

By Senator Calatayud

38-01885A-25

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1 A bill to be entitled
2 An act relating to affordable housing; amending ss.
3 125.01055 and 166.04151, F.S.; requiring counties and
4 municipalities, respectively, to authorize multifamily
5 and mixed-use residential as allowable uses in
6 portions of flexibly zoned areas under certain
7 circumstances; prohibiting counties and municipalities
8 from imposing certain requirements on proposed
9 multifamily developments; prohibiting counties and
10 municipalities from requiring that more than a
11 specified percentage of a mixed-use residential
12 project be used for certain purposes; revising the
13 height below which counties and municipalities may not
14 restrict certain developments; requiring the
15 administrative approval of certain proposed
16 developments without further action by a quasi-
17 judicial or administrative board or reviewing body
18 under certain circumstances; requiring counties and
19 municipalities to reduce parking requirements by at
20 least a specified percentage for certain proposed
21 developments under certain circumstances; requiring a
22 court to give priority to and render expeditious
23 decisions in certain civil actions; requiring a court
24 to award reasonable attorney fees and costs and
25 damages to a prevailing plaintiff in certain civil
26 actions; providing that such attorney fees or costs
27 and damages may not exceed a specified dollar amount;
28 prohibiting the prevailing plaintiff from recovering
29 certain other fees or costs; defining terms;

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30 prohibiting counties and municipalities from imposing
31 certain building moratoriums; providing an exception,
32 subject to certain requirements; authorizing
33 applicants for certain proposed developments to notify
34 the county or municipality, as applicable, by a
35 specified date of its intent to proceed under certain
36 provisions; requiring counties and municipalities to
37 allow certain applicants to submit revised
38 applications, written requests, and notices of intent
39 to account for changes made by the act; amending s.
40 380.0552, F.S.; revising the maximum hurricane
41 evacuation clearance time for permanent residents,
42 which time is an element for which amendments to local
43 comprehensive plans in the Florida Keys Area must be
44 reviewed for compliance; providing legislative intent;
45 creating s. 420.5098, F.S.; providing legislative
46 findings and intent; defining terms; providing that it
47 is the policy of the state to support housing for
48 certain employees and to permit developers in receipt
49 of certain tax credits and funds to create a specified
50 preference for housing certain employees; requiring
51 that such preference conform to certain requirements;
52 amending s. 760.26, F.S.; providing that it is
53 unlawful to discriminate in land use decisions or in
54 the permitting of development based on the specified
55 nature of a development or proposed development;
56 providing an effective date.

57
58 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Present paragraph (l) of subsection (7) of section 125.01055, Florida Statutes, is redesignated as paragraph (o), a new paragraph (l) and paragraphs (m) and (n) are added to that subsection, subsection (9) is added to that section, and paragraphs (a), (d), (e), and (f) of subsection (7) are amended, to read:

125.01055 Affordable housing.—

(7) (a) A county must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use, and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use, if at least 40 percent of the residential units in a proposed multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, transfer of density or development units, amendment to a development of regional impact, amendment to a development agreement, amendment to a restrictive covenant, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. The county may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes.

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88 (d) 1. A county may not restrict the height of a proposed
89 development authorized under this subsection below the highest
90 currently allowed, or allowed on July 1, 2023, height for a
91 commercial or residential building located in its jurisdiction
92 within 1 mile of the proposed development or 3 stories,
93 whichever is higher. For purposes of this paragraph, the term
94 "highest currently allowed height" does not include the height
95 of any building that met the requirements of this subsection or
96 the height of any building that has received any bonus,
97 variance, or other special exception for height provided in the
98 county's land development regulations as an incentive for
99 development.

100 2. If the proposed development is adjacent to, on two or
101 more sides, a parcel zoned for single-family residential use
102 which is within a single-family residential development with at
103 least 25 contiguous single-family homes, the county may restrict
104 the height of the proposed development to 150 percent of the
105 tallest building on any property adjacent to the proposed
106 development, the highest currently allowed height for the
107 property provided in the county's land development regulations,
108 or 3 stories, whichever is higher. For the purposes of this
109 paragraph, the term "adjacent to" means those properties sharing
110 more than one point of a property line, but does not include
111 properties separated by a public road.

112 (e) A proposed development authorized under this subsection
113 must be administratively approved without ~~and no~~ further action
114 by the board of county commissioners or any quasi-judicial or
115 administrative board or reviewing body ~~is required~~ if the
116 development satisfies the county's land development regulations

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117 for multifamily developments in areas zoned for such use and is
118 otherwise consistent with the comprehensive plan, with the
119 exception of provisions establishing allowable densities, floor
120 area ratios, height, and land use. Such land development
121 regulations include, but are not limited to, regulations
122