county or an eligible municipality from  
69 | expending its portion of the local housing  
70 | distribution to provide ongoing rent subsidies;  
71 | providing exceptions; amending s. 420.9075, F.S.;  
72 | providing that a certain partnership process of the  
73 | State Housing Initiatives Partnership Program should  
74 | involve lead agencies of local homeless assistance  
75 | continuums of care and managing entities; encouraging  
76 | counties and eligible municipalities to develop a  
77 | strategy within their local housing assistance plans  
78 | which provides program funds for reducing

79 | homelessnes; revising the criteria that apply to  
80 | awards made to sponsors or persons for the purpose of  
81 | providing housing; requiring that a specified report  
82 | submitted by counties and municipalities include a  
83 | description of efforts to reduce homelessnes;  
84 | creating s. 420.9089, F.S.; providing legislative  
85 | findings and intent; amending s. 421.04, F.S.;

86 | prohibiting a housing authority from applying to the  
87 | Federal Government to seize projects, units, or  
88 | vouchers of another established housing authority;  
89 | amending s. 421.05, F.S.; exempting housing  
90 | authorities from specified provisions with respect to  
91 | the payment of extra compensation claims, bonuses, and  
92 | severance pay; amending s. 421.091, F.S.; requiring a  
93 | full financial accounting and audit of public housing  
94 | agencies to be submitted to the Federal Government  
95 | pursuant to certain requirements; exempting housing  
96 | authorities from specified reporting requirements;  
97 | providing an effective date.

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

100 |  
101 | Section 1. Subsection (3) of section 420.5087, Florida  
102 | Statutes, is amended to read:

103 | 420.5087 State Apartment Incentive Loan Program.—There is  
104 | hereby created the State Apartment Incentive Loan Program for

105 the purpose of providing first, second, or other subordinated  
106 mortgage loans or loan guarantees to sponsors, including for-  
107 profit, nonprofit, and public entities, to provide housing  
108 affordable to very-low-income persons.

109 (3) During the first 6 months of loan or loan guarantee  
110 availability, program funds shall be reserved for use by  
111 sponsors who provide the housing set-aside required in  
112 subsection (2) for the tenant groups designated in this  
113 subsection. The reservation of funds to each of these groups  
114 shall be determined using the most recent statewide very-low-  
115 income rental housing market study available at the time of  
116 publication of each notice of fund availability required by  
117 paragraph (6) (b). The reservation of funds within each notice of  
118 fund availability to the tenant groups in paragraphs (b)-(e)  
119 ~~(a), (b), and (e)~~ may not be less than 10 percent of the funds  
120 available at that time. Any increase in funding required to  
121 reach the 10-percent minimum must be taken from the tenant group  
122 that has the largest reservation. The reservation of funds  
123 within each notice of fund availability to the tenant group in  
124 paragraph (a) ~~(e)~~ may not be less than 5 percent of the funds  
125 available at that time. ~~The reservation of funds within each~~  
126 ~~notice of fund availability to the tenant group in paragraph (d)~~  
127 ~~may not be more than 10 percent of the funds available at that~~  
128 ~~time.~~ The tenant groups are:

- 129 (a) Commercial fishing workers and farmworkers;  
130 (b) Families;

131 (c) Persons who are homeless;

132 (d) Persons with special needs; and

133 (e) Elderly persons. Ten percent of the amount reserved  
 134 for the elderly shall be reserved to provide loans to sponsors  
 135 of housing for the elderly for the purpose of making building  
 136 preservation, health, or sanitation repairs or improvements  
 137 which are required by federal, state, or local regulation or  
 138 code, or lifesafety or security-related repairs or improvements  
 139 to such housing. Such a loan may not exceed \$750,000 per housing  
 140 community for the elderly. In order to receive the loan, the  
 141 sponsor of the housing community must make a commitment to match  
 142 at least 5 percent of the loan amount to pay the cost of such  
 143 repair or improvement. The corporation shall establish the rate  
 144 of interest on the loan, which may not exceed 3 percent, and the  
 145 term of the loan, which may not exceed 15 years; however, if the  
 146 lien of the corporation's encumbrance is subordinate to the lien  
 147 of another mortgagee, then the term may be made coterminous with  
 148 the longest term of the superior lien. The term of the loan  
 149 shall be based on a credit analysis of the applicant. The  
 150 corporation may forgive indebtedness for a share of the loan  
 151 attributable to the units in a project reserved for extremely-  
 152 low-income elderly by nonprofit organizations, as defined in s.  
 153 420.0004(5), where the project has provided affordable housing  
 154 to the elderly for 15 years or more. The corporation shall  
 155 establish, by rule, the procedure and criteria for receiving,  
 156 evaluating, and competitively ranking all applications for loans

