

26 municipalities, respectively, to maintain a certain
27 policy on their websites; requiring counties and
28 municipalities, respectively, to reduce parking
29 requirements by a specified percentage under certain
30 circumstances; requiring counties and municipalities,
31 respectively, to reduce or eliminate parking
32 requirements for certain proposed mixed-use
33 developments that meet certain requirements; providing
34 certain requirements for developments located within a
35 transit-oriented development or area; defining the
36 term "major transportation hub"; providing
37 requirements for developments authorized located
38 within a transit-oriented development or area;
39 clarifying that a county or municipality,
40 respectively, is not precluded from granting
41 additional exceptions; clarifying that a proposed
42 development is not precluded from receiving a bonus
43 for density, height, or floor area ratio if specified
44 conditions are satisfied; requiring that such bonuses
45 be administratively approved by counties and
46 municipalities, respectively; defining the term
47 "commercial use"; revising applicability; authorizing
48 that specified developments be treated as a conforming
49 use under certain circumstances; authorizing that
50 specified developments be treated as a nonconforming

51 use under certain circumstances; prohibiting review or
52 approval by a county or municipality of an application
53 for development permit or order from being conditioned
54 upon the waiver, forbearance, or abandonment of any
55 development right; deeming any such waiver,
56 forbearance, or abandonment void; limiting review or
57 approval by a county or municipality of an application
58 for development of nonresidential uses to requested
59 uses; authorizing an applicant for certain proposed
60 development to notify a county or municipality, as
61 applicable, of its intent to proceed under certain
62 provisions; requiring counties and municipalities to
63 allow certain applicants to submit a revised
64 application, written request, or notice of intent;
65 amending s. 196.1978, F.S.; revising the definition of
66 the term "newly constructed"; revising conditions for
67 when multifamily projects are considered property used
68 for a charitable purpose and are eligible to receive
69 an ad valorem property tax exemption; requiring
70 property appraisers to make certain exemptions from ad
71 valorem property taxes; providing the method for
72 determining the value of a unit for certain purposes;
73 requiring property appraisers to review certain
74 applications and make certain determinations;
75 authorizing property appraisers to request and review

76 additional information; authorizing property
 77 appraisers to grant exemptions only under certain
 78 conditions; revising requirements for property owners
 79 seeking a certification notice from the Florida
 80 Housing Finance Corporation; providing that a certain
 81 determination by the corporation does not constitute
 82 an exemption; conforming provisions to changes made by
 83 the act; amending s. 196.1979, F.S.; revising the
 84 value to which a certain ad valorem property tax
 85 exemption applies; revising a condition of eligibility
 86 for vacant residential units to qualify for a certain
 87 ad valorem property tax exemption; revising the
 88 deadline for an application for exemption; revising
 89 deadlines by which boards and governing bodies must
 90 deliver to or notify the Department of Revenue of the
 91 adoption, repeal, or expiration of certain ordinances;
 92 requiring property appraisers to review certain
 93 applications and make certain determinations;
 94 authorizing property appraisers to request and review
 95 additional information; authorizing property
 96 appraisers to grant exemptions only under certain
 97 conditions; providing the method for determining the
 98 value of a unit for certain purposes; providing for
 99 retroactive application; amending s. 333.03, F.S.;
 100 excluding certain proposed developments from specified

101 airport zoning provisions; amending s. 420.507, F.S.;
 102 revising the enumerated powers of the corporation;
 103 amending s. 420.50871, F.S.; defining the term "urban
 104 infill"; prohibiting certain projects from requiring
 105 certain tax credits or bond financing; amending s.
 106 420.50872, F.S.; prohibiting certain projects from
 107 requiring certain tax credits or bond financing;
 108 amending s. 420.5096, F.S.; deleting required working
 109 hours under the Florida Hometown Hero Program;
 110 amending s. 420.518, F.S.; specifying conditions under
 111 which the corporation may preclude applicants from
 112 corporation programs; providing an appropriation;
 113 providing an effective date.

114
 115 Be It Enacted by the Legislature of the State of Florida:

116
 117 Section 1. Subsection (7) of section 125.01055, Florida
 118 Statutes, is amended, and subsections (8) and (9) are added to
 119 that section, to read:

120 125.01055 Affordable housing.—

121 (7)(a) A county must authorize multifamily and mixed-use
 122 residential as allowable uses on any site owned by a county and
 123 in any area zoned for commercial, industrial, or mixed use, or
 124 any zoning district permitting commercial, industrial, or mixed
 125 uses, if at least 40 percent of the residential units in a

126 | proposed multifamily ~~rental~~ development are rental units that,
 127 | for a period of at least 30 years, are affordable as defined in
 128 | s. 420.0004. Notwithstanding any other law, local ordinance, or
 129 | regulation to the contrary, a county may not require a proposed
 130 | multifamily development to obtain a zoning or land use change,
 131 | special exception, conditional use approval, variance, or
 132 | comprehensive plan amendment for the building height, zoning,
 133 | and densities authorized under this subsection. For mixed-use
 134 | residential projects, at least 65 percent of the total square
 135 | footage must be used for residential purposes.

136 | (b) A county may not restrict the density of a proposed
 137 | development authorized under this subsection below the highest
 138 | currently allowed density on any unincorporated land in the
 139 | county where residential development is allowed under the
 140 | county's land development regulations. For purposes of this
 141 | paragraph, the term "highest currently allowed density" does not
 142 | include the density of any building that met the requirements of
 143 | this subsection or the density of any building that has received
 144 | any bonus, variance, or other special exception for density
 145 | provided in the county's land development regulations as an
 146 | incentive for development.

