A bill to be entitled
An act relating to state housing assistance programs;
amending s. 381.0081, F.S.; revising the distribution
of certain proceeds from the sale of certain seized
migrant labor camp or residential migrant housing
property; amending s. 420.507, F.S.; removing powers
of the Florida Housing Finance Corporation to develop
and administer the State Apartment Incentive Loan
Program; repealing s. 420.5087, F.S., relating to the
State Apartment Incentive Loan Program; providing for
continuation of existing loans under the program;
repealing s. 420.5095, F.S., relating to the Community
Workforce Housing Loan Program; amending s. 420.9071,
F.S.; removing the definition of the term "eligible
municipality"; conforming provisions to changes made
by the act; amending s. 420.9072, F.S.; renaming the
State Housing Initiatives Partnership Program the
State Housing Initiatives Partnership Block Grant
Program; removing municipalities from eligibility
under the program; providing that the corporation
shall distribute moneys appropriated by the
Legislature for the program, rather than distribute
moneys in the Local Government Housing Trust Fund, to
approved counties; authorizing participating counties
to make subgrants to their municipalities according to
interlocal agreements; revising counties' authorized
uses of local housing distributions relating to rent
subsidies; conforming provisions to changes made by
the act; amending s. 420.9073, F.S.; revising eligible
counties and distribution calculations under the State
Housing Initiatives Partnership Block Grant Program;
revising the guaranteed amount for each state fiscal
year; conforming provisions to changes made by the
act; amending s. 420.9075, F.S.; revising criteria for
the use of funds awarded to eligible sponsors or
eligible persons under the State Housing Initiatives
Partnership Block Grant Program; conforming provisions
to changes made by the act; amending ss. 193.018,
212.08, 220.03, 220.183, 420.503, 420.5061, 420.5088,
420.511, 420.517, 420.531, 420.628, 420.9076,
420.9079, 420.9089, and 624.5105, F.S.; conforming
provisions to changes made by the act; providing an
effective date.

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

Section 1. Paragraphs (b) and (c) of subsection (5) of
section 381.0081, Florida Statutes, are amended to read:
381.0081 Permit required to operate a migrant labor camp
or residential migrant housing; penalties for unlawful
establishment or operation; allocation of proceeds.—

(5) SEIZURE.—

(b) After satisfying any liens on the property, the
remaining proceeds from the sale of the property seized under
this section shall be allocated as follows if the department
participated in the inspection or investigation leading to
seizure and forfeiture under this section:

1. One-third of the proceeds shall be allocated to the law
enforcement agency involved in the seizure, to be used as
provided in s. 932.7055.

2. One-third of the proceeds shall be allocated to the
department, to be used for purposes of enforcing the provisions
of this section.

3. One-third of the proceeds shall be deposited in the
State Housing Trust Fund State Apartment Incentive Loan Fund, to
be used for the purpose of providing funds to sponsors who
provide housing for farmworkers.

(c) After satisfying any liens on the property, the
remaining proceeds from the sale of the property seized under
this section shall be allocated equally between the law
enforcement agency involved in the seizure and the State Housing
Trust Fund State Apartment Incentive Loan Fund if the department
did not participate in the inspection or investigation leading
to seizure and forfeiture.

Section 2. Subsections (23) through (50) of section
420.507, Florida Statutes, are renumbered as subsections (22) through (49), respectively, and subsection (22) and present subsection (48) of that section are amended to read:

420.507 Powers of the corporation.—The corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers which are in addition to all other powers granted by other provisions of this part:

(22) To develop and administer the State Apartment Incentive Loan Program. In developing and administering that program, the corporation may:

(a) Make first, second, and other subordinated mortgage loans including variable or fixed rate loans subject to contingent interest for all State Apartment Incentive Loans provided in this chapter based upon available cash flow of the projects. The corporation shall make loans exceeding 25 percent of project cost only to nonprofit organizations and public bodies that are able to secure grants, donations of land, or contributions from other sources and to projects meeting the criteria of subparagraph 1. Mortgage loans shall be made available at the following rates of interest:

1. Zero to 3 percent interest for sponsors of projects that set aside at least 80 percent of their total units for residents qualifying as farmworkers, commercial fishing workers, the homeless as defined in s. 420.621, or persons with special
needs as defined in s. 420.0004(13) over the life of the loan.

2. Zero to 3 percent interest based on the pro rata share of units set aside for homeless residents or persons with special needs if the total of such units is less than 80 percent of the units in the borrower's project.

3. One to 9 percent interest for sponsors of projects targeted at populations other than farmworkers, commercial fishing workers, homeless persons, or persons with special needs.

(b) Make loans exceeding 25 percent of project cost when the project serves extremely-low-income persons or projects as provided in paragraph (d).

(c) Forgive indebtedness for a share of the loan attributable to the units in a project reserved for extremely-low-income persons.

(d) In counties or rural areas of counties that do not have existing units set aside for homeless persons, forgive indebtedness for loans provided to create permanent rental housing units for persons who are homeless, as defined in s. 420.621, or for persons residing in time-limited transitional housing or institutions as a result of a lack of permanent, affordable housing. Such developments must be supported by a continuum of care developed under s. 420.6225, be developed by nonprofit applicants, be small properties as defined by corporation rule, and be a project in the local housing...
assistance continuum of care plan recognized by the State Office on Homelessness.

(c) Geographically and demographically target the utilization of loans.

(f) Underwrite credit, and reject projects which do not meet the established standards of the corporation.

(g) Negotiate with governing bodies within the state after a loan has been awarded to obtain local government contributions.

(h) Inspect any records of a sponsor at any time during the life of the loan or the agreed period for maintaining the provisions of s. 420.5087.

(i) Establish, by rule, the procedure for competitively evaluating and selecting all applications for funding based on the criteria set forth in s. 420.5087(6)(c), determining actual loan amounts, making and servicing loans, and exercising the powers authorized in this subsection.

(j) Establish a loan loss insurance reserve to be used to protect the outstanding program investment in case of a default, deed in lieu of foreclosure, or foreclosure of a program loan.

(47)(48) To award its annual allocation of low-income housing tax credits and nontaxable revenue bonds, and State Apartment Incentive Loan Program funds appropriated by the Legislature and available to allocate by request for proposals or other competitive solicitation. The corporation shall reserve
up to 5 percent of each allocation for high-priority affordable housing projects, such as housing to support economic development and job-creation initiatives, housing for veterans and their families, and other special needs populations in communities throughout the state as determined by the corporation on an annual basis. The corporation shall reserve an additional 5 percent of each allocation for affordable housing projects that target persons who have a disabling condition, as defined in s. 420.0004, and their families. These allocations must prioritize projects or initiatives piloting or demonstrating cost-effective best practices that meet the housing needs and preferences of such persons. Any tax credits or funds not allocated because of a lack of eligible projects targeting persons who have a disabling condition shall be distributed by the corporation for high-priority housing projects.

Section 3. Section 420.5087, Florida Statutes, is repealed.

Section 4. Any existing loans made under the State Apartment Incentive Loan Program pursuant to s. 420.5087, Florida Statutes, must continue for the duration of the loan period and continue to be subject to s. 420.5087, Florida Statutes, and other related laws as existing on June 30, 2022.

Section 5. Section 420.5095, Florida Statutes, is repealed.
Section 6. Subsections (11) through (30) of section 420.9071, Florida Statutes, are renumbered as subsections (10) through (29), respectively, and subsections (1) through (4), subsection (9), and present subsections (10), (11), (16), (17), (19), (26), and (27) of that section are amended to read:

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

(1) "Adjusted for family size" means adjusted in a manner that results in an income eligibility level that is lower for households having fewer than four people, or higher for households having more than four people, than the base income eligibility determined as provided in subsection (19) (20), subsection (20) (21), or subsection (29) (30), based upon a formula established by the United States Department of Housing and Urban Development.

(2) "Affordable" means that monthly rents or monthly mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in subsection (19) (20), subsection (20) (21), or subsection (29) (30). However, it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing, and housing for which a household devotes more than 30 percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household...
can afford mortgage payments in excess of the 30 percent
benchmark. The term also includes housing provided by a not-for-
profit corporation that derives at least 75 percent of its
annual revenues from contracts or services provided to a state
or federal agency for low-income persons and low-income
households; that provides supportive housing for persons who
suffer from mental health issues, substance abuse, or domestic
violence; and that provides on-premises social and community
support services relating to job training, life skills training,
alcohol and substance abuse disorders, child care, and client
case management.

(3) "Affordable housing advisory committee" means the
committee appointed by the governing body of a county or
eligible municipality for the purpose of recommending specific
initiatives and incentives to encourage or facilitate affordable
housing as provided in s. 420.9076.

(4) "Annual gross income" means annual income as defined
under the Section 8 housing assistance payments programs in 24
C.F.R. part 5; annual income as reported under the census long
form for the recent available decennial census; or adjusted
gross income as defined for purposes of reporting under Internal
Revenue Service Form 1040 for individual federal annual income
tax purposes or as defined by standard practices used in the
lending industry as detailed in the local housing assistance
plan and approved by the corporation. Counties and eligible
municipalities shall calculate income by annualizing verified sources of income for the household as the amount of income to be received in a household during the 12 months following the effective date of the determination.