157 | under this paragraph. A loan application must include evidence  
158 | of the first mortgagee's having reviewed and approved the  
159 | sponsor's intent to apply for a loan. A nonprofit organization  
160 | or sponsor may not use the proceeds of the loan to pay for  
161 | administrative costs, routine maintenance, or new construction.

162 |       Section 2. Paragraphs (a) and (b) of subsection (3) and  
163 | subsections (4), (5), and (6) of section 420.622, Florida  
164 | Statutes, are amended, and paragraph (p) is added to subsection  
165 | (3) of that section, to read:

166 |           420.622 State Office on Homelessness; Council on  
167 | Homelessness.—

168 |       (3) The State Office on Homelessness, pursuant to the  
169 | policies set by the council and subject to the availability of  
170 | funding, shall:

171 |       (a) Coordinate among state, local, and private agencies  
172 | and providers to produce a statewide consolidated inventory  
173 | ~~program and financial plan~~ for the state's entire system of  
174 | homeless programs which incorporates regionally developed plans.  
175 | Such programs include, but are not limited to:

176 |           1. Programs authorized under the Stewart B. McKinney  
177 | Homeless Assistance Act of 1987, 42 U.S.C. ss. 11371 et seq.,  
178 | and carried out under funds awarded to this state; and

179 |           2. Programs, components thereof, or activities that assist  
180 | persons who are homeless or at risk for homelessness.

181 |       (b) Collect, maintain, and make available information  
182 | concerning persons who are homeless or at risk for homelessness,

183 including demographics information, current services and  
184 resources available, the cost and availability of services and  
185 programs, and the met and unmet needs of this population. All  
186 entities that receive state funding must provide access to all  
187 data they maintain in summary form, with no individual  
188 identifying information, to assist the council in providing this  
189 information. The State Office on Homelessness shall establish a  
190 task force to make recommendations regarding the implementation  
191 of a statewide Homeless Management Information System (HMIS).  
192 The task force shall define the conceptual framework of such a  
193 system; study existing statewide HMIS models; establish an  
194 inventory of local HMIS systems, including providers and license  
195 capacity; examine the aggregated reporting being provided by  
196 local continuums of care; complete an analysis of current  
197 continuum of care resources; and provide recommendations on the  
198 costs and benefits of implementing a statewide HMIS. The task  
199 force shall also make recommendations regarding the development  
200 of a statewide, centralized coordinated assessment system in  
201 conjunction with the implementation of a statewide HMIS. The  
202 task force findings must be reported to the Council on  
203 Homelessness no later than December 31, 2016, at which time the  
204 task force is abolished. ~~The council shall explore the potential~~  
205 ~~of creating a statewide Management Information System (MIS),~~  
206 ~~encouraging the future participation of any bodies that are~~  
207 ~~receiving awards or grants from the state, if such a system were~~  
208 ~~adopted, enacted, and accepted by the state.~~

209        (p) Provide support to managing entities, as defined in s.  
 210 394.9082(2), to address the needs of individuals experiencing  
 211 homelessness within the managing entities' geographic service  
 212 area.

213        (4) The State Office on Homelessness, with the concurrence  
 214 of the Council on Homelessness, shall ~~may~~ accept and administer  
 215 moneys appropriated to it to provide annual "challenge grants"  
 216 to lead agencies of homeless assistance continuums of care  
 217 designated by the State Office on Homelessness pursuant to s.  
 218 420.624. The department shall establish varying levels of grant  
 219 awards up to \$500,000 per lead agency. ~~Award levels shall be~~  
 220 ~~based upon the total population within the continuum of care~~  
 221 ~~catchment area and reflect the differing degrees of homelessness~~  
 222 ~~in the catchment planning areas.~~ The department, in consultation  
 223 with the Council on Homelessness, shall specify a grant award  
 224 level in the notice of the solicitation of grant applications.