147 | (c) A county may not restrict the floor area ratio of a
 148 | proposed development authorized under this subsection below 150
 149 | percent of the highest currently allowed floor area ratio on any
 150 | unincorporated land in the county where development is allowed

151 under the county's land development regulations. For purposes of
152 this paragraph, the term "highest currently allowed floor area
153 ratio" does not include the floor area ratio of any building
154 that met the requirements of this subsection or the floor area
155 ratio of any building that has received any bonus, variance, or
156 other special exception for floor area ratio provided in the
157 county's land development regulations as an incentive for
158 development. For purposes of this subsection, the term "floor
159 area ratio" includes floor lot ratio.

160 (d)1.~~(e)~~ A county may not restrict the height of a
161 proposed development authorized under this subsection below the
162 highest currently allowed height for a commercial or residential
163 building development located in its jurisdiction within 1 mile
164 of the proposed development or 3 stories, whichever is higher.
165 For purposes of this paragraph, the term "highest currently
166 allowed height" does not include the height of any building that
167 met the requirements of this subsection or the height of any
168 building that has received any bonus, variance, or other special
169 exception for height provided in the county's land development
170 regulations as an incentive for development.

171 2. If the proposed development is adjacent to, on two or
172 more sides, a parcel zoned for single-family residential use
173 which is within a single-family residential development with at
174 least 25 contiguous single-family homes, the county may restrict
175 the height of the proposed development to 150 percent of the

176 tallest building on any property adjacent to the proposed
177 development, the highest currently allowed height for the
178 property provided in the county's land development regulations,
179 or 3 stories, whichever is higher. For the purposes of this
180 paragraph, the term "adjacent to" means those properties sharing
181 more than one point of a property line, but does not include
182 properties separated by a public road.

183 (e)1.~~(d)~~ A proposed development authorized under this
184 subsection must be administratively approved and no public
185 hearings or any further action by the board of county
186 commissioners or any other quasi-judicial board or reviewing
187 body is required if the development satisfies the county's land
188 development regulations for multifamily developments in areas
189 zoned for such use and is otherwise consistent with the
190 comprehensive plan, with the exception of provisions
191 establishing allowable densities, floor area ratios, height, and
192 land use. Such land development regulations include, but are not
193 limited to, regulations relating to setbacks and parking
194 requirements.

195 2. A county may not restrict the maximum lot size of a
196 proposed development authorized under this paragraph below the
197 highest currently allowed maximum lot size on any unincorporated
198 land in the county where multifamily or mixed-use residential
199 development is allowed under the county's land development
200 regulations.

201 3. A proposed development located within one-quarter mile
 202 of a military installation identified in s. 163.3175(2) may not
 203 be administratively approved. Each county shall maintain on its
 204 website a policy containing procedures and expectations for
 205 administrative approval pursuant to this subsection.

206 (f)1.(e) A county must reduce ~~consider reducing~~ parking
 207 requirements by at least 20 percent for a proposed development
 208 authorized under this subsection if the development:

209 a. Is located within one-quarter ~~one-half~~ mile of a ~~major~~
 210 transit stop, as defined in the county's land development code,
 211 and the ~~major~~ transit stop is accessible from the development.

212 b. Is located within one-half mile of a major
 213 transportation hub that is accessible from the proposed
 214 development by safe, pedestrian-friendly means, such as
 215 sidewalks, crosswalks, elevated pedestrian or bike paths, or
 216 other multimodal design features.

217 c. Has available parking within 600 feet of the proposed
 218 development which may consist of options such as on-street
 219 parking, parking lots, or parking garages available for use by
 220 residents of the proposed development. However, a county may not
 221 require that the available parking compensate for the reduction
 222 in parking requirements.

223 2. A county must eliminate parking requirements for a
 224 proposed mixed-use residential development authorized under this
 225 subsection within an area recognized by the county as a transit-

226 oriented development or area, as provided in paragraph (h).

227 3. For purposes of this paragraph, the term "major
 228 transportation hub" means any transit station, whether bus,
 229 train, or light rail, which is served by public transit with a
 230 mix of other transportation options.

231 (g)~~(f)~~ For proposed multifamily developments in an
 232 unincorporated area zoned for commercial or industrial use which
 233 is within the boundaries of a multicounty independent special
 234 district that was created to provide municipal services and is
 235 not authorized to levy ad valorem taxes, and less than 20
 236 percent of the land area within such district is designated for
 237 commercial or industrial use, a county must authorize, as
 238 provided in this subsection, such development only if the
 239 development is mixed-use residential.

240 (h) A proposed development authorized under this
 241 subsection which is located within a transit-oriented
 242 development or area, as recognized by the county, must be mixed-
 243 use residential and otherwise comply with requirements of the
 244 county's regulations applicable to the transit-oriented
 245 development or area except for use, height, density, floor area
 246 ratio, and parking as provided in this subsection or as
 247 otherwise agreed to by the county and the applicant for the
 248 development.

249 (i)~~(g)~~ Except as otherwise provided in this subsection, a
 250 development authorized under this subsection must comply with

251 all applicable state and local laws and regulations.

252 (j)1. Nothing in this subsection precludes a county from
 253 granting a bonus, variance, conditional use, or other special
 254 exception for height, density, or floor area ratio in addition
 255 to the height, density, and floor area ratio requirements in
 256 this subsection.

257 2. Nothing in this subsection precludes a proposed
 258 development authorized under this subsection from receiving a
 259 bonus for density, height, or floor area ratio pursuant to an
 260 ordinance or regulation of the jurisdiction where the proposed
 261 development is located if the proposed development satisfies the
 262 conditions to receive the bonus except for any condition which
 263 conflicts with this subsection. If a proposed development
 264 qualifies for such bonus, the bonus must be administratively
 265 approved by the county and no further action by the board of
 266 county commissioners is required.