(9) "Eligible housing" means any real and personal property located within the county or the eligible municipality which is designed and intended for the primary purpose of providing decent, safe, and sanitary residential units that are designed to meet the standards of the Florida Building Code or previous building codes adopted under chapter 553, or manufactured housing constructed after June 1994 and installed in accordance with the installation standards for mobile or manufactured homes contained in rules of the Department of Highway Safety and Motor Vehicles, for home ownership or rental for eligible persons as designated by each county or eligible municipality participating in the State Housing Initiatives Partnership Block Grant Program.

(10) "Eligible municipality" means a municipality that is eligible for federal community development block grant entitlement moneys as an entitlement community identified in 24 C.F.R. s. 570, subpart D, Entitlement Grants, or a nonentitlement municipality that is receiving local housing distribution funds under an interlocal agreement that provides for possession and administrative control of funds to be transferred to the nonentitlement municipality. An eligible
municipality that defers its participation in community
development block grants does not affect its eligibility for
participation in the State Housing Initiatives Partnership
Program.

(10) "Eligible person" or "eligible household" means
one or more natural persons or a family determined by the county
or eligible municipality to be of very low income, low income,
or moderate income according to the income limits adjusted to
family size published annually by the United States Department
of Housing and Urban Development based upon the annual gross
income of the household.

(15) "Local housing assistance strategies" means the
housing construction, rehabilitation, repair, or finance program
implemented by a participating county or eligible municipality
with the local housing distribution or other funds deposited
into the local housing assistance trust fund.

(16) "Local housing distributions" means the proceeds
of the taxes collected under chapter 201 deposited into the
Local Government Housing Trust Fund and distributed to counties
and eligible municipalities participating in the State Housing
Initiatives Partnership Block Grant Program pursuant to s.
420.9073.

(18) "Local housing partnership" means the
implementation of the local housing assistance plan in a manner
that involves the applicable county or eligible municipality,
lending institutions, housing builders and developers, real
estate professionals, advocates for low-income persons,
community-based housing and service organizations, and providers
of professional services relating to affordable housing. The
term includes initiatives to provide support services for
housing program beneficiaries such as training to prepare
persons for the responsibility of homeownership, counseling of
tenants, and the establishing of support services such as day
care, health care, and transportation.

(25)(26) "Program income" means the proceeds derived from
interest earned on or investment of the local housing
distribution and other funds deposited into the local housing
assistance trust fund, proceeds from loan repayments, recycled
funds, and all other income derived from use of funds deposited
in the local housing assistance trust fund. It does not include
recaptured funds as defined in subsection (27).

(26)(27) "Recaptured funds" means funds that are recouped
by a county or eligible municipality in accordance with the
recapture provisions of its local housing assistance plan
pursuant to s. 420.9075(5)(e) c. 420.9075(5)(j) from eligible
persons or eligible sponsors, which funds were not used for
assistance to an eligible household for an eligible activity,
when there is a default on the terms of a grant award or loan
award.

Section 7. Section 420.9072, Florida Statutes, is amended
to read:

  420.9072  State Housing Initiatives Partnership Block Grant Program.—The State Housing Initiatives Partnership Block Grant Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

  (1)(a)  In addition to the legislative findings set forth in s. 420.6015, the Legislature finds that affordable housing is most effectively provided by combining available public and private resources to conserve and improve existing housing and provide new housing for very-low-income households, low-income households, and moderate-income households. The Legislature intends to encourage partnerships in order to secure the benefits of cooperation by the public and private sectors and to reduce the cost of housing for the target group by effectively combining all available resources and cost-saving measures. The Legislature further intends that local governments achieve this combination of resources by encouraging active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons, and community groups to produce affordable housing and provide related services. Extending the partnership concept to encompass...
cooperative efforts among small counties as defined in s. 120.52(19), and among counties and municipalities is specifically encouraged. Local governments are also intended to establish an affordable housing advisory committee to recommend monetary and nonmonetary incentives for affordable housing as provided in s. 420.9076.

(b) The Legislature further intends that the State Housing Initiatives Partnership Block Grant Program provide the maximum flexibility to local governments to determine the use of funds for housing programs while ensuring accountability for the efficient use of public resources and guaranteeing that benefits are provided to those in need.

(2)(a) To be eligible to receive funds under the program, a county or eligible municipality must:

1. Submit to the corporation its local housing assistance plan describing the local housing assistance strategies established pursuant to s. 420.9075;

2. Within 12 months after adopting the local housing assistance plan, amend the plan to incorporate the local housing incentive strategies defined in s. 420.9071 and described in s. 420.9076; and

3. Within 24 months after adopting the amended local housing assistance plan to incorporate the local housing incentive strategies, amend its land development regulations or establish local policies and procedures, as necessary, to
implement the local housing incentive strategies adopted by the
local governing body. A county or an eligible municipality that
has adopted a housing incentive strategy pursuant to s. 420.9076
before the effective date of this act shall review the status of
implementation of the plan according to its adopted schedule for
implementation and report its findings in the annual report
required by s. 420.9075(10). If, as a result of the review, a
county or an eligible municipality determines that the
implementation is complete and in accordance with its schedule,
no further action is necessary. If a county or an eligible
municipality determines that implementation according to its
schedule is not complete, it must amend its land development
regulations or establish local policies and procedures, as
necessary, to implement the housing incentive plan within 12
months after the effective date of this act, or if extenuating
circumstances prevent implementation within 12 months, pursuant
to s. 420.9075(13), enter into an extension agreement with the
corporation.

(b) A county or an eligible municipality seeking approval
to receive its share of the local housing distribution must
adopt an ordinance containing the following provisions:

1. Creation of a local housing assistance trust fund as
described in s. 420.9075(6).

2. Adoption by resolution of a local housing assistance
plan as defined in s. 420.9071 s. 420.9071(15) to be implemented
through a local housing partnership as defined in s. 420.9071—or
420.9071(19).

3. Designation of the responsibility for the
administration of the local housing assistance plan. Such
ordinance may also provide for the contracting of all or part of
the administrative or other functions of the program to a third
person or entity.

4. Creation of the affordable housing advisory committee
as provided in s. 420.9076.

The ordinance must not take effect until at least 30 days after
the date of formal adoption. Ordinances in effect prior to the
effective date of amendments to this section shall be amended as
needed to conform to new provisions.

(3)(a) The governing board of the county or of an eligible
municipality must submit to the corporation one copy of its
local housing assistance plan. The transmittal of the plan must
include a copy of the ordinance, the adopting resolution, the
local housing assistance plan, and such other information as the
corporation requires by rule; however, information to be
included in the plan is intended to demonstrate consistency with
the requirements of ss. 420.907-420.9079 and corporation rule
without posing an undue burden on the local government. Plans
shall be reviewed by a committee composed of corporation staff
as established by corporation rule.
(b) Within 45 days after receiving a plan, the review committee shall review the plan and either approve it or identify inconsistencies with the requirements of the program. The corporation shall assist a local government in revising its plan if it initially proves to be inconsistent with program requirements. A plan that is revised by the local government to achieve consistency with program requirements shall be reviewed within 45 days after submission. The deadlines for submitting original and revised plans shall be established by corporation rule; however, the corporation shall not require submission of a new local housing assistance plan to implement amendments to this act until the currently effective plan expires.

(c) The Legislature intends that approval of plans be expedited to ensure that the production of needed housing and the related creation of jobs occur as quickly as possible. After being approved for funding, a local government may amend by resolution its local housing assistance plan if the plan as amended complies with program requirements; however, a local government must submit its amended plan for review according to the process established in this subsection in order to ensure continued consistency with the requirements of the State Housing Initiatives Partnership Block Grant Program.

(4) Moneys appropriated by the Legislature for the program in the Local Government Housing Trust Fund shall be distributed by the corporation to each approved county and eligible
municipality within the county as provided in s. 420.9073.

Distributions shall be allocated to The participating county may make subgrants to a and to each eligible municipality within the county according to an interlocal agreement between the county governing authority and the governing body of the eligible municipality or, if there is no interlocal agreement, according to population. The portion for each eligible municipality is computed by multiplying the total moneys earmarked for a county by a fraction, the numerator of which is the population of the eligible municipality and the denominator of which is the total population of the county. The remaining revenues shall be distributed to the governing body of the county.

(5)(a) Local governments are encouraged to make the most efficient use of their resources by cooperating to provide affordable housing assistance. Local governments may enter into an interlocal agreement for the purpose of establishing a joint local housing assistance plan subject to the requirements of ss. 420.907-420.9079. The local housing distributions for such counties and eligible municipalities shall be directly disbursed on a monthly basis to each county or eligible municipality to be administered in conformity with the interlocal agreement providing for a joint local housing assistance plan.