225        (a) To qualify for the grant, a lead agency must develop  
 226 and implement a local homeless assistance continuum of care plan  
 227 for its designated catchment area. The continuum of care plan  
 228 must implement a coordinated assessment or central intake system  
 229 to screen, assess, and refer persons seeking assistance to the  
 230 appropriate service provider. The lead agency shall also  
 231 document the commitment of local government and private  
 232 organizations to provide matching funds or in-kind support in an  
 233 amount equal to the grant requested. Expenditures of leveraged  
 234 funds or resources, including third-party cash or in-kind

235 contributions, are permitted only for eligible activities  
236 committed on one project which have not been used as leverage or  
237 match for any other project or program and must be certified  
238 through a written commitment.

239 (b) Preference must be given to those lead agencies that  
240 have demonstrated the ability of their continuum of care to  
241 provide quality services to persons who are homeless ~~persons~~ and  
242 the ability to leverage federal homeless-assistance funding  
243 under the Stewart B. McKinney Act with local government funding  
244 and private funding for the provision of services to persons who  
245 are homeless ~~persons~~.

246 (c) Preference must be given to lead agencies in catchment  
247 areas with the greatest need for the provision of housing and  
248 services to persons who are ~~the~~ homeless, relative to the  
249 population of the catchment area.

250 (d) The grant may be used to fund any of the housing,  
251 program, or service needs included in the local homeless  
252 assistance continuum of care plan. The lead agency may allocate  
253 the grant to programs, services, or housing providers that  
254 implement the local homeless assistance continuum care plan. The  
255 lead agency may provide subgrants to a local agency to implement  
256 programs or services or provide housing identified for funding  
257 in the lead agency's application to the department. A lead  
258 agency may spend a maximum of 8 percent of its funding on  
259 administrative costs.

260 (e) The lead agency shall submit a final report to the

261 department documenting the outcomes achieved by the grant in  
262 enabling persons who are homeless to return to permanent housing  
263 thereby ending such person's episode of homelessness.

264 (5) The State Office on Homelessness, with the concurrence  
265 of the Council on Homelessness, may administer moneys  
266 appropriated to it to provide homeless housing assistance grants  
267 annually to lead agencies for local homeless assistance  
268 continuum of care, as recognized by the State Office on  
269 Homelessness, to acquire, construct, or rehabilitate  
270 transitional or permanent housing units for persons who are  
271 homeless ~~persons~~. These moneys shall consist of any sums that  
272 the state may appropriate, as well as money received from  
273 donations, gifts, bequests, or otherwise from any public or  
274 private source, which are intended to acquire, construct, or  
275 rehabilitate transitional or permanent housing units for persons  
276 who are homeless persons.

277 (a) Grant applicants shall be ranked competitively.  
278 Preference must be given to applicants who leverage additional  
279 private funds and public funds, particularly federal funds  
280 designated for the acquisition, construction, or rehabilitation  
281 of transitional or permanent housing for persons who are  
282 homeless ~~persons~~; who acquire, build, or rehabilitate the  
283 greatest number of units; or ~~and~~ who acquire, build, or  
284 rehabilitate in catchment areas having the greatest need for  
285 housing for persons who are ~~the~~ homeless relative to the  
286 population of the catchment area.

287 (b) Funding for any particular project may not exceed  
288 \$750,000.

289 (c) Projects must reserve, for a minimum of 10 years, the  
290 number of units acquired, constructed, or rehabilitated through  
291 homeless housing assistance grant funding to serve persons who  
292 are homeless at the time they assume tenancy.

293 (d) No more than two grants may be awarded annually in any  
294 given local homeless assistance continuum of care catchment  
295 area.

296 (e) A project may not be funded which is not included in  
297 the local homeless assistance continuum of care plan, as  
298 recognized by the State Office on Homelessness, for the  
299 catchment area in which the project is located.

300 (f) The maximum percentage of funds that the State Office  
301 on Homelessness and each applicant may spend on administrative  
302 costs is 5 percent.