267 (k) As used in this subsection, the term "commercial use"
 268 means activities associated with the sale, rental, or
 269 distribution of products or the sale or performance of services.
 270 The term includes, but is not limited to, retail, office,
 271 entertainment, and other for-profit business activities.

272 (1)-(h) This subsection does not apply to:

273 1. Airport-impacted areas as provided in s. 333.03.

274 2. Property defined as recreational and commercial working
 275 waterfront in s. 342.201(2) (b) in any area zoned as industrial.

276 (m)-(i) This subsection expires October 1, 2033.

277 (8) Any development authorized under paragraph (7) (a) must
 278 be treated as a conforming use even after the expiration of
 279 subsection (7) and the development's affordability period as
 280 provided in paragraph (7) (a), notwithstanding the county's
 281 comprehensive plan, future land use designation, or zoning. If
 282 at any point during the development's affordability period the
 283 development violates the affordability period requirement
 284 provided in paragraph (7) (a), the development must be allowed a
 285 reasonable time to cure such violation. If the violation is not
 286 cured within a reasonable time, the development must be treated
 287 as a nonconforming use.

288 (9) (a) County review or approval of an application for
 289 development permit or development order may not be conditioned
 290 upon the waiver, forbearance, or abandonment of any development
 291 right authorized by this section. Any such waiver, forbearance,
 292 or abandonment is void.

293 (b) County review of any application for development of
 294 nonresidential uses is limited to the requested uses and may not
 295 consider whether other uses are allowed under this section.

296 Section 2. Subsection (7) of section 166.04151, Florida
 297 Statutes, is amended, and subsections (8) and (9) are added to
 298 that section, to read:

299 166.04151 Affordable housing.—

300 (7) (a) A municipality must authorize multifamily and

301 mixed-use residential as allowable uses on any site owned by a
 302 municipality and in any area zoned for commercial, industrial,
 303 or mixed use, or any zoning district permitting commercial,
 304 industrial, or mixed-use uses, if at least 40 percent of the
 305 residential units in a proposed multifamily ~~rental~~-development
 306 are rental units that, for a period of at least 30 years, are
 307 affordable as defined in s. 420.0004. Notwithstanding any other
 308 law, local ordinance, or regulation to the contrary, a
 309 municipality may not require a proposed multifamily development
 310 to obtain a zoning or land use change, special exception,
 311 conditional use approval, variance, or comprehensive plan
 312 amendment for the building height, zoning, and densities
 313 authorized under this subsection. For mixed-use residential
 314 projects, at least 65 percent of the total square footage must
 315 be used for residential purposes.

316 (b) A municipality may not restrict the density of a
 317 proposed development authorized under this subsection below the
 318 highest currently allowed density on any land in the
 319 municipality where residential development is allowed under the
 320 municipality's land development regulations. For purposes of
 321 this paragraph, the term "highest currently allowed density"
 322 does not include the density of any building that met the
 323 requirements of this subsection or the density of any building
 324 that has received any bonus, variance, or other special
 325 exception for density provided in the municipality's land

326 development regulations as an incentive for development.

327 (c) A municipality may not restrict the floor area ratio
328 of a proposed development authorized under this subsection below
329 150 percent of the highest currently allowed floor area ratio on
330 any land in the municipality where development is allowed under
331 the municipality's land development regulations. For purposes of
332 this paragraph, the term "highest currently allowed floor area
333 ratio" does not include the floor area ratio of any building
334 that met the requirements of this subsection or the floor area
335 ratio of any building that has received any bonus, variance, or
336 other special exception for floor area ratio provided in the
337 municipality's land development regulations as an incentive for
338 development. For purposes of this subsection, the term "floor
339 area ratio" includes floor lot ratio.

340 (d)1.~~(e)~~ A municipality may not restrict the height of a
341 proposed development authorized under this subsection below the
342 highest currently allowed height for a commercial or residential
343 building ~~development~~ located in its jurisdiction within 1 mile
344 of the proposed development or 3 stories, whichever is higher.
345 For purposes of this paragraph, the term "highest currently
346 allowed height" does not include the height of any building that
347 met the requirements of this subsection or the height of any
348 building that has received any bonus, variance, or other special
349 exception for height provided in the municipality's land
350 development regulations as an incentive for development.

351 2. If the proposed development is adjacent to, on two or
352 more sides, a parcel zoned for single-family residential use
353 that is within a single-family residential development with at
354 least 25 contiguous single-family homes, the municipality may
355 restrict the height of the proposed development to 150 percent
356 of the tallest building on any property adjacent to the proposed
357 development, the highest currently allowed height for the
358 property provided in the municipality's land development
359 regulations, or 3 stories, whichever is higher. For the purposes
360 of this paragraph, the term "adjacent to" means those properties
361 sharing more than one point of a property line, but does not
362 include properties separated by a public road.

363 (e)1. ~~(d)~~ A proposed development authorized under this
364 subsection must be administratively approved and no public
365 hearings or any further action by the governing body of the
366 municipality or any other quasi-judicial board or reviewing body
367 is required if the development satisfies the municipality's land
368 development regulations for multifamily developments in areas
369 zoned for such use and is otherwise consistent with the
370 comprehensive plan, with the exception of provisions
371 establishing allowable densities, floor area ratios, height, and
372 land use. Such land development regulations include, but are not
373 limited to, regulations relating to setbacks and parking
374 requirements.