(b) If a county or eligible municipality enters into an interlocal agreement with a municipality that becomes eligible as a result of entering into that interlocal agreement, the
county or eligible municipality that has agreed to transfer the control of funds to a municipality that was not originally eligible must ensure through its local housing assistance plan and through the interlocal agreement that all program funds are used in a manner consistent with ss. 420.907-420.9079. This must be accomplished by:

1. Providing that the use of the portion of funds transferred to the municipality meets all requirements of ss. 420.907-420.9079 or

2. Providing that the use of the portion of funds transferred to the municipality, when taken in combination with the use of the local housing distribution from which funds were transferred, meets all requirements of ss. 420.907-420.9079.

(6) The moneys that otherwise would be distributed pursuant to s. 420.9073 to a local government that does not meet the program's requirements for receipts of such distributions shall remain in the Local Government Housing Trust Fund to be administered by the corporation.

(7)(a) A county or an eligible municipality must expend its portion of the local housing distribution only to implement a local housing assistance plan or as provided in this subsection.

(b) A county or an eligible municipality may not expend its portion of the local housing distribution to provide ongoing rent subsidies, including for the following except for:
1. Security and utility deposit assistance.
2. Eviction prevention not to exceed 6 months' rent.
3. A rent subsidy program for very-low-income households with at least one adult who is a person with special needs as defined in s. 420.0004 or homeless as defined in s. 420.621. The period of rental assistance may not exceed 12 months for any eligible household.
4. A housing choice voucher program to assist eligible households seeking workforce housing or very-low-income households, the elderly, or persons with special needs to afford decent, safe, and sanitary housing in the private market.

(8) Funds distributed under this program may not be pledged to pay the debt service on any bonds.
(9) The corporation shall adopt rules necessary to implement ss. 420.907-420.9079.

Section 8. Section 420.9073, Florida Statutes, is amended to read:

420.9073 Local housing distributions.—

(1) Distributions calculated in this section shall be disbursed on a quarterly or more frequent basis by the corporation pursuant to s. 420.9072, subject to availability of funds. Each county's share of the funds to be distributed from the portion of the funds appropriated annually for the State Housing Initiatives Partnership Block Grant Program in the Local Government Housing Trust Fund received pursuant to s. 420.9074.
201.15(4)(c) shall be calculated by the corporation for each fiscal year as follows:

(a) Each county other than a county that has implemented chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida, shall receive the guaranteed amount for each fiscal year.

(b) Each county other than a county that has implemented chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida, may receive an additional share calculated as follows:

1. Multiply each county's percentage of the total state population excluding the population of any county that has implemented chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida, by the total funds to be distributed.

2. If the result in subparagraph 1. is less than the guaranteed amount as determined in subsection (2) (3), that county's additional share shall be zero.

3. For each county in which the result in subparagraph 1. is greater than the guaranteed amount as determined in subsection (2) (3), the amount calculated in subparagraph 1. shall be reduced by the guaranteed amount. The result for each such county shall be expressed as a percentage of the amounts so determined for all counties. Each such county shall receive an additional share equal to such percentage multiplied by the...
total funds received by the Local Government Housing Trust Fund pursuant to s. 201.15(4)(c) reduced by the guaranteed amount paid to all counties.

(2) Distributions calculated in this section shall be disbursed on a quarterly or more frequent basis by the corporation pursuant to s. 420.9072, subject to availability of funds. Each county's share of the funds to be distributed from the portion of the funds in the Local Government Housing Trust Fund received pursuant to s. 201.15(4)(d) shall be calculated by the corporation for each fiscal year as follows:

(a) Each county shall receive the guaranteed amount for each fiscal year.

(b) Each county may receive an additional share calculated as follows:

1. Multiply each county's percentage of the total state population, by the total funds to be distributed.

2. If the result in subparagraph 1. is less than the guaranteed amount as determined in subsection (3), that county's additional share shall be zero.

3. For each county in which the result in subparagraph 1. is greater than the guaranteed amount, the amount calculated in subparagraph 1. shall be reduced by the guaranteed amount. The result for each such county shall be expressed as a percentage of the amounts so determined for all counties. Each such county shall receive an additional share equal to this percentage.
multiplied by the total funds received by the Local Government Housing Trust Fund pursuant to s. 201.15(4)(d) as reduced by the guaranteed amount paid to all counties.

(3) Calculation of guaranteed amounts:

(2)(a) The guaranteed amount under subsection (1) shall be calculated for each state fiscal year is $500,000 by multiplying $350,000 by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(4)(c) and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15.

(b) The guaranteed amount under subsection (2) shall be calculated for each state fiscal year by multiplying $350,000 by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(4)(d) and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15.

(3) Funds distributed pursuant to this section may not be pledged to pay debt service on any bonds.

(4) Notwithstanding subsections (1), (2), and (3), the corporation may withhold up to $5 million of the total amount distributed each fiscal year from the Local Government Housing Trust Fund to provide additional funding to counties and eligible municipalities where a state of emergency has been
declared by the Governor pursuant to chapter 252. Any portion of
the withheld funds not distributed by the end of the fiscal year
shall be distributed as provided in subsection (1) subsections
(1) and (2).

(5)(6) Notwithstanding subsections (1), (2), and (3) (1) =
(4), the corporation may withhold up to $5 million from the
total amount distributed each fiscal year from the Local
Government Housing Trust Fund to provide funding to counties and
eligible municipalities to purchase properties subject to a
State Housing Initiatives Initiative Partnership Block Grant
Program lien and on which foreclosure proceedings have been
initiated by any mortgagee. Each county and eligible
municipality that receives funds under this subsection shall
repay such funds to the corporation not later than the
expenditure deadline for the fiscal year in which the funds were
awarded. Amounts not repaid shall be withheld from the
subsequent year's distribution. Any portion of such funds not
distributed under this subsection by the end of the fiscal year
shall be distributed as provided in subsection (1) subsections
(1) and (2).

(6)(7) A county receiving local housing distributions
under this section which or an eligible municipality that
receives local housing distributions under an interlocal
agreement shall expend those funds in accordance with the
provisions of ss. 420.907-420.9079, rules of the corporation,
and the county's local housing assistance plan.

Section 9. Section 420.9075, Florida Statutes, is amended to read:

420.9075 Local housing assistance plans; partnerships.—

(1)(a) Each county or eligible municipality participating in the State Housing Initiatives Partnership Block Grant Program shall develop and implement a local housing assistance plan created to make affordable residential units available to persons of very low income, low income, or moderate income and to persons who have special housing needs, including, but not limited to, homeless people, the elderly, migrant farmworkers, and persons with disabilities. Counties or eligible municipalities may include strategies to assist persons and households having annual incomes of not more than 140 percent of area median income. The plans are intended to increase the availability of affordable residential units by combining local resources and cost-saving measures into a local housing partnership and using private and public funds to reduce the cost of housing.

(b) Local housing assistance plans may allocate funds to:

1. Implement local housing assistance strategies for the provision of affordable housing.

2. Supplement funds available to the corporation to provide enhanced funding of state housing programs within the county or the eligible municipality.
3. Provide the local matching share of federal affordable housing grants or programs.

4. Fund emergency repairs, including, but not limited to, repairs performed by existing service providers under weatherization assistance programs under ss. 409.509-409.5093.

5. Further the housing element of the local government comprehensive plan adopted pursuant to s. 163.3184, specific to affordable housing.

(2)(a) Each county and each eligible municipality participating in the State Housing Initiatives Partnership Block Grant Program shall encourage the involvement of appropriate public sector and private sector entities as partners in order to combine resources to reduce housing costs for the targeted population. This partnership process should involve:

1. Lending institutions.

2. Housing builders and developers.

3. Nonprofit and other community-based housing and service organizations.

4. Providers of professional services relating to affordable housing.

5. Advocates for low-income persons, including, but not limited to, homeless people, the elderly, and migrant farmworkers.

6. Real estate professionals.

7. Other persons or entities who can assist in providing
housing or related support services.

8. Lead agencies of local homeless assistance continuums of care.

(b) The specific participants in partnership activities may vary according to the community's resources and the nature of the local housing assistance plan.

(3)(a) Each local housing assistance plan shall include a definition of essential service personnel for the county or eligible municipality, including, but not limited to, teachers and educators, other school district, community college, and university employees, police and fire personnel, health care personnel, skilled building trades personnel, and other job categories.

(b) Each county and each eligible municipality is encouraged to develop a strategy within its local housing assistance plan that emphasizes the recruitment and retention of essential service personnel. The local government is encouraged to involve public and private sector employers. Compliance with the eligibility criteria established under this strategy shall be verified by the county or eligible municipality.

(c) Each county and each eligible municipality is encouraged to develop a strategy within its local housing assistance plan that addresses the needs of persons who are deprived of affordable housing due to the closure of a mobile home park or the conversion of affordable rental units to
condominiums.

(d) Each county and each eligible municipality shall describe initiatives in the local housing assistance plan to encourage or require innovative design, green building principles, storm-resistant construction, or other elements that reduce long-term costs relating to maintenance, utilities, or insurance.