303 (6) The State Office on Homelessness, in conjunction with  
304 the Council on Homelessness, shall establish performance  
305 measures and specific objectives by which it may ~~to~~ evaluate the  
306 ~~effective~~ performance and outcomes of lead agencies that receive  
307 grant funds. Any funding through the State Office on  
308 Homelessness shall be distributed to lead agencies based on  
309 their overall performance and their achievement of specified  
310 objectives. Each lead agency for which grants are made under  
311 this section shall provide the State Office on Homelessness a  
312 thorough evaluation of the effectiveness of the program in

313 achieving its stated purpose. In evaluating the performance of  
314 the lead agencies, the State Office on Homelessness shall base  
315 its criteria upon the program objectives, goals, and priorities  
316 that were set forth by the lead agencies in their proposals for  
317 funding. Such criteria may include, but not be limited to, the  
318 number of persons or households that are no longer homeless, the  
319 rate of recidivism to homelessness, and the number of persons  
320 who obtain gainful employment ~~homeless individuals provided~~  
321 ~~shelter, food, counseling, and job training.~~

322 Section 3. Paragraph (k) is added to subsection (1) of  
323 section 420.623, Florida Statutes, to read:

324 420.623 Local coalitions for the homeless.—

325 (1) ESTABLISHMENT.—The department shall establish local  
326 coalitions to plan, network, coordinate, and monitor the  
327 delivery of services to the homeless. Appropriate local groups  
328 and organizations involved in providing services for the  
329 homeless and interested business groups and associations shall  
330 be given an opportunity to participate in such coalitions,  
331 including, but not limited to:

332 (k) Managing entities, as defined in s. 394.9082(2).

333 Section 4. Subsections (3), (7), and (8) of section  
334 420.624, Florida Statutes, are amended to read:

335 420.624 Local homeless assistance continuum of care.—

336 (3) Communities or regions seeking to implement a local  
337 homeless assistance continuum of care are encouraged to develop  
338 and annually update a written plan that includes a vision for

339 the continuum of care, an assessment of the supply of and demand  
340 for housing and services for the homeless population, and  
341 specific strategies and processes for providing the components  
342 of the continuum of care. The State Office on Homelessness, in  
343 conjunction with the Council on Homelessness, shall include in  
344 the plan a methodology for assessing performance and outcomes.

345 The State Office on Homelessness shall supply a standardized  
346 format for written plans, including the reporting of data.

347 (7) The components of a continuum of care plan should  
348 include:

349 (a) Outreach, intake, and assessment procedures in order  
350 to identify the service and housing needs of an individual or  
351 family and to link them with appropriate housing, services,  
352 resources, and opportunities;

353 (b) Emergency shelter, in order to provide a safe, decent  
354 alternative to living in the streets;

355 (c) Transitional housing;

356 (d) Supportive services, designed to assist with the  
357 development of the skills necessary to secure and retain  
358 permanent housing;

359 (e) Permanent supportive housing;

360 (f) Rapid ReHousing, as specified in s. 420.6265;

361 (g) ~~(f)~~ Permanent housing;

362 (h) ~~(g)~~ Linkages and referral mechanisms among all  
363 components to facilitate the movement of individuals and  
364 families toward permanent housing and self-sufficiency;

365        (i)~~(h)~~ Services and resources to prevent housed persons  
 366 from becoming or returning to homelessness; and  
 367        (j)~~(i)~~ An ongoing planning mechanism to address the needs  
 368 of all subgroups of the homeless population, including, but not  
 369 limited to:  
 370            1. Single adult males;  
 371            2. Single adult females;  
 372            3. Families with children;  
 373            4. Families with no children;  
 374            5. Unaccompanied children and youth;  
 375            6. Elderly persons;  
 376            7. Persons with drug or alcohol addictions;  
 377            8. Persons with mental illness;  
 378            9. Persons with dual or multiple physical or mental  
 379 disorders;  
 380            10. Victims of domestic violence; and  
 381            11. Persons living with HIV/AIDS.  
 382        (8) Continuum of care plans must promote participation by  
 383 all interested individuals and organizations and may not exclude  
 384 individuals and organizations on the basis of race, color,  
 385 national origin, sex, handicap, familial status, or religion.  
 386 Faith-based organizations must be encouraged to participate. To  
 387 the extent possible, these components shall ~~should~~ be  
 388 coordinated and integrated with other mainstream health, social  
 389 services, and employment programs for which homeless populations  
 390 may be eligible, including Medicaid, State Children's Health

391 Insurance Program, Temporary Assistance for Needy Families, Food  
392 Assistance Program, and services funded through the Mental  
393 Health and Substance Abuse Block Grant, the Workforce Investment  
394 Act, and the welfare-to-work grant program.