375 2. A municipality may not restrict the maximum lot size of

376 a proposed development authorized under this paragraph below the
 377 highest currently allowed maximum lot size on any unincorporated
 378 land in the municipality where multifamily or mixed-use
 379 residential development is allowed under the municipality's land
 380 development regulations.

381 3. A proposed development located within one-quarter mile
 382 of a military installation identified in s. 163.3175(2) may not
 383 be administratively approved. Each municipality shall maintain
 384 on its website a policy containing procedures and expectations
 385 for administrative approval pursuant to this subsection.

386 (f)1.(e) A municipality must reduce ~~consider reducing~~
 387 parking requirements by at least 20 percent for a proposed
 388 development authorized under this subsection if the development:

389 a. Is located within one-quarter ~~one-half~~ mile of a ~~major~~
 390 transit stop, as defined in the municipality's land development
 391 code, and the ~~major~~ transit stop is accessible from the
 392 development.

393 b. Is located within one-half mile of a major
 394 transportation hub that is accessible from the proposed
 395 development by safe, pedestrian-friendly means, such as
 396 sidewalks, crosswalks, elevated pedestrian or bike paths, or
 397 other multimodal design features.

398 c. Has available parking within 600 feet of the proposed
 399 development which may consist of options such as on-street
 400 parking, parking lots, or parking garages available for use by

401 residents of the proposed development. However, a municipality
402 may not require that the available parking compensate for the
403 reduction in parking requirements.

404 2. A municipality must eliminate parking requirements for
405 a proposed mixed-use residential development authorized under
406 this subsection within an area recognized by the municipality as
407 a transit-oriented development or area, as provided in paragraph
408 (h).

409 3. For purposes of this paragraph, the term "major
410 transportation hub" means any transit station, whether bus,
411 train, or light rail, which is served by public transit with a
412 mix of other transportation options.

413 (g)~~(f)~~ A municipality that designates less than 20 percent
414 of the land area within its jurisdiction for commercial or
415 industrial use must authorize a proposed multifamily development
416 as provided in this subsection in areas zoned for commercial or
417 industrial use only if the proposed multifamily development is
418 mixed-use residential.

419 (h) A proposed development authorized under this
420 subsection which is located within a transit-oriented
421 development or area, as recognized by the municipality, must be
422 mixed-use residential and otherwise comply with requirements of
423 the municipality's regulations applicable to the transit-
424 oriented development or area except for use, height, density,
425 floor area ratio, and parking as provided in this subsection or

426 as otherwise agreed to by the municipality and the applicant for
427 the development.

428 ~~(i)-(g)~~ Except as otherwise provided in this subsection, a
429 development authorized under this subsection must comply with
430 all applicable state and local laws and regulations.

431 (j)1. Nothing in this subsection precludes a municipality
432 from granting a bonus, variance, conditional use, or other
433 special exception to height, density, or floor area ratio in
434 addition to the height, density, and floor area ratio
435 requirements in this subsection.

436 2. Nothing in this subsection precludes a proposed
437 development authorized under this subsection from receiving a
438 bonus for density, height, or floor area ratio pursuant to an
439 ordinance or regulation of the jurisdiction where the proposed
440 development is located if the proposed development satisfies the
441 conditions to receive the bonus except for any condition which
442 conflicts with this subsection. If a proposed development
443 qualifies for such bonus, the bonus must be administratively
444 approved by the municipality and no further action by the
445 governing body of the municipality is required.

446 (k) As used in this subsection, the term "commercial use"
447 means activities associated with the sale, rental, or
448 distribution of products or the sale or performance of services.
449 The term includes, but is not limited to, retail, office,
450 entertainment, and other for-profit business activities.

451 ~~(1)(h)~~ This subsection does not apply to:

452 1. Airport-impacted areas as provided in s. 333.03.

453 2. Property defined as recreational and commercial working
 454 waterfront in s. 342.201(2)(b) in any area zoned as industrial.

455 ~~(m)(i)~~ This subsection expires October 1, 2033.

456 (8) Any development authorized under paragraph (7)(a) must
 457 be treated as a conforming use even after the expiration of
 458 subsection (7) and the development's affordability period as
 459 provided in paragraph (7)(a), notwithstanding the municipality's
 460 comprehensive plan, future land use designation, or zoning. If
 461 at any point during the development's affordability period the
 462 development violates the affordability period requirement
 463 provided in paragraph (7)(a), the development must be allowed a
 464 reasonable time to cure such violation. If the violation is not
 465 cured within a reasonable time, the development must be treated
 466 as a nonconforming use.

467 (9)(a) Municipality review or approval of an application
 468 for development permit or development order may not be
 469 conditioned upon the waiver, forbearance, or abandonment of any
 470 development right authorized by this section. Any such waiver,
 471 forbearance, or abandonment is void.

472 (b) Municipality review of any application for development
 473 of nonresidential uses is limited to the requested uses and may
 474 not consider whether other uses are allowed under this section.

475 Section 3. An applicant for a proposed development

476 authorized under s. 125.01055(7) or s. 166.04151(7), Florida
 477 Statutes, who submitted an application, written request, or
 478 notice of intent to utilize such provisions to the county or
 479 municipality and which has been received by the county or
 480 municipality, as applicable, before the effective date of this
 481 act may notify the county or municipality by July 1, 2024, of
 482 its intent to proceed under the provisions of ss. 125.01055(7)
 483 or 166.04151(7), Florida Statutes, as they existed at the time
 484 of submittal. A county or municipality shall allow an applicant
 485 who submitted such application, written request, or notice of
 486 intent before the effective date of this act the opportunity to
 487 submit a revised application, written request, or notice of
 488 intent to account for the changes made by this act.