(e) Each county and each eligible municipality is encouraged to develop a strategy within its local housing assistance plan which provides program funds for the preservation of assisted housing.

(f) Each county and each eligible municipality is encouraged to develop a strategy within its local housing assistance plan which provides program funds for reducing homelessness.

(g) Local governments may create regional partnerships across jurisdictional boundaries through the pooling of appropriated funds to address homeless housing needs identified in local housing assistance plans.

(4) Each local housing assistance plan is governed by the following criteria and administrative procedures:

(a) Each county, eligible municipality, or entity formed through interlocal agreement to participate in the State Housing Initiatives Partnership Block Grant Program must develop a qualification system and selection criteria for applications for
awards by eligible sponsors, adopt criteria for the selection of eligible persons, and adopt a maximum award schedule or system of amounts consistent with the intent and budget of its local housing assistance plan, with ss. 420.907-420.9079, and with corporation rule.

(b) The county or eligible municipality or its administrative representative shall advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

(c) In accordance with the provisions of ss. 760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process for eligible housing.

(d) As a condition of receipt of an award, the eligible sponsor or eligible person must contractually commit to comply with the affordable housing criteria provided under ss. 420.907-420.9079 applicable to the affordable housing objective of the award. The plan criteria adopted by the county or eligible municipality must prescribe the contractual obligations required to ensure compliance with award conditions.

(e) The staff or entity that has administrative authority
for implementing a local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity or corporation program provides periodic monitoring and determination, a municipality, county, or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of $10,000 or less is not subject to these annual monitoring and determination of tenant eligibility requirements.

(5) The following criteria apply to awards made to eligible sponsors or eligible persons for the purpose of providing eligible housing:

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

(b) Up to 25 percent of the funds made available in each county and eligible municipality from the local housing distribution may be reserved for rental housing for eligible persons or for the purposes enumerated in s. 420.9072(7)(b).

(c) At least 75 percent of the funds made available in each county and eligible municipality from the local housing distribution must be reserved for construction, rehabilitation, or emergency repair of affordable, eligible housing.
(d) Each local government must use a minimum of 20 percent of its local housing distribution to serve persons with special needs as defined in s. 420.0004. A local government must certify that it will meet this requirement through existing approved strategies in the local housing assistance plan or submit a new local housing assistance plan strategy for this purpose to the corporation for approval to ensure that the plan meets this requirement. The first priority of these special needs funds must be to serve persons with developmental disabilities as defined in s. 393.063, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain independent in their own homes and maintain their homeownership.

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

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

(b) All units constructed, rehabilitated, or
otherwise assisted with the funds provided from the local
housing assistance trust fund must be occupied by very-low-
income persons, low-income persons, and moderate-income persons
except as otherwise provided in this section.

2. At least 30 percent of the funds deposited into the
local housing assistance trust fund must be reserved for awards
to very-low-income persons or eligible sponsors who will serve
very-low-income persons, and at least an additional 30 percent
of the funds deposited into the local housing assistance trust
fund must be reserved for awards to low-income persons or
eligible sponsors who will serve low-income persons.

(c)(h) Loans shall be provided for periods not exceeding
30 years, except for deferred payment loans or loans that extend
beyond 30 years which continue to serve eligible persons.

(d)(i) Loans or grants for eligible rental housing
constructed, rehabilitated, or otherwise assisted from the local
housing assistance trust fund must be subject to recapture
requirements as provided by the county or eligible municipality
in its local housing assistance plan unless reserved for
eligible persons for 15 years or the term of the assistance,
whichever period is longer. Eligible sponsors that offer rental
housing for sale before 15 years or that have remaining
mortgages funded under this program must give a first right of
refusal to eligible nonprofit organizations for purchase at the
current market value for continued occupancy by eligible
persons.

  (e)(j) Loans or grants for eligible owner-occupied housing constructed, rehabilitated, or otherwise assisted from proceeds provided from the local housing assistance trust fund shall be subject to recapture requirements as provided by the county or eligible municipality in its local housing assistance plan.

  (f)(k) The total amount of monthly mortgage payments or the amount of monthly rent charged by the eligible sponsor or her or his designee must be made affordable.

  (g)(l) The maximum sales price or value per unit and the maximum award per unit for eligible housing benefiting from awards made pursuant to this section must be established in the local housing assistance plan.

  (h)(m) The benefit of assistance provided through the State Housing Initiatives Partnership Block Grant Program must accrue to eligible persons occupying eligible housing. This provision shall not be construed to prohibit use of the local housing distribution funds for a mixed income rental development.

  (i)(n) Funds may from the local housing distribution not used to meet the criteria established in paragraph (a) or paragraph (e) or not used for the administration of a local housing assistance plan must be used for housing production and finance activities, including, but not limited to, financing preconstruction activities or the purchase of existing units,
providing rental housing, and providing home ownership training

to prospective home buyers and owners of homes assisted through

the local housing assistance plan.

1. Notwithstanding the provisions of paragraphs (a) and

(c), Program income as defined in s. 420.9071 s. 420.9071(26)

may also be used to fund activities described in this paragraph.

2. When preconstruction due-diligence activities conducted

as part of a preservation strategy show that preservation of the

units is not feasible and will not result in the production of

an eligible unit, such costs shall be deemed a program expense

rather than an administrative expense if such program expenses
do not exceed 3 percent of the annual local housing

distribution.

3. If both an award under the local housing assistance

plan and federal low-income housing tax credits are used to

assist a project and there is a conflict between the criteria

prescribed in this subsection and the requirements of s. 42 of

the Internal Revenue Code of 1986, as amended, the county or

eligible municipality may resolve the conflict by giving

precedence to the requirements of s. 42 of the Internal Revenue

Code of 1986, as amended, in lieu of following the criteria

prescribed in this subsection with the exception of paragraphs

(a) and (b) (g) of this subsection.

4. Each county and each eligible municipality may award

funds as a grant for construction, rehabilitation, or repair as
part of disaster recovery or emergency repairs or to remedy accessibility or health and safety deficiencies. Any other grants must be approved as part of the local housing assistance plan.

(6) Each county or eligible municipality receiving local housing distribution moneys shall establish and maintain a local housing assistance trust fund. All moneys of a county or an eligible municipality received from its share of the local housing distribution, program income, recaptured funds, and other funds received or budgeted to implement the local housing assistance plan shall be deposited into the trust fund; however, local housing distribution moneys used to match federal HOME program moneys may be repaid to the HOME program fund if required by federal law or regulations. Expenditures other than for the administration and implementation of the local housing assistance plan may not be made from the fund.

(7) The moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan. The cost of administering the plan may not exceed 5 percent of the local housing distribution moneys and program income deposited into the trust fund. A county or an eligible municipality may not exceed the 5-percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately
pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to $350,000 may use up to 10 percent of program income for administrative costs.

(8) Pursuant to s. 420.531, the corporation shall provide training and technical assistance to local governments regarding the creation of partnerships, the design of local housing assistance strategies, the implementation of local housing incentive strategies, and the provision of support services.

(9) The corporation shall monitor the activities of local governments to determine compliance with program requirements and shall collect data on the operation and achievements of housing partnerships.

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

(a) The number of households served by income category,
age, family size, and race, and data regarding any special needs
populations such as farmworkers, homeless persons, persons with
disabilities, and the elderly. Counties shall report this
information separately for households served in the
unincorporated area and each municipality within the county.

(b) The number of units and the average cost of producing
units under each local housing assistance strategy.

(c) The average area purchase price of single-family units
and the amount of rent charged for a rental unit based on unit
size.

(d) By income category, the number of mortgages made, the
average mortgage amount, and the rate of default.

(e) A description of the status of implementation of each
local housing incentive strategy, or if applicable, the local
housing incentive plan as set forth in the local government's
adopted schedule for implementation.

(f) A concise description of the support services that are
available to the residents of affordable housing provided by
local programs.
(g) The sales price or value of housing produced and an accounting of what percentage was financed by the local housing distribution, other public moneys, and private resources.

(h) Such other data or affordable housing accomplishments considered significant by the reporting county or eligible municipality or by the corporation.

(i) A description of efforts to reduce homelessness.

(j) The number of affordable housing applications submitted, the number approved, and the number denied.

(11) The report shall be made available by the county or eligible municipality for public inspection and comment prior to certifying the report and transmitting it to the corporation. The county or eligible municipality shall provide notice of the availability of the proposed report and solicit public comment. The notice must state the public place where a copy of the proposed report can be obtained by interested persons. Members of the public may submit written comments on the report to the county or eligible municipality and the corporation. Written public comments shall identify the author by name, address, and interest affected. The county or eligible municipality shall attach a copy of all such written comments and its responses to the annual report submitted to the corporation.

(12) The corporation shall review the report of each county or eligible municipality and any written comments from the public and include any comments concerning the effectiveness
of local programs in the report required by s. 420.511.