395 Section 5. Section 420.6265, Florida Statutes, is created  
396 to read:

397 420.6265 Rapid ReHousing.-

398 (1) LEGISLATIVE FINDINGS AND INTENT.-

399 (a) The Legislature finds that Rapid ReHousing is a  
400 strategy of using temporary financial assistance and case  
401 management to quickly move an individual or family out of  
402 homelessness and into permanent housing.

403 (b) The Legislature also finds that, for most of the past  
404 two decades, public and private solutions to homelessness have  
405 focused on providing individuals and families who are  
406 experiencing homelessness with emergency shelter and  
407 transitional housing. While emergency shelter and transitional  
408 housing programs may provide critical access to services for  
409 individuals and families in crisis, such programs often fail to  
410 address the long-term needs of individuals and families in  
411 crisis.

412 (c) The Legislature further finds that most individuals  
413 and families become homeless as a result of a financial crisis  
414 that prevents individuals and families from paying rent or a  
415 domestic conflict that results in one family member being  
416 ejected or leaving without resources or a plan for housing.

417 (d) The Legislature further finds that Rapid ReHousing is  
418 an alternative approach to the current system of emergency  
419 shelter or transitional housing which tends to reduce the length  
420 of time of homelessness and has proven to be cost effective.

421 (e) It is therefore the intent of the Legislature to  
422 encourage homeless continuums of care to adopt the Rapid  
423 ReHousing approach to preventing homelessness for individuals  
424 and families who do not require the intense level of supports  
425 provided in the permanent supportive housing model.

426 (2) RAPID REHOUSING METHODOLOGY.—

427 (a) The Rapid ReHousing approach to homelessness differs  
428 from traditional approaches to addressing homelessness by  
429 focusing on each individual's or family's barriers to returning  
430 to housing. By using this approach, communities can  
431 significantly reduce the amount of time that individuals and  
432 families are homeless and prevent further episodes of  
433 homelessness.

434 (b) In Rapid ReHousing, an individual or family is  
435 identified as being homeless, temporary assistance is provided  
436 to allow the individual or family to obtain permanent housing as  
437 quickly as possible, and, if needed, assistance is provided to  
438 allow the individual or family to retain housing.

439 (c) The objective of Rapid ReHousing is to provide  
440 assistance for as short a time as possible so that the  
441 individual or family receiving assistance does not develop a  
442 dependency on the assistance.

443 Section 6. Subsections (25) and (26) of section 420.9071,  
 444 Florida Statutes, are amended to read:

445 420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
 446 term:

447 (25) "Recaptured funds" means funds that are recouped by a  
 448 county or eligible municipality in accordance with the recapture  
 449 provisions of its local housing assistance plan pursuant to s.  
 450 420.9075(5)(i) ~~s. 420.9075(5)(h)~~ from eligible persons or  
 451 eligible sponsors, which funds were not used for assistance to  
 452 an eligible household for an eligible activity, when there is a  
 453 default on the terms of a grant award or loan award.

454 (26) "Rent subsidies" means ongoing monthly rental  
 455 assistance. ~~The term does not include initial assistance to~~  
 456 ~~tenants, such as grants or loans for security and utility~~  
 457 ~~deposits.~~

458 Section 7. Subsection (7) of section 420.9072, Florida  
 459 Statutes, is amended, subsections (8) and (9) are renumbered as  
 460 subsections (9) and (10), respectively, and a new subsection (8)  
 461 is added to that section, to read:

462 420.9072 State Housing Initiatives Partnership Program.—  
 463 The State Housing Initiatives Partnership Program is created for  
 464 the purpose of providing funds to counties and eligible  
 465 municipalities as an incentive for the creation of local housing  
 466 partnerships, to expand production of and preserve affordable  
 467 housing, to further the housing element of the local government  
 468 comprehensive plan specific to affordable housing, and to

469 increase housing-related employment.

