

By Senator Burton

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1 A bill to be entitled
2 An act relating to local housing assistance plans;
3 amending s. 420.9075, F.S.; requiring each county and
4 eligible municipality to include in its local housing
5 assistance plan a certain strategy; providing that lot
6 rental assistance for eligible mobile home owners is
7 an approved home ownership activity for certain
8 purposes; authorizing counties and eligible
9 municipalities to provide certain funds to mobile home
10 owners for rehabilitation and emergency repairs;
11 deleting a provision limiting to a specified
12 percentage the amount of certain funds that may be
13 used for manufactured housing; amending s. 420.9071,
14 F.S.; conforming a cross-reference; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Subsection (5) of section 420.9075, Florida
20 Statutes, is amended, and paragraph (h) is added to subsection
21 (3) of that section, to read:

22 420.9075 Local housing assistance plans; partnerships.-

23 (3)

24 (h) Each county and each eligible municipality shall
25 include in its local housing assistance plan a strategy for
26 providing program funds to mobile home owners as defined in s.
27 723.003, which must include lot rental assistance.

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

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30 eligible housing:

31 (a) At least 65 percent of the funds made available in each
32 county and eligible municipality from the local housing
33 distribution must be reserved for home ownership for eligible
34 persons. For purposes of this paragraph, lot rental assistance
35 for eligible mobile home owners as defined in s. 723.003 is an
36 approved home ownership activity.

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

41 (c) At least 75 percent of the funds made available in each
42 county and eligible municipality from the local housing
43 distribution must be reserved for construction, rehabilitation,
44 or emergency repair of affordable, eligible housing. Funds may
45 be provided to mobile home owners as defined in s. 723.003 for
46 rehabilitation and emergency repairs under this paragraph.

47 (d) Each local government must use a minimum of 20 percent
48 of its local housing distribution to serve persons with special
49 needs as defined in s. 420.0004. A local government must certify
50 that it will meet this requirement through existing approved
51 strategies in the local housing assistance plan or submit a new
52 local housing assistance plan strategy for this purpose to the
53 corporation for approval to ensure that the plan meets this
54 requirement. The first priority of these special needs funds
55 must be to serve persons with developmental disabilities as
56 defined in s. 393.063, with an emphasis on home modifications,
57 including technological enhancements and devices, which will
58 allow homeowners to remain independent in their own homes and

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59 maintain their homeownership.

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

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

71 (f)1.~~(g)1.~~ All units constructed, rehabilitated, or
72 otherwise assisted with the funds provided from the local
73 housing assistance trust fund must be occupied by very-low-
74 income persons, low-income persons, and moderate-income persons
75 except as otherwise provided in this section.

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

83 b. This subparagraph does not apply to a county or an
84 eligible municipality that includes or has included within the
85 previous 5 years an area of critical state concern designated by
86 the Legislature for which the Legislature has declared its
87 intent to provide affordable housing. This sub-subparagraph

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88 expires on July 1, 2029, and applies retroactively.

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

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

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

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

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

116 (l)~~(m)~~ The benefit of assistance provided through the State

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117 Housing Initiatives Partnership Program must accrue to eligible
118 persons occupying eligible housing. This provision shall not be
119 construed to prohibit use of the local housing distribution
120 funds for a mixed income rental development.

121 (m) ~~(n)~~ Funds from the local housing distribution not used
122 to meet the criteria established in paragraph (a) or paragraph
123 (c) or not used for the administration of a local housing
124 assistance plan must be used for housing production and finance
125 activities, including, but not limited to, financing
126 preconstruction activities or the purchase of existing units,
127 providing rental housing, and providing home ownership training
128 to prospective home buyers and owners of homes assisted through
129 the local housing assistance plan.

130 1. Notwithstanding the provisions of paragraphs (a) and
131 (c), program income as defined in s. 420.9071(26) may also be
132 used to fund activities described in this paragraph.

133 2. When preconstruction due-diligence activities conducted
134 as part of a preservation strategy show that preservation of the
135 units is not feasible and will not result in the production of
136 an eligible unit, such costs shall be deemed a program expense
137 rather than an administrative expense if such program expenses
138 do not exceed 3 percent of the annual local housing
139 distribution.

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

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146 the requirements of s. 42 of the Internal Revenue Code of 1986,
147 as amended, in lieu of following the criteria prescribed in this
148 subsection with the exception of paragraphs (a) and (f) ~~(g)~~ of
149 this subsection.

150 4. Each county and each eligible municipality may award
151 funds as a grant for construction, rehabilitation, or repair as
152 part of disaster recovery or emergency repairs or to remedy
153 accessibility or health and safety deficiencies. Any other
154 grants must be approved as part of the local housing assistance
155 plan.

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

158 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
159 term:

160 (27) "Recaptured funds" means funds that are recouped by a
161 county or eligible municipality in accordance with the recapture
162 provisions of its local housing assistance plan pursuant to s.
163 420.9075(5)(i) ~~s. 420.9075(5)(j)~~ from eligible persons or
164 eligible sponsors, which funds were not used for assistance to
165 an eligible household for an eligible activity, when there is a
166 default on the terms of a grant award or loan award.

167 Section 3. This act shall take effect July 1, 2025.