(13)(a) If, as a result of the review of the annual report or public comment and written response from the county or eligible municipality, or at any other time, the corporation determines that a county or eligible municipality may have established a pattern of violation of the criteria for a local housing assistance plan established under ss. 420.907-420.9079 or that an eligible sponsor or eligible person has violated the applicable award conditions, the corporation shall report such pattern of violation of criteria or violation of award conditions to its compliance monitoring agent and the Executive Office of the Governor. The corporation's compliance monitoring agent must determine within 60 days whether the county or eligible municipality has violated program criteria and shall issue a written report thereon. If a violation has occurred, the distribution of program funds to the county or eligible municipality must be suspended until the violation is corrected.

(b) If, as a result of its review of the annual report, the corporation determines that a county or eligible municipality has failed to implement a local housing incentive strategy, or, if applicable, a local housing incentive plan, it shall send a notice of termination of the local government's share of the local housing distribution by certified mail to the affected county or eligible municipality.

1. The notice must specify a date of termination of the
976 funding if the affected county or eligible municipality does not
977 implement the plan or strategy and provide for a local response.
978 A county or eligible municipality shall respond to the
979 corporation within 30 days after receipt of the notice of
980 termination.
981 2. The corporation shall consider the local response that
982 extenuating circumstances precluded implementation and grant an
983 extension to the timeframe for implementation. Such an extension
984 shall be made in the form of an extension agreement that
985 provides a timeframe for implementation. The chief elected
986 official of a county or eligible municipality or his or her
987 designee shall have the authority to enter into the agreement on
988 behalf of the local government.
989 3. If the county or the eligible municipality has not
990 implemented the incentive strategy or entered into an extension
991 agreement by the termination date specified in the notice, the
992 local housing distribution share terminates, and any uncommitted
993 local housing distribution funds held by the affected county or
994 eligible municipality in its local housing assistance trust fund
995 shall be transferred to the Local Government Housing Trust Fund
996 to the credit of the corporation to administer.
997 4.a. If the affected local government fails to meet the
998 timeframes specified in the agreement, the corporation shall
999 terminate funds. The corporation shall send a notice of
1000 termination of the local government's share of the local housing
distribution by certified mail to the affected local government. The notice shall specify the termination date, and any uncommitted funds held by the affected local government shall be transferred to the Local Government Housing Trust Fund to the
credit of the corporation to administer.

b. If the corporation terminates funds to a county, but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement maintains compliance with program requirements, the corporation shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in ss. 420.9072 and 420.9073.

c. Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting the ordinance, resolution, and local housing assistance plan in the manner and according to the procedures provided in ss. 420.907-420.9079.

(14) If the corporation determines that a county or eligible municipality has expended program funds for an ineligible activity, the corporation shall require such funds to be repaid to the local housing assistance trust fund. Such repayment may not be made with funds from the State Housing Initiatives Partnership Block Grant Program.

Section 10. Subsection (2) of section 193.018, Florida
Statutes, is amended to read:

193.018 Land owned by a community land trust used to provide affordable housing; assessment; structural improvements, condominium parcels, and cooperative parcels.—

(2) A community land trust may convey structural improvements, condominium parcels, or cooperative parcels, that are located on specific parcels of land that are identified by a legal description contained in and subject to a ground lease having a term of at least 99 years, for the purpose of providing affordable housing to natural persons or families who meet the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, or the income limits for workforce housing, as defined in s. 420.5095(3). As used in this subsection, the term "workforce housing" means housing affordable to natural persons or families whose total annual household income does not exceed 80 percent of the area median income, adjusted for household size, or 120 percent of area median income, adjusted for household size, in areas of critical state concern designated under s. 380.05, for which the Legislature has declared its intent to provide affordable housing, and areas that were designated as areas of critical state concern for at least 20 consecutive years before removal of the designation. A community land trust shall retain a preemptive option to purchase any structural improvements, condominium parcels, or cooperative parcels on the land at a
price determined by a formula specified in the ground lease which is designed to ensure that the structural improvements, condominium parcels, or cooperative parcels remain affordable.

Section 11. Paragraphs (g) and (r) of subsection (5) of section 212.08, Florida Statutes, are amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(g) Building materials used in the rehabilitation of real property located in an enterprise zone.—

1. Building materials used in the rehabilitation of real property located in an enterprise zone are exempt from the tax imposed by this chapter upon an affirmative showing to the satisfaction of the department that the items have been used for the rehabilitation of real property located in an enterprise zone. Except as provided in subparagraph 2., this exemption inures to the owner, lessee, or lessor at the time the real property is rehabilitated, but only through a refund of previously paid taxes. To receive a refund pursuant to this paragraph, the owner, lessee, or lessor of the rehabilitated real property must file an application under oath with the
governing body or enterprise zone development agency having jurisdiction over the enterprise zone where the business is located, as applicable. A single application for a refund may be submitted for multiple, contiguous parcels that were part of a single parcel that was divided as part of the rehabilitation of the property. All other requirements of this paragraph apply to each parcel on an individual basis. The application must include:

a. The name and address of the person claiming the refund.

b. An address and assessment roll parcel number of the rehabilitated real property for which a refund of previously paid taxes is being sought.

c. A description of the improvements made to accomplish the rehabilitation of the real property.

d. A copy of a valid building permit issued by the county or municipal building department for the rehabilitation of the real property.

e. A sworn statement, under penalty of perjury, from the general contractor licensed in this state with whom the applicant contracted to make the improvements necessary to rehabilitate the real property, which lists the building materials used to rehabilitate the real property, the actual cost of the building materials, and the amount of sales tax paid in this state on the building materials. If a general contractor was not used, the applicant, not a general contractor, shall
make the sworn statement required by this sub-subparagraph.

Copies of the invoices that evidence the purchase of the building materials used in the rehabilitation and the payment of sales tax on the building materials must be attached to the sworn statement provided by the general contractor or by the applicant. Unless the actual cost of building materials used in the rehabilitation of real property and the payment of sales taxes is documented by a general contractor or by the applicant in this manner, the cost of the building materials is deemed to be an amount equal to 40 percent of the increase in assessed value for ad valorem tax purposes.

f. The identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the rehabilitated real property is located.

g. A certification by the local building code inspector that the improvements necessary to rehabilitate the real property are substantially completed.

h. A statement of whether the business is a small business as defined by s. 288.703.

i. If applicable, the name and address of each permanent employee of the business, including, for each employee who is a resident of an enterprise zone, the identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the employee resides.

2. This exemption inures to a municipality, county, other
governmental unit or agency, or nonprofit community-based organization through a refund of previously paid taxes if the building materials used in the rehabilitation are paid for from the funds of a community development block grant, State Housing Initiatives Partnership Block Grant Program, or similar grant or loan program. To receive a refund, a municipality, county, other governmental unit or agency, or nonprofit community-based organization must file an application that includes the same information required in subparagraph 1. In addition, the application must include a sworn statement signed by the chief executive officer of the municipality, county, other governmental unit or agency, or nonprofit community-based organization seeking a refund which states that the building materials for which a refund is sought were funded by a community development block grant, State Housing Initiatives Partnership Block Grant Program, or similar grant or loan program.

3. Within 10 working days after receipt of an application, the governing body or enterprise zone development agency shall review the application to determine if it contains all the information required by subparagraph 1. or subparagraph 2. and meets the criteria set out in this paragraph. The governing body or agency shall certify all applications that contain the required information and are eligible to receive a refund. If applicable, the governing body or agency shall also certify if
20 percent of the employees of the business are residents of an enterprise zone, excluding temporary and part-time employees. The certification must be in writing, and a copy of the certification shall be transmitted to the executive director of the department. The applicant is responsible for forwarding a certified application to the department within the time specified in subparagraph 4.

4. An application for a refund must be submitted to the department within 6 months after the rehabilitation of the property is deemed to be substantially completed by the local building code inspector or by November 1 after the rehabilitated property is first subject to assessment.

5. Only one exemption through a refund of previously paid taxes for the rehabilitation of real property is permitted for any single parcel of property unless there is a change in ownership, a new lessor, or a new lessee of the real property. A refund may not be granted unless the amount to be refunded exceeds $500. A refund may not exceed the lesser of 97 percent of the Florida sales or use tax paid on the cost of the building materials used in the rehabilitation of the real property as determined pursuant to sub-subparagraph 1.e. or $5,000, or, if at least 20 percent of the employees of the business are residents of an enterprise zone, excluding temporary and part-time employees, the amount of refund may not exceed the lesser of 97 percent of the sales tax paid on the cost of the building materials used in the rehabilitation of the real property as determined pursuant to sub-subparagraph 1.e. or $5,000.
materials or $10,000. A refund shall be made within 30 days
after formal approval by the department of the application for
the refund.

6. The department shall adopt rules governing the manner
and form of refund applications and may establish guidelines as
to the requisites for an affirmative showing of qualification
for exemption under this paragraph.