470 (7) A county or an eligible municipality must expend its  
471 portion of the local housing distribution only to implement a  
472 local housing assistance plan or as provided in this subsection.  
473 ~~A county or an eligible municipality may not expend its portion~~  
474 ~~of the local housing distribution to provide rent subsidies;~~  
475 ~~however, this does not prohibit the use of funds for security~~  
476 ~~and utility deposit assistance.~~

477 (8) A county or an eligible municipality may not expend  
478 its portion of the local housing distribution to provide ongoing  
479 rent subsidies, except for:

480 (a) Security and utility deposit assistance.

481 (b) Eviction prevention not to exceed 6 months' rent.

482 (c) A rent subsidy program for very-low-income families  
483 with at least one person with special needs as defined in s.  
484 420.0004 or one individual experiencing homelessness as defined  
485 in s. 420.621. The period of rental assistance may not exceed 12  
486 months for an eligible household.

487 Section 8. Paragraph (a) of subsection (2) and subsection  
488 (5) of section 420.9075, Florida Statutes, are amended,  
489 paragraph (f) is added to subsection (3), and paragraph (i) is  
490 added to subsection (10) of that section, to read:

491 420.9075 Local housing assistance plans; partnerships.—

492 (2) (a) Each county and each eligible municipality  
493 participating in the State Housing Initiatives Partnership  
494 Program shall encourage the involvement of appropriate public

495 | sector and private sector entities as partners in order to  
 496 | combine resources to reduce housing costs for the targeted  
 497 | population. This partnership process should involve:  
 498 |       1. Lending institutions.  
 499 |       2. Housing builders and developers.  
 500 |       3. Nonprofit and other community-based housing and service  
 501 | organizations.  
 502 |       4. Providers of professional services relating to  
 503 | affordable housing.  
 504 |       5. Advocates for low-income persons, including, but not  
 505 | limited to, persons who are homeless ~~people~~, the elderly, and  
 506 | migrant farmworkers.  
 507 |       6. Real estate professionals.  
 508 |       7. Other persons or entities who can assist in providing  
 509 | housing or related support services.  
 510 |       8. Lead agencies of local homeless assistance continuums  
 511 | of care.  
 512 |       9. Managing entities, as defined in s. 394.9082(2).  
 513 |       (3)  
 514 |       (f) Each county and each eligible municipality is  
 515 | encouraged to develop a strategy within its local housing  
 516 | assistance plan which provides program funds for reducing  
 517 | homelessness.  
 518 |       (5) The following criteria apply to awards made to  
 519 | eligible sponsors or eligible persons for the purpose of  
 520 | providing eligible housing:

521 (a) At least 65 percent of the funds made available in  
522 each county and eligible municipality from the local housing  
523 distribution must be reserved for home ownership for eligible  
524 persons.

525 (b) Up to 25 percent of the funds made available in each  
526 county and eligible municipality from the local housing  
527 distribution may be reserved for rental housing for eligible  
528 persons or for the purposes listed in s. 420.9072(8).

529 (c)~~(b)~~ At least 75 percent of the funds made available in  
530 each county and eligible municipality from the local housing  
531 distribution must be reserved for construction, rehabilitation,  
532 or emergency repair of affordable, eligible housing.

533 (d)~~(e)~~ Not more than 20 percent of the funds made  
534 available in each county and eligible municipality from the  
535 local housing distribution may be used for manufactured housing.

536 (e)~~(d)~~ The sales price or value of new or existing  
537 eligible housing may not exceed 90 percent of the average area  
538 purchase price in the statistical area in which the eligible  
539 housing is located. Such average area purchase price may be that  
540 calculated for any 12-month period beginning not earlier than  
541 the fourth calendar year prior to the year in which the award  
542 occurs or as otherwise established by the United States  
543 Department of the Treasury.

544 (f)~~(e)~~1. All units constructed, rehabilitated, or  
545 otherwise assisted with the funds provided from the local  
546 housing assistance trust fund must be occupied by very-low-

547 income persons, low-income persons, and moderate-income persons  
548 except as otherwise provided in this section.