489 Section 4. Subsection (3) of section 196.1978, Florida
 490 Statutes, is amended to read:

491 196.1978 Affordable housing property exemption.—

492 (3)(a) As used in this subsection, the term:

493 1. "Corporation" means the Florida Housing Finance
 494 Corporation.

495 2. "Newly constructed" means an improvement to real
 496 property which was substantially completed within 5 years before
 497 the date of an applicant's first submission of a request for a
 498 certification notice ~~or an application for an exemption~~ pursuant
 499 to this subsection ~~section, whichever is earlier.~~

500 3. "Substantially completed" has the same meaning as in s.

501 192.042(1).

502 (b) Notwithstanding ss. 196.195 and 196.196, portions of
 503 property in a multifamily project are considered property used
 504 for a charitable purpose and are eligible to receive an ad
 505 valorem property tax exemption if such portions meet all of the
 506 following conditions:

507 1. Provide affordable housing to natural persons or
 508 families meeting the income limitations provided in paragraph
 509 (d).~~†~~

510 2.a. Are within a newly constructed multifamily project
 511 that contains more than 70 units dedicated to housing natural
 512 persons or families meeting the income limitations provided in
 513 paragraph (d); or

514 b. Are within a newly constructed multifamily project in
 515 an area of critical state concern, as designated by s. 380.0552
 516 or chapter 28-36, Florida Administrative Code, which contains
 517 more than 10 units dedicated to housing natural persons or
 518 families meeting the income limitations provided in paragraph
 519 (d). ~~and~~

520 3. Are rented for an amount that does not exceed the
 521 amount as specified by the most recent multifamily rental
 522 programs income and rent limit chart posted by the corporation
 523 and derived from the Multifamily Tax Subsidy Projects Income
 524 Limits published by the United States Department of Housing and
 525 Urban Development or 90 percent of the fair market value rent as

526 | determined by a rental market study meeting the requirements of
 527 | paragraph (l) ~~(m)~~, whichever is less.

528 | (c) If a unit that in the previous year received ~~qualified~~
 529 | ~~for~~ the exemption under this subsection and was occupied by a
 530 | tenant is vacant on January 1, the vacant unit is eligible for
 531 | the exemption if the use of the unit is restricted to providing
 532 | affordable housing that would otherwise meet the requirements of
 533 | this subsection and a reasonable effort is made to lease the
 534 | unit to eligible persons or families.

535 | (d)1. The property appraiser shall exempt:

536 | a. Seventy-five percent of the assessed value of the units
 537 | in multifamily projects that meet the requirements of this
 538 | subsection and are ~~Qualified property~~ used to house natural
 539 | persons or families whose annual household income is greater
 540 | than 80 percent but not more than 120 percent of the median
 541 | annual adjusted gross income for households within the
 542 | metropolitan statistical area or, if not within a metropolitan
 543 | statistical area, within the county in which the person or
 544 | family resides; ~~and, must receive an ad valorem property tax~~
 545 | ~~exemption of 75 percent of the assessed value.~~

546 | b.2. From ad valorem property taxes the units in
 547 | multifamily projects that meet the requirements of this
 548 | subsection and are ~~Qualified property~~ used to house natural
 549 | persons or families whose annual household income does not
 550 | exceed 80 percent of the median annual adjusted gross income for

551 households within the metropolitan statistical area or, if not
552 within a metropolitan statistical area, within the county in
553 which the person or family resides, ~~is exempt from ad valorem~~
554 ~~property taxes.~~

555 2. When determining the value of a unit for purposes of
556 applying an exemption pursuant to this paragraph, the property
557 appraiser must include in such valuation the proportionate share
558 of the residential common areas, including the land, fairly
559 attributable to such unit.

560 (e) To be eligible to receive an exemption under this
561 subsection, a property owner must submit an application on a
562 form prescribed by the department by March 1 for the exemption,
563 accompanied by a certification notice from the corporation to
564 the property appraiser. The property appraiser shall review the
565 application and determine whether the applicant meets all of the
566 requirements of this subsection and is entitled to an exemption.
567 A property appraiser may request and review additional
568 information necessary to make such determination. A property
569 appraiser may grant an exemption only for a property for which
570 the corporation has issued a certification notice and which the
571 property appraiser determines is entitled to an exemption.

572 (f) To receive a certification notice, a property owner
573 must submit a request to the corporation ~~for certification~~ on a
574 form provided by the corporation which includes all of the
575 following:

576 1. The most recently completed rental market study meeting
 577 the requirements of paragraph (l) ~~(m)~~.

578 2. A list of the units for which the property owner seeks
 579 an exemption.

580 3. The rent amount received by the property owner for each
 581 unit for which the property owner seeks an exemption. If a unit
 582 is vacant and qualifies for an exemption under paragraph (c),
 583 the property owner must provide evidence of the published rent
 584 amount for each vacant unit.

585 4. A sworn statement, under penalty of perjury, from the
 586 applicant restricting the property for a period of not less than
 587 3 years to housing persons or families who meet the income
 588 limitations under this subsection.

589 (g) The corporation shall review the request for a
 590 certification notice and certify whether a property ~~that~~ meets
 591 the ~~eligibility~~ criteria of paragraphs (b) and (c) ~~this~~
 592 ~~subsection~~. A determination by the corporation regarding a
 593 request for a certification notice does not constitute a grant
 594 of an exemption pursuant to this subsection or final agency
 595 action pursuant to chapter 120.

596 1. If the corporation determines that the property meets
 597 the ~~eligibility~~ criteria ~~for an exemption under this subsection~~,
 598 the corporation must send a certification notice to the property
 599 owner and the property appraiser.