7. The department shall deduct an amount equal to 10
percent of each refund granted under this paragraph from the
amount transferred into the Local Government Half-cent Sales Tax
Clearing Trust Fund pursuant to s. 212.20 for the county area in
which the rehabilitated real property is located and shall
transfer that amount to the General Revenue Fund.

8. For the purposes of the exemption provided in this
paragraph, the term:

a. "Building materials" means tangible personal property
that becomes a component part of improvements to real property.

b. "Real property" has the same meaning as provided in s.
192.001(12), except that the term does not include a condominium
parcel or condominium property as defined in s. 718.103.

c. "Rehabilitation of real property" means the
reconstruction, renovation, restoration, rehabilitation,
construction, or expansion of improvements to real property.

d. "Substantially completed" has the same meaning as
provided in s. 192.042(1).
9. This paragraph expires on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

   (r) Building materials, the rental of tangible personal property, and pest control services used in new construction located in a rural area of opportunity.—

   1. As used in this paragraph, the term:

      a. "Building materials" means tangible personal property that becomes a component part of improvements to real property.

      b. "Exempt goods and services" means building materials, the rental of tangible personal property, and pest control services used in new construction.

      c. "New construction" means improvements to real property which did not previously exist. The term does not include the reconstruction, renovation, restoration, rehabilitation, modification, alteration, or expansion of buildings already located on the parcel on which the new construction is built.

      d. "Pest control" has the same meaning as in s. 482.021.

      e. "Real property" has the same meaning as provided in s. 192.001, but does not include a condominium parcel or condominium property as defined in s. 718.103.

      f. "Substantially completed" has the same meaning as in s. 192.042(1).

2. Building materials, the rental of tangible personal property, and pest control services used in new construction located in a rural area of opportunity, as designated by the
Governor pursuant to s. 288.0656, are exempt from the tax imposed by this chapter if an owner, lessee, or lessor can demonstrate to the satisfaction of the department that the requirements of this paragraph have been met. Except as provided in subparagraph 3., this exemption inures to the owner, lessee, or lessor at the time the new construction occurs, but only through a refund of previously paid taxes. To receive a refund pursuant to this paragraph, the owner, lessee, or lessor of the new construction must file an application under oath with the Department of Economic Opportunity. The application must include all of the following:

a. The name and address of the person claiming the refund.
b. An address and assessment roll parcel number of the real property that was improved by the new construction for which a refund of previously paid taxes is being sought.
c. A description of the new construction.
d. A copy of a valid building permit issued by the county or municipal building department for the new construction.
e. A sworn statement, under penalty of perjury, from the general contractor licensed in this state with whom the applicant contracted to build the new construction, which specifies the exempt goods and services, the actual cost of the exempt goods and services, and the amount of sales tax paid in this state on the exempt goods and services, and which states that the improvement to the real property was new construction.
If a general contractor was not used, the applicant shall make the sworn statement required by this sub-subparagraph. Copies of the invoices evidencing the actual cost of the exempt goods and services and the amount of sales tax paid on such goods and services must be attached to the sworn statement provided by the general contractor or by the applicant. If copies of such invoices are not attached, the cost of the exempt goods and services is deemed to be an amount equal to 40 percent of the increase in assessed value of the property for ad valorem tax purposes.

f. A certification by the local building code inspector that the new construction is substantially completed and is new construction.

3. The exemption under this paragraph inures to a municipality, county, other governmental unit or agency, or nonprofit community-based organization through a refund of previously paid taxes if the exempt goods and services are paid for from the funds of a community development block grant, the State Housing Initiatives Partnership Block Grant Program, or a similar grant or loan program. To receive a refund, a municipality, county, other governmental unit or agency, or nonprofit community-based organization must file an application that includes the same information required under subparagraph 2. In addition, the application must include a sworn statement signed by the chief executive officer of the municipality,
county, other governmental unit or agency, or nonprofit community-based organization seeking a refund which states that the exempt goods and services for which a refund is sought were funded by a community development block grant, the State Housing Initiatives Partnership Block Grant Program, or a similar grant or loan program.

4. Within 10 working days after receiving an application, the Department of Economic Opportunity shall review the application to determine whether it contains all of the information required by subparagraph 2. or subparagraph 3., as appropriate, and meets the criteria set out in this paragraph. The Department of Economic Opportunity shall certify all applications that contain the required information and are eligible to receive a refund. The certification must be in writing and a copy must be transmitted by the Department of Economic Opportunity to the executive director of the department. The applicant is responsible for forwarding a certified application to the department within the period specified in subparagraph 5.

5. An application for a refund must be submitted to the department within 6 months after the new construction is deemed to be substantially completed by the local building code inspector or by November 1 after the improved property is first subject to assessment.

6. Only one exemption through a refund of previously paid
taxes for the new construction may be claimed for any single
parcel of property unless there is a change in ownership, a new
lessor, or a new lessee of the real property. A refund may not
be granted unless the amount to be refunded exceeds $500. A
refund may not exceed the lesser of 97.5 percent of the Florida
sales or use tax paid on the cost of the exempt goods and
services as determined pursuant to sub-subparagraph 2.e. or
$10,000. The department shall issue a refund within 30 days
after it formally approves a refund application.

7. The department shall deduct 10 percent of each refund
amount granted under this paragraph from the amount transferred
into the Local Government Half-cent Sales Tax Clearing Trust
Fund pursuant to s. 212.20 for the county area in which the new
construction is located and shall transfer that amount to the
General Revenue Fund.

8. The department may adopt rules governing the manner and
format of refund applications and may establish guidelines as to the
requisites for an affirmative showing of qualification for exemption under this paragraph.

9. This exemption does not apply to improvements for which
construction began before July 1, 2017.

Section 12. Paragraph (t) of subsection (1) of section
220.03, Florida Statutes, is amended to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not
otherwise distinctly expressed or manifestly incompatible with
the intent thereof, the following terms shall have the following
meanings:

(t) "Project" means any activity undertaken by an eligible
sponsor, as defined in s. 220.183(2)(c), which is designed to
construct, improve, or substantially rehabilitate housing that
is affordable to low-income or very-low-income households as
defined in s. 420.9071; designed to provide housing opportunities for persons with special needs as
defined in s. 420.0004; designed to provide commercial,
industrial, or public resources and facilities; or designed to
improve entrepreneurial and job-development opportunities for
low-income persons. A project may be the investment necessary to
increase access to high-speed broadband capability in a rural
community that had an enterprise zone designated pursuant to
chapter 290 as of May 1, 2015, including projects that result in
improvements to communications assets that are owned by a
business. A project may include the provision of museum
educational programs and materials that are directly related to
any project approved between January 1, 1996, and December 31,
1999, and located in an area that was in an enterprise zone
designated pursuant to s. 290.0065 as of May 1, 2015. This
paragraph does not preclude projects that propose to construct
or rehabilitate low-income or very-low-income housing on
scattered sites or housing opportunities for persons with
special needs as defined in s. 420.0004. With respect to housing, contributions may be used to pay the following eligible project-related activities:

1. Project development, impact, and management fees for special needs, low-income, or very-low-income housing projects;

2. Down payment and closing costs for eligible persons described in s. 420.9071(19) or (29), as defined in s. 420.9071(20) and (30);

3. Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution, directly related to special needs, low-income, or very-low-income projects; and

4. Removal of liens recorded against residential property by municipal, county, or special-district local governments when satisfaction of the lien is a necessary precedent to the transfer of the property to an eligible person described in s. 420.9071(19) or (29), as defined in s. 420.9071(20) and (30), for the purpose of promoting home ownership. Contributions for lien removal must be received from a nonrelated third party.
2. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071 s. 420.9071(20) and (30) are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071 s. 420.9071(20) and (30) are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications as follows:

a. If tax credit applications submitted for approved projects of an eligible sponsor do not exceed $200,000 in total, the credit shall be granted in full if the tax credit applications are approved.

b. If tax credit applications submitted for approved
projects of an eligible sponsor exceed $200,000 in total, the
amount of tax credits granted under sub-subparagraph a. shall be
subtracted from the amount of available tax credits, and the
remaining credits shall be granted to each approved tax credit
application on a pro rata basis.

3. If, during the first 10 business days of the state
fiscal year, eligible tax credit applications for projects other
than those that provide housing opportunities for persons with
special needs as defined in s. 420.0004 or homeownership
opportunities for low-income or very-low-income households as
defined in s. 420.9071 s. 420.9071(20) and (30) are received for
less than the annual tax credits available for those projects,
the Department of Economic Opportunity shall grant tax credits
for those applications and shall grant remaining tax credits on
a first-come, first-served basis for any subsequent eligible
applications received before the end of the state fiscal year.

