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LEGISLATIVE ACTION

Senate

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House

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The Committee on Rules (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Before line 13

insert:

Section 1. Paragraphs (a) and (n) of subsection (5) of section 420.9075, Florida Statutes, are amended to read:

420.9075 Local housing assistance plans; partnerships.—

(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~~



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12 ~~county and eligible municipality from the local housing~~  
13 ~~distribution must be reserved for home ownership for eligible~~  
14 ~~persons.~~

15 (m) ~~(n)~~ Funds from the local housing distribution not used  
16 to meet the criteria established in ~~paragraph (a) or~~ paragraph  
17 (b) ~~(e)~~ or not used for the administration of a local housing  
18 assistance plan must be used for housing production and finance  
19 activities, including, but not limited to, financing  
20 preconstruction activities or the purchase of existing units,  
21 providing rental housing, and providing home ownership training  
22 to prospective home buyers and owners of homes assisted through  
23 the local housing assistance plan.

24 1. Notwithstanding paragraph (b) ~~the provisions of~~  
25 ~~paragraphs (a) and (e)~~, program income as defined in s.  
26 420.9071(26) may also be used to fund activities described in  
27 this paragraph.

28 2. When preconstruction due-diligence activities conducted  
29 as part of a preservation strategy show that preservation of the  
30 units is not feasible and will not result in the production of  
31 an eligible unit, such costs shall be deemed a program expense  
32 rather than an administrative expense if such program expenses  
33 do not exceed 3 percent of the annual local housing  
34 distribution.

35 3. If both an award under the local housing assistance plan  
36 and federal low-income housing tax credits are used to assist a  
37 project and there is a conflict between the criteria prescribed  
38 in this subsection and the requirements of s. 42 of the Internal  
39 Revenue Code of 1986, as amended, the county or eligible  
40 municipality may resolve the conflict by giving precedence to



41 the requirements of s. 42 of the Internal Revenue Code of 1986,  
42 as amended, in lieu of following the criteria prescribed in this  
43 subsection with the exception of paragraph (f) ~~paragraphs (a)~~  
44 ~~and (g) of this subsection.~~

45 4. Each county and each eligible municipality may award  
46 funds as a grant for construction, rehabilitation, or repair as  
47 part of disaster recovery or emergency repairs or to remedy  
48 accessibility or health and safety deficiencies. Any other  
49 grants must be approved as part of the local housing assistance  
50 plan.

51 Section 2. Subsection (27) of section 420.9071, Florida  
52 Statutes, is amended to read:

53 420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
54 term:

55 (27) "Recaptured funds" means funds that are recouped by a  
56 county or eligible municipality in accordance with the recapture  
57 provisions of its local housing assistance plan pursuant to s.  
58 420.9075(5)(i) ~~s. 420.9075(5)(j)~~ from eligible persons or  
59 eligible sponsors, which funds were not used for assistance to  
60 an eligible household for an eligible activity, when there is a  
61 default on the terms of a grant award or loan award.

62  
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete lines 2 - 3

66 and insert:

67 An act relating to affordable housing; amending s.  
68 420.9075, F.S.; deleting a criterion for awards made  
69 to eligible sponsors or eligible persons for the



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70        purpose of providing eligible housing under the State  
71        Housing Initiatives Partnership Program; amending s.  
72        420.9071, F.S.; conforming a cross-reference; amending  
73        ss. 125.01055 and