549 2. At least 30 percent of the funds deposited into the  
550 local housing assistance trust fund must be reserved for awards  
551 to very-low-income persons or eligible sponsors who will serve  
552 very-low-income persons and at least an additional 30 percent of  
553 the funds deposited into the local housing assistance trust fund  
554 must be reserved for awards to low-income persons or eligible  
555 sponsors who will serve low-income persons. This subparagraph  
556 does not apply to a county or an eligible municipality that  
557 includes, or has included within the previous 5 years, an area  
558 of critical state concern designated or ratified by the  
559 Legislature for which the Legislature has declared its intent to  
560 provide affordable housing. The exemption created by this act  
561 expires on July 1, 2013, and shall apply retroactively.

562 (g)~~(f)~~ Loans shall be provided for periods not exceeding  
563 30 years, except for deferred payment loans or loans that extend  
564 beyond 30 years which continue to serve eligible persons.

565 (h)~~(g)~~ Loans or grants for eligible rental housing  
566 constructed, rehabilitated, or otherwise assisted from the local  
567 housing assistance trust fund must be subject to recapture  
568 requirements as provided by the county or eligible municipality  
569 in its local housing assistance plan unless reserved for  
570 eligible persons for 15 years or the term of the assistance,  
571 whichever period is longer. Eligible sponsors that offer rental  
572 housing for sale before 15 years or that have remaining

573 mortgages funded under this program must give a first right of  
574 refusal to eligible nonprofit organizations for purchase at the  
575 current market value for continued occupancy by eligible  
576 persons.

577 (i)~~(h)~~ Loans or grants for eligible owner-occupied housing  
578 constructed, rehabilitated, or otherwise assisted from proceeds  
579 provided from the local housing assistance trust fund shall be  
580 subject to recapture requirements as provided by the county or  
581 eligible municipality in its local housing assistance plan.

582 (j)~~(i)~~ The total amount of monthly mortgage payments or  
583 the amount of monthly rent charged by the eligible sponsor or  
584 her or his designee must be made affordable.

585 (k)~~(j)~~ The maximum sales price or value per unit and the  
586 maximum award per unit for eligible housing benefiting from  
587 awards made pursuant to this section must be established in the  
588 local housing assistance plan.

589 (l)~~(k)~~ The benefit of assistance provided through the  
590 State Housing Initiatives Partnership Program must accrue to  
591 eligible persons occupying eligible housing. This provision  
592 shall not be construed to prohibit use of the local housing  
593 distribution funds for a mixed income rental development.

594 (m)~~(l)~~ Funds from the local housing distribution not used  
595 to meet the criteria established in paragraph (a) or paragraph  
596 (c) ~~(b)~~ or not used for the administration of a local housing  
597 assistance plan must be used for housing production and finance  
598 activities, including, but not limited to, financing

599 | preconstruction activities or the purchase of existing units,  
600 | providing rental housing, and providing home ownership training  
601 | to prospective home buyers and owners of homes assisted through  
602 | the local housing assistance plan.

603 |       1. Notwithstanding the provisions of paragraphs (a) and  
604 | (c) ~~(b)~~, program income as defined in s. 420.9071(24) may also  
605 | be used to fund activities described in this paragraph.

606 |       2. When preconstruction due-diligence activities conducted  
607 | as part of a preservation strategy show that preservation of the  
608 | units is not feasible and will not result in the production of  
609 | an eligible unit, such costs shall be deemed a program expense  
610 | rather than an administrative expense if such program expenses  
611 | do not exceed 3 percent of the annual local housing  
612 | distribution.

613 |       3. If both an award under the local housing assistance  
614 | plan and federal low-income housing tax credits are used to  
615 | assist a project and there is a conflict between the criteria  
616 | prescribed in this subsection and the requirements of s. 42 of  
617 | the Internal Revenue Code of 1986, as amended, the county or  
618 | eligible municipality may resolve the conflict by giving  
619 | precedence to the requirements of s. 42 of the Internal Revenue  
620 | Code of 1986, as amended, in lieu of following the criteria  
621 | prescribed in this subsection with the exception of paragraphs  
622 | (a) and (f) ~~(e)~~ of this subsection.

623 |       4. Each county and each eligible municipality may award  
624 | funds as a grant for construction, rehabilitation, or repair as

625 part of disaster recovery or emergency repairs or to remedy  
626 accessibility or health and safety deficiencies. Any other  
627 grants must be approved as part of the local housing assistance  
628 plan.

629 (10) Each county or eligible municipality shall submit to  
630 the corporation by September 15 of each year a report of its  
631 affordable housing programs and accomplishments through June 30  
632 immediately preceding submittal of the report. The report shall  
633 be certified as accurate and complete by the local government's  
634 chief elected official or his or her designee. Transmittal of  
635 the annual report by a county's or eligible municipality's chief  
636 elected official, or his or her designee, certifies that the  
637 local housing incentive strategies, or, if applicable, the local  
638 housing incentive plan, have been implemented or are in the  
639 process of being implemented pursuant to the adopted schedule  
640 for implementation. The report must include, but is not limited  
641 to:

642 (i) A description of efforts to reduce homelessness.

643 Section 9. Section 420.9089, Florida Statutes, is created  
644 to read:

645 420.9089 National Housing Trust Fund.—The Legislature  
646 finds that more funding for housing to assist individuals and  
647 families who are experiencing homelessness is needed and  
648 encourages the state entity designated to administer funds made  
649 available to the state from the National Housing Trust Fund to  
650 propose an allocation plan that includes strategies to reduce

651 homelessness in this state. These strategies to address  
652 homelessness shall be in addition to strategies under s.  
653 420.5087.

654 Section 10. Subsection (4) is added to section 421.04,  
655 Florida Statutes, to read:

656 421.04 Creation of housing authorities.—

657 (4) Regardless of the date of its creation, a housing  
658 authority may not apply to the Federal Government to seize a  
659 project, unit, or voucher of another established housing  
660 authority, regardless of each housing authority's areas of  
661 operation.

662 Section 11. Subsection (2) of section 421.05, Florida  
663 Statutes, is amended to read:

664 421.05 Appointment, qualifications, and tenure of  
665 commissioners; hiring of employees.—

666 (2) The powers of each authority shall be vested in the  
667 commissioners thereof in office from time to time. A majority of  
668 the commissioners constitutes ~~shall constitute~~ a quorum of the  
669 authority for the purpose of conducting its business and  
670 exercising its powers and for all other purposes. Action may be  
671 taken by the authority upon a vote of a majority of the  
672 commissioners present, unless in any case the bylaws of the  
673 authority require a larger number. The mayor with the  
674 concurrence of the governing body shall designate ~~which of the~~  
675 ~~commissioners appointed shall be~~ the first chair from among the  
676 appointed commissioners, but when the office of the chair of the

677 authority thereafter becomes vacant, the authority shall select  
 678 a chair from among the ~~its~~ commissioners. An authority shall  
 679 also select from among the ~~its~~ commissioners a vice chair,~~+~~ and  
 680 it may employ a secretary, who shall be the executive director,  
 681 technical experts, and such other officers, agents, and  
 682 employees, permanent and temporary, as it may require and shall  
 683 determine their qualifications, duties, and compensation.  
 684 Accordingly, an authority is exempt from s. 215.425. For such  
 685 ~~legal services as it may require,~~ An authority may call upon the  
 686 chief law officer of the city or may employ its own counsel and  
 687 legal staff for legal services. An authority may delegate to one  
 688 or more of its agents or employees such powers or duties as it  
 689 may deem proper.

690 Section 12. Subsection (1) of section 421.091, Florida  
 691 Statutes, is amended to read:

692 421.091 Financial accounting and investments; fiscal  
 693 year.—

694 (1) A complete and full financial accounting and audit in  
 695 accordance with federal audit standards of public housing  
 696 agencies shall be made biennially by a certified public  
 697 accountant and submitted to the Federal Government in accordance  
 698 with its policies. Housing authorities are otherwise exempt from  
 699 the reporting requirements of s. 218.32. A copy of such audit  
 700 ~~shall be filed with the governing body and with the Auditor~~  
 701 ~~General.~~

702 Section 13. This act shall take effect July 1, 2016.