600 2. If the corporation determines that the property does

601 not meet the ~~eligibility~~ criteria, the corporation must notify
602 the property owner and include the reasons for such
603 determination.

604 (h) The corporation shall post on its website the deadline
605 to submit a request for a certification notice. The deadline
606 must allow adequate time for a property owner to submit a timely
607 application for exemption to the property appraiser.

608 ~~(i) The property appraiser shall review the application~~
609 ~~and determine if the applicant is entitled to an exemption. A~~
610 ~~property appraiser may grant an exemption only for a property~~
611 ~~for which the corporation has issued a certification notice.~~

612 (i)~~(j)~~ If the property appraiser determines that for any
613 year during the immediately previous 10 years a person who was
614 not entitled to an exemption under this subsection was granted
615 such an exemption, the property appraiser must serve upon the
616 owner a notice of intent to record in the public records of the
617 county a notice of tax lien against any property owned by that
618 person in the county, and that property must be identified in
619 the notice of tax lien. Any property owned by the taxpayer and
620 situated in this state is subject to the taxes exempted by the
621 improper exemption, plus a penalty of 50 percent of the unpaid
622 taxes for each year and interest at a rate of 15 percent per
623 annum. If an exemption is improperly granted as a result of a
624 clerical mistake or an omission by the property appraiser, the
625 property owner improperly receiving the exemption may not be

626 assessed a penalty or interest.

627 (j)~~(k)~~ Units subject to an agreement with the corporation
 628 pursuant to chapter 420 recorded in the official records of the
 629 county in which the property is located to provide housing to
 630 natural persons or families meeting the extremely-low-income,
 631 very-low-income, or low-income limits specified in s. 420.0004
 632 are not eligible for this exemption.

633 (k)~~(l)~~ Property receiving an exemption pursuant to s.
 634 196.1979 is not eligible for this exemption.

635 (l)~~(m)~~ A rental market study submitted as required by
 636 subparagraph (f)1. ~~paragraph (f)~~ must identify the fair market
 637 value rent of each unit for which a property owner seeks an
 638 exemption. Only a certified general appraiser as defined in s.
 639 475.611 may issue a rental market study. The certified general
 640 appraiser must be independent of the property owner who requests
 641 the rental market study. In preparing the rental market study, a
 642 certified general appraiser shall comply with the standards of
 643 professional practice pursuant to part II of chapter 475 and use
 644 comparable property within the same geographic area and of the
 645 same type as the property for which the exemption is sought. A
 646 rental market study must have been completed within 3 years
 647 before submission of the application.

648 (m)~~(n)~~ The corporation may adopt rules to implement this
 649 section.

650 (n)~~(o)~~ This subsection first applies to the 2024 tax roll

651 and is repealed December 31, 2059.

652 Section 5. Subsections (6) and (7) of section 196.1979,
653 Florida Statutes, are renumbered as subsections (8) and (9),
654 respectively, paragraph (b) of subsection (1), subsection (2),
655 paragraphs (d), (f), and (1) of subsection (3), and subsection
656 (5) are amended, and new subsections (6) and (7) are added to
657 that section, to read:

658 196.1979 County and municipal affordable housing property
659 exemption.—

660 (1)

661 (b) Qualified property may receive an ad valorem property
662 tax exemption of:

663 1. Up to 75 percent of the assessed value of each
664 residential unit used to provide affordable housing if fewer
665 than 100 percent of the multifamily project's residential units
666 are used to provide affordable housing meeting the requirements
667 of this section.

668 2. Up to 100 percent of the assessed value of each
669 residential unit used to provide affordable housing if 100
670 percent of the multifamily project's residential units are used
671 to provide affordable housing meeting the requirements of this
672 section.

673 (2) If a residential unit that in the previous year
674 received ~~qualified for~~ the exemption under this section and was
675 occupied by a tenant is vacant on January 1, the vacant unit may

676 | qualify for the exemption under this section if the use of the
677 | unit is restricted to providing affordable housing that would
678 | otherwise meet the requirements of this section and a reasonable
679 | effort is made to lease the unit to eligible persons or
680 | families.

681 | (3) An ordinance granting the exemption authorized by this
682 | section must:

683 | (d) Require the local entity to verify and certify
684 | property that meets the requirements of the ordinance as
685 | qualified property and forward the certification to the property
686 | owner and the property appraiser. If the local entity denies the
687 | application for certification ~~exemption~~, it must notify the
688 | applicant and include reasons for the denial.

689 | (f) Require the property owner to submit an application
690 | for exemption, on a form prescribed by the department,
691 | accompanied by the certification of qualified property, to the
692 | property appraiser no later than the deadline specified in s.
693 | 196.011 ~~March 1~~.

694 | (1) Require the county or municipality to post on its
695 | website a list of ~~certified~~ properties receiving the exemption
696 | for the purpose of facilitating access to affordable housing.

697 | (5) An ordinance adopted under this section must expire
698 | before the fourth January 1 after adoption; however, the board
699 | of county commissioners or the governing body of the
700 | municipality may adopt a new ordinance to renew the exemption.

701 The board of county commissioners or the governing body of the
702 municipality shall deliver a copy of an ordinance adopted under
703 this section to the department and the property appraiser within
704 10 days after its adoption, but no later than January 1 of the
705 year such exemption will take effect. If the ordinance expires
706 or is repealed, the board of county commissioners or the
707 governing body of the municipality must notify the department
708 and the property appraiser within 10 days after its expiration
709 or repeal, but no later than January 1 of the year the repeal or
710 expiration of such exemption will take effect.