If, during the first 10 business days of the state fiscal year,
eligible tax credit applications for projects other than those
that provide housing opportunities for persons with special
needs as defined in s. 420.0004 or homeownership opportunities
for low-income or very-low-income households as defined in s.
420.9071 s. 420.9071(20) and (30) are received for more than the
annual tax credits available for those projects, the Department
of Economic Opportunity shall grant the tax credits for those
applications on a pro rata basis.
(d) The project shall be located in an area that was designated as an enterprise zone pursuant to chapter 290 as of May 1, 2015, or a Front Porch Florida Community. Any project designed to construct or rehabilitate housing for low-income or very-low-income households as defined in s. 420.9071(20) and (30) or provide housing opportunities for persons with special needs as defined in s. 420.0004 is exempt from the area requirement of this paragraph. This section does not preclude projects that propose to construct or rehabilitate housing for low-income or very-low-income households on scattered sites or provide housing opportunities for persons with special needs. Any project designed to provide increased access to high-speed broadband capabilities which includes coverage of a rural enterprise zone may locate the project's infrastructure in any area of a rural county.

Section 14. Subsections (20) and (22) of section 420.503, Florida Statutes, are amended to read:

420.503 Definitions.—As used in this part, the term:

(20) "Housing for the elderly" means, for purposes of s. 420.5087(3)(e), any nonprofit housing community that is financed by a mortgage loan made or insured by the United States Department of Housing and Urban Development under s. 202, s. 202 with a s. 8 subsidy, s. 221(d)(3) or (4), or s. 236 of the National Housing Act, as amended, and that is subject to income limitations established by the United States Department of

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Housing and Urban Development, or any program funded by the Rural Development Agency of the United States Department of Agriculture and subject to income limitations established by the United States Department of Agriculture. A project which qualifies for an exemption under the Fair Housing Act as housing for older persons as defined by s. 760.29(4) shall qualify as housing for the elderly for purposes of s. 420.5087(3)(e) and for purposes of any loans made pursuant to s. 420.508. In addition, if the corporation adopts a qualified allocation plan pursuant to s. 42(m)(1)(B) of the Internal Revenue Code or any other rules that prioritize projects targeting the elderly for purposes of allocating tax credits pursuant to s. 420.5099 or for purposes of the HOME program under s. 420.5089, a project which qualifies for an exemption under the Fair Housing Act as housing for older persons as defined by s. 760.29(4) shall qualify as a project targeted for the elderly, if the project satisfies the other requirements set forth in this part.

(22) "Loan," for purposes of the State Apartment Incentive Loan Program and HOME Investment Partnership Program, means any direct loan or loan guaranty issued or backed by such funds.

Section 15. Section 420.5061, Florida Statutes, is amended to read:

420.5061 Transfer of agency assets and liabilities.—The corporation is the legal successor in all respects to the agency, is obligated to the same extent as the agency under any
agreements existing on December 31, 1997, and is entitled to any rights and remedies previously afforded the agency by law or contract, including specifically the rights of the agency under chapter 201 and part VI of chapter 159. Effective January 1, 1998, all references under Florida law to the agency are deemed to mean the corporation. The corporation shall transfer to the General Revenue Fund an amount which otherwise would have been deducted as a service charge pursuant to s. 215.20(1) if the Florida Housing Finance Corporation Fund established by s. 420.508(5), the State Apartment Incentive Loan Fund established by former s. 420.5087(7), Florida Statutes 2021, the Florida Homeownership Assistance Fund established by s. 420.5088(4), the HOME Investment Partnership Fund established by s. 420.5089(1), and the Housing Predevelopment Loan Fund established by s. 420.525(1) were each trust funds. For purposes of s. 112.313, the corporation is deemed to be a continuation of the agency, and the provisions thereof are deemed to apply as if the same entity remained in place. Any employees of the agency and agency board members covered by s. 112.313(9)(a)6. shall continue to be entitled to the exemption in that subparagraph, notwithstanding being hired by the corporation or appointed as board members of the corporation.

Section 16. Subsections (1) and (2) of section 420.5088, Florida Statutes, are amended to read:

420.5088 Florida Homeownership Assistance Program.—There...
is created the Florida Homeownership Assistance Program for the purpose of assisting low-income and moderate-income persons in purchasing a home as their primary residence by reducing the cost of the home with below-market construction financing, by reducing the amount of down payment and closing costs paid by the borrower to a maximum of 5 percent of the purchase price, or by reducing the monthly payment to an affordable amount for the purchaser. Loans shall be made available at an interest rate that does not exceed 3 percent. The balance of any loan is due at closing if the property is sold, refinanced, rented, or transferred, unless otherwise approved by the corporation.

(1) For loans made available pursuant to s. 420.507(22)(a)1. or 2. s. 420.507(23)(a)1. or 2.:

(a) The corporation may underwrite and make those mortgage loans through the program to persons or families who have incomes that do not exceed 120 percent of the state or local median income, whichever is greater, adjusted for family size.

(b) Loans shall be made available for the term of the first mortgage.

(c) Loans may not exceed the lesser of 35 percent of the purchase price of the home or the amount necessary to enable the purchaser to meet credit underwriting criteria.

(2) For loans made pursuant to s. 420.507(22)(a)3. s. 420.507(23)(a)3.:

(a) Availability is limited to nonprofit sponsors or
developers who are selected for program participation pursuant
to this subsection.

(b) Preference must be given to community-based
organizations as defined in s. 420.503.

(c) Priority must be given to projects that have received
state assistance in funding project predevelopment costs.

(d) The benefits of making such loans shall be
contractually provided to the persons or families purchasing
homes financed under this subsection.

(e) At least 30 percent of the units in a project financed
pursuant to this subsection must be sold to persons or families
who have incomes that do not exceed 80 percent of the state or
local median income, whichever amount is greater, adjusted for
family size; and at least another 30 percent of the units in a
project financed pursuant to this subsection must be sold to
persons or families who have incomes that do not exceed 65
percent of the state or local median income, whichever amount is
greater, adjusted for family size.

(f) The maximum loan amount may not exceed 33 percent of
the total project cost.

(g) A person who purchases a home in a project financed
under this subsection is eligible for a loan authorized by s.
420.507(22)(a)1. or 2. or s. 420.507(23)(a)1. or 2. in an aggregate
amount not exceeding the construction loan made pursuant to this
subsection. The home purchaser must meet all the requirements
for loan recipients established pursuant to the applicable loan program.

(h) The corporation shall provide, by rule, for the establishment of a review committee composed of corporation staff and shall establish, by rule, a scoring system for evaluating and ranking applications submitted for construction loans under this subsection, including, but not limited to, the following criteria:

1. The affordability of the housing proposed to be built.
2. The direct benefits of the assistance to the persons who will reside in the proposed housing.
3. The demonstrated capacity of the applicant to carry out the proposal, including the experience of the development team.
4. The economic feasibility of the proposal.
5. The extent to which the applicant demonstrates potential cost savings by combining the benefits of different governmental programs and private initiatives, including the local government contributions and local government comprehensive planning and activities that promote affordable housing.
6. The use of the least amount of program loan funds compared to overall project cost.
7. The provision of homeownership counseling.
8. The applicant's agreement to exceed the requirements of paragraph (e).
9. The commitment of first mortgage financing for the balance of the construction loan and for the permanent loans to the purchasers of the housing.

10. The applicant's ability to proceed with construction.

11. The targeting objectives of the corporation which will ensure an equitable distribution of loans between rural and urban areas.

12. The extent to which the proposal will further the purposes of this program.

   (i) The corporation may reject any and all applications.

   (j) The review committee established by corporation rule pursuant to this subsection shall make recommendations to the corporation board regarding program participation under this subsection. The corporation board shall make the final ranking for participation based on the scores received in the ranking, further review of the applications, and the recommendations of the review committee. The corporation board shall approve or reject applicants for loans and shall determine the tentative loan amount available to each program participant. The final loan amount shall be determined pursuant to rule adopted under s. 420.507(22)(h) or 420.507(23)(h).

Section 17. Paragraphs (a) and (i) of subsection (3) of section 420.511, Florida Statutes, are amended to read:

420.511 Strategic business plan; long-range program plan; annual report; audited financial statements.—
(3) The corporation shall submit to the Governor and the presiding officers of each house of the Legislature, within 6 months after the end of its fiscal year, a complete and detailed report setting forth the corporation's state and federal program accomplishments using the most recent available data. The report must include, but is not limited to:

(a) The following tenant characteristics in the existing rental units financed through corporation-administered programs:

1. The number of households served, delineated by income, race, ethnicity, and age of the head of household.

2. The number of households served in large, medium, and small counties as described in former s. 420.5087(1), Florida Statutes 2021, and the extent to which geographic distribution has been achieved in accordance with former s. 420.5087, Florida Statutes 2021.

3. The number of farmworker and commercial fishing worker households served.

4. The number of homeless households served.

5. The number of special needs households served.

6. By county, the average rent charged based on unit size.

(i) For the State Apartment Incentive Loan Program (SAIL), a comprehensive list of all closed loans outstanding at the end of the most recent fiscal year, including, but not limited to, development name, city, county, developer, set-aside type, set-aside percentage, affordability term, total number of units,
number of set-aside units, lien position, original loan amount, loan maturity date, loan balance at close of year, status of loan, rate of interest, and interest paid.

Section 18. Section 420.517, Florida Statutes, is amended to read:

420.517 Affordable housing and job training coordination.—
The Florida Housing Finance Corporation shall undertake efforts to provide incentives to developers to build housing that encourages onsite job skills training to enable low-income residents to obtain and maintain meaningful employment. To the extent possible, the corporation shall direct all recipients of state housing funds, including municipalities, to work in cooperation with local and regional Job Training Partnerships Boards to provide training to residents and others who may be making the transition from welfare to the workforce. The corporation shall provide incentives through housing policy and program guidelines to prioritize those developments that encourage workforce training and skills development.

Section 19. Subsection (1) of section 420.531, Florida Statutes, is amended to read:

420.531 Affordable Housing Catalyst Program.—
(1) The corporation shall operate the Affordable Housing Catalyst Program for the purpose of securing the expertise necessary to provide specialized technical support to local governments and community-based organizations to implement the
HOME Investment Partnership Program, State Apartment Incentive Loan Program, State Housing Initiatives Partnership Block Grant Program, and other affordable housing programs. To the maximum extent feasible, the entity to provide the necessary expertise must be recognized by the Internal Revenue Service as a nonprofit tax-exempt organization. It must have as its primary mission the provision of affordable housing training and technical assistance, an ability to provide training and technical assistance statewide, and a proven track record of successfully providing training and technical assistance under the Affordable Housing Catalyst Program. The technical support shall, at a minimum, include training relating to the following key elements of the partnership programs:

(a) Formation of local and regional housing partnerships as a means of bringing together resources to provide affordable housing.

(b) Implementation of regulatory reforms to reduce the risk and cost of developing affordable housing.

(c) Implementation of affordable housing programs included in local government comprehensive plans.

(d) Compliance with requirements of federally funded housing programs.

Section 20. Paragraph (d) of subsection (1) and subsection (2) of section 420.628, Florida Statutes, are amended to read:

420.628 Affordable housing for children and young adults
leaving foster care; legislative findings and intent.—

(1)

(d) The Legislature intends that the Florida Housing Finance Corporation, agencies within the State Housing Initiatives Initiative Partnership Block Grant Program, local housing finance agencies, public housing authorities, and their agents, and other providers of affordable housing coordinate with the Department of Children and Families, their agents, and community-based care providers who provide services under s. 409.986 to develop and implement strategies and procedures designed to make affordable housing available whenever and wherever possible to young adults who leave the child welfare system.

(2) Young adults who leave the child welfare system meet the definition of eligible persons under ss. 420.503 and 420.9071 for affordable housing and are encouraged to participate in federal, state, and local affordable housing programs. Students deemed to be eligible occupants under 26 U.S.C. s. 42(i)(3)(D) shall be considered eligible persons for purposes of all projects funded under this chapter.

Section 21. Subsections (1) through (4), (6), and (7) of section 420.9076, Florida Statutes, are amended to read:

420.9076 Adoption of affordable housing incentive strategies; committees.—
(1) Each county or eligible municipality participating in the State Housing Initiatives Partnership Block Grant Program including a municipality receiving program funds through the county, or an eligible municipality must, within 12 months after the original adoption of the local housing assistance plan, amend the plan to include local housing incentive strategies as defined in s. 420.9071 s. 420.9071(18).

(2) The governing board of a county or municipality shall appoint the members of the affordable housing advisory committee. Pursuant to the terms of any interlocal agreement, a county and municipality may create and jointly appoint an advisory committee. The local action adopted pursuant to s. 420.9072 which creates the advisory committee and appoints the advisory committee members must name at least 8 but not more than 11 committee members and specify their terms. Effective October 1, 2020, The committee must consist of one locally elected official from each county or municipality participating in the State Housing Initiatives Partnership Block Grant Program and one representative from at least six of the categories below:

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

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

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

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

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

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

(g) A citizen who is actively engaged as a real estate professional in connection with affordable housing.

(h) A citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.

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

(j) A citizen who represents employers within the jurisdiction.

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

3 All meetings of the advisory committee are public meetings, and all committee records are public records. Staff, administrative, and facility support to the advisory committee shall be provided by the appointing county or eligible
municipality.

(4) Annually, the advisory committee shall review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan of the appointing local government and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, each advisory committee shall submit an annual report to the local governing body and to the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program which includes recommendations on the implementation of affordable housing incentives in the following areas:

(a) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.

(b) All allowable fee waivers provided for the development
or construction of affordable housing.

(c) The allowance of flexibility in densities for affordable housing.

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

(e) Affordable accessory residential units.

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

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

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

(i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

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

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

The advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee. Local governments that receive the minimum allocation
1801 under the State Housing Initiatives Partnership Block Grant
1802 Program shall perform an initial review but may elect to not
1803 perform the annual review.
1804 (6) Within 90 days after the date of receipt of the
1805 evaluation and local housing incentive strategies
1806 recommendations from the advisory committee, the governing body
1807 of the appointing local government shall adopt an amendment to
1808 its local housing assistance plan to incorporate the local
1809 housing incentive strategies it will implement within its
1810 jurisdiction. The amendment must include, at a minimum, the
1811 local housing incentive strategies as defined in s. 420.9071
1812 required under s. 420.9071(18). The local government must
1813 consider the strategies specified in paragraphs (4)(a)-(k) as
1814 recommended by the advisory committee.
1815 (7) The governing board of the county or the eligible
1816 municipality shall notify the corporation by certified mail of
1817 its adoption of an amendment of its local housing assistance
1818 plan to incorporate local housing incentive strategies. The
1819 notice must include a copy of the approved amended plan.
1820 (a) If the corporation fails to receive timely the
1821 approved amended local housing assistance plan to incorporate
1822 local housing incentive strategies, a notice of termination of
1823 its share of the local housing distribution shall be sent by
1824 certified mail by the corporation to the affected county or
1825 eligible municipality. The notice of termination must specify a
date of termination of the funding if the affected county or eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies. If the county or eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies by the termination date specified in the notice of termination, the local distribution share terminates; and any uncommitted local distribution funds held by the affected county or eligible municipality in its local housing assistance trust fund shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer the local government housing program.

(b) If a county fails to timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement within the county does timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies, the corporation, after issuance of a notice of termination, shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in s. 420.9073.

(c) Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting an
amended local housing assistance plan to incorporate local housing incentive strategies in the manner and according to the procedure provided in this section and by adopting an ordinance in the manner required in s. 420.9072.

Section 22. Subsection (2) of section 420.9079, Florida Statutes, is amended to read:

420.9079 Local Government Housing Trust Fund.—

(2) The corporation shall administer the fund exclusively for the purpose of implementing the programs described in ss. 420.907-420.9076 and this section. With the exception of monitoring the activities of counties and eligible municipalities to determine local compliance with program requirements, the corporation shall not receive appropriations from the fund for administrative or personnel costs. For the purpose of implementing the compliance monitoring provisions of s. 420.9075(9), the corporation may request a maximum of one-quarter of 1 percent of the annual appropriation per state fiscal year. When such funding is appropriated, the corporation shall deduct the amount appropriated prior to calculating the local housing distribution pursuant to ss. 420.9072 and 420.9073.

Section 23. Section 420.9089, Florida Statutes, is amended to read:

420.9089 National Housing Trust Fund.—The Legislature finds that more funding for housing to assist individuals and
families who are experiencing homelessness or who are at risk of
homelessness is needed and encourages the state entity
designated to administer funds made available to the state from
the National Housing Trust Fund to propose an allocation plan
that includes strategies to reduce homelessness and the risk of
homelessness in this state. These strategies shall be in
addition to strategies developed under s. 420.5087.

Section 24. Paragraphs (d) and (e) of subsection (2) of
section 624.5105, Florida Statutes, are amended to read:

624.5105 Community contribution tax credit; authorization;
limitations; eligibility and application requirements;
administration; definitions; expiration.—

(2) ELIGIBILITY REQUIREMENTS.—

(d) The project shall be located in an area that was
designated as an enterprise zone pursuant to chapter 290 as of
May 1, 2015, or a Front Porch Florida Community. Any project
designed to provide housing opportunities for persons with
special needs as defined in s. 420.0004 or to construct or
rehabilitate housing for low-income or very-low-income
households as defined in s. 420.9071 s. 420.9071(20) and (30) is
exempt from the area requirement of this paragraph.

(e)1. If, during the first 10 business days of the state
fiscal year, eligible tax credit applications for projects that
provide housing opportunities for persons with special needs as
defined in s. 420.0004 or homeownership opportunities for low-
income or very-low-income households as defined in s. 420.9071(20) and (30) are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(20) and (30) are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications as follows:

a. If tax credit applications submitted for approved projects of an eligible sponsor do not exceed $200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

b. If tax credit applications submitted for approved projects of an eligible sponsor exceed $200,000 in total, the amount of tax credits granted under sub-subparagraph a. shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit
application on a pro rata basis.

2. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(20) and (30) are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(20) and (30) are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications on a pro rata basis.

Section 25. This act shall take effect July 1, 2022.