711 (6) The property appraiser shall review each application
712 for exemption and determine whether the applicant meets all of
713 the requirements of this section and is entitled to an
714 exemption. A property appraiser may request and review
715 additional information necessary to make such determination. A
716 property appraiser may grant an exemption only for a property
717 for which the local entity has certified as qualified property
718 and which the property appraiser determines is entitled to an
719 exemption.

720 (7) When determining the value of a unit for purposes of
721 applying an exemption pursuant to this section, the property
722 appraiser must include in such valuation the proportionate share
723 of the residential common areas, including the land, fairly
724 attributable to such unit.

725 Section 6. The amendments made by this act to ss. 196.1978

726 and 196.1979, Florida Statutes, are intended to be remedial and
727 clarifying in nature and apply retroactively to January 1, 2024.

728 Section 7. Subsection (5) of section 333.03, Florida
729 Statutes, is renumbered as subsection (6), and a new subsection
730 (5) is added to that section, to read:

731 333.03 Requirement to adopt airport zoning regulations.—

732 (5) Sections 125.01055(7) and 166.04151(7) do not apply to
733 any of the following:

734 (a) A proposed development near a commercial service
735 airport, as defined in s. 332.0075(1), runway within one-quarter
736 of a mile laterally from the runway edge and within an area that
737 is the width of one-quarter of a mile extending at right angles
738 from the end of the runway for a distance of 10,000 feet of any
739 existing runway or planned runway identified in the local
740 government's airport master plan.

741 (b) A proposed development within any airport noise zone
742 identified in the federal land use compatibility table or
743 currently in a land-use zoning or airport noise regulation
744 adopted by the local government.

745 (c) A proposed development that exceeds maximum height
746 restrictions identified in the political subdivision's airport
747 zoning regulation adopted pursuant to this section.

748 Section 8. Subsection (35) of section 420.507, Florida
749 Statutes, is amended to read:

750 420.507 Powers of the corporation.—The corporation shall

751 have all the powers necessary or convenient to carry out and
 752 effectuate the purposes and provisions of this part, including
 753 the following powers which are in addition to all other powers
 754 granted by other provisions of this part:

755 (35) To preclude any applicant, sponsor, or affiliate of
 756 an applicant or sponsor from further participation in any of the
 757 corporation's programs as provided in s. 420.518, ~~any applicant~~
 758 ~~or affiliate of an applicant which has made a material~~
 759 ~~misrepresentation or engaged in fraudulent actions in connection~~
 760 ~~with any application for a corporation program.~~

761 Section 9. Paragraph (b) of subsection (1) of section
 762 420.50871, Florida Statutes, is amended, and subsection (6) is
 763 added to that section, to read:

764 420.50871 Allocation of increased revenues derived from
 765 amendments to s. 201.15 made by ch. 2023-17.—Funds that result
 766 from increased revenues to the State Housing Trust Fund derived
 767 from amendments made to s. 201.15 made by chapter 2023-17, Laws
 768 of Florida, must be used annually for projects under the State
 769 Apartment Incentive Loan Program under s. 420.5087 as set forth
 770 in this section, notwithstanding ss. 420.507(48) and (50) and
 771 420.5087(1) and (3). The Legislature intends for these funds to
 772 provide for innovative projects that provide affordable and
 773 attainable housing for persons and families working, going to
 774 school, or living in this state. Projects approved under this
 775 section are intended to provide housing that is affordable as

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776 defined in s. 420.0004, notwithstanding the income limitations
777 in s. 420.5087(2). Beginning in the 2023-2024 fiscal year and
778 annually for 10 years thereafter:

779 (1) The corporation shall allocate 70 percent of the funds
780 provided by this section to issue competitive requests for
781 application for the affordable housing project purposes
782 specified in this subsection. The corporation shall finance
783 projects that:

784 (b)1. Address urban infill, including conversions of
785 vacant, dilapidated, or functionally obsolete buildings or the
786 use of underused commercial property.

787 2. As used in this paragraph, the term "urban infill" has
788 the same meaning as in s. 163.3164. The term includes the
789 development or redevelopment of mobile home parks and
790 manufactured home communities that meet the urban infill
791 criteria, in addition to the criteria of redevelopment of
792 affordable housing development as provided under paragraph
793 (1) (a).

794 (6) A project financed under this section may not require
795 that low-income housing tax credits under s. 42 of the Internal
796 Revenue Code or tax-exempt bond financing be a part of the
797 financing structure for the project.

798 Section 10. Subsection (2) of section 420.50872, Florida
799 Statutes, is amended to read:

800 420.50872 Live Local Program.—

801 (2) RESPONSIBILITIES OF THE CORPORATION; PROHIBITIONS.—

802 (a) The corporation shall:

803 1.~~(a)~~ Expend 100 percent of eligible contributions
 804 received under this section for the State Apartment Incentive
 805 Loan Program under s. 420.5087. However, the corporation may use
 806 up to \$25 million of eligible contributions to provide loans for
 807 the construction of large-scale projects of significant regional
 808 impact. Such projects must include a substantial civic,
 809 educational, or health care use and may include a commercial
 810 use, any of which must be incorporated within or contiguous to
 811 the project property. Such a loan must be made, except as
 812 otherwise provided in this subsection, in accordance with the
 813 practices and policies of the State Apartment Incentive Loan
 814 Program. Such a loan is subject to the competitive application
 815 process and may not exceed 25 percent of the total project cost.
 816 The corporation must find that the loan provides a unique
 817 opportunity for investment alongside local government
 818 participation that would enable creation of a significant amount
 819 of affordable housing. Projects approved under this section are
 820 intended to provide housing that is affordable as defined in s.
 821 420.0004, notwithstanding the income limitations in s.
 822 420.5087(2).

823 2.~~(b)~~ Upon receipt of an eligible contribution, provide
 824 the taxpayer that made the contribution with a certificate of
 825 contribution. A certificate of contribution must include the

826 taxpayer's name; its federal employer identification number, if
 827 available; the amount contributed; and the date of contribution.

828 ~~3.(e)~~ Within 10 days after issuing a certificate of
 829 contribution, provide a copy to the Department of Revenue.

830 (b) A project financed under this section may not require
 831 that low-income housing tax credits under s. 42 of the Internal
 832 Revenue Code or tax-exempt bond financing be a part of the
 833 financing structure for the project.

834 Section 11. Subsection (3) of section 420.5096, Florida
 835 Statutes, is amended to read:

836 420.5096 Florida Hometown Hero Program.—

837 (3) For loans made available pursuant to s.
 838 420.507(23)(a)1. or 2., the corporation may underwrite and make
 839 those mortgage loans through the program to persons or families
 840 who have household incomes that do not exceed 150 percent of the
 841 state median income or local median income, whichever is
 842 greater. A borrower must be seeking to purchase a home as a
 843 primary residence; must be a first-time homebuyer and a Florida
 844 resident; and must be employed full-time by a Florida-based
 845 employer. The borrower must provide documentation of full-time
 846 employment, or full-time status for self-employed individuals,
 847 ~~of 35 hours or more per week.~~ The requirement to be a first-time
 848 homebuyer does not apply to a borrower who is an active duty
 849 servicemember of a branch of the armed forces or the Florida
 850 National Guard, as defined in s. 250.01, or a veteran.

851 Section 12. Section 420.518, Florida Statutes, is amended
 852 to read:

853 420.518 Preclusion from participation in corporation
 854 programs ~~Fraudulent or material misrepresentation.~~-

855 (1) An applicant, a sponsor, or an affiliate of an
 856 applicant or a sponsor may be precluded from participation in
 857 any corporation program if the applicant, the sponsor, or the
 858 affiliate of the applicant or sponsor has:

859 (a) Made a material misrepresentation or engaged in
 860 fraudulent actions in connection with any corporation program.

861 (b) Been convicted or found guilty of, or entered a plea
 862 of guilty or nolo contendere to, regardless of adjudication, a
 863 crime in any jurisdiction which directly relates to the
 864 financing, construction, or management of affordable housing or
 865 the fraudulent procurement of state or federal funds. The record
 866 of a conviction certified or authenticated in such form as to be
 867 admissible in evidence under the laws of the state shall be
 868 admissible as prima facie evidence of such guilt.

869 (c) Been excluded from any federal funding program related
 870 to the provision of housing, including debarment from
 871 participation in federal housing programs by the United States
 872 Department of Housing and Urban Development.

873 (d) Been excluded from any federal or Florida procurement
 874 programs.

875 (e) Offered or given consideration, other than the

876 consideration to provide affordable housing, with respect to a
877 local contribution.

878 (f) Demonstrated a pattern of noncompliance and a failure
879 to correct any such noncompliance after notice from the
880 corporation in the construction, operation, or management of one
881 or more developments funded through a corporation program.

882 (g) Materially or repeatedly violated any condition
883 imposed by the corporation in connection with the administration
884 of a corporation program, including a land use restriction
885 agreement, an extended use agreement, or any other financing or
886 regulatory agreement with the corporation.

887 (2) Upon a determination by the board of directors of the
888 corporation that an applicant or affiliate of the applicant be
889 precluded from participation in any corporation program, the
890 board may issue an order taking any or all of the following
891 actions:

892 (a) Preclude such applicant or affiliate from applying for
893 funding from any corporation program for a specified period. The
894 period may be a specified period of time or permanent in nature.
895 With regard to establishing the duration, the board shall
896 consider the facts and circumstances, inclusive of the
897 compliance history of the applicant or affiliate of the
898 applicant, the type of action under subsection (1), and the
899 degree of harm to the corporation's programs that has been or
900 may be done.

901 (b) Revoke any funding previously awarded by the
 902 corporation for any development for which construction or
 903 rehabilitation has not commenced.

904 (3) Before any order issued under this section can be
 905 final, an administrative complaint must be served on the
 906 applicant, affiliate of the applicant, or its registered agent
 907 that provides notification of findings of the board, the
 908 intended action, and the opportunity to request a proceeding
 909 pursuant to ss. 120.569 and 120.57.

910 (4) Any funding, allocation of federal housing credits,
 911 credit underwriting procedures, or application review for any
 912 development for which construction or rehabilitation has not
 913 commenced may be suspended by the corporation upon the service
 914 of an administrative complaint on the applicant, affiliate of
 915 the applicant, or its registered agent. The suspension shall be
 916 effective from the date the administrative complaint is served
 917 until an order issued by the corporation in regard to that
 918 complaint becomes final.

919 Section 13. For the 2024-2025 fiscal year, from the funds
 920 received and deposited into the General Revenue Fund from the
 921 state's allocation from the federal Coronavirus State Fiscal
 922 Recovery Fund created under the American Rescue Plan Act of
 923 2021, Pub. L. No. 117-2, the sum of \$100 million in nonrecurring
 924 funds is appropriated to the State Housing Trust Fund for use by
 925 the Florida Housing Finance Corporation to implement the Florida

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926 | Hometown Hero Program established in s. 420.5096, Florida
927 | Statutes.

928 | Section 14. This act shall take effect upon becoming a
929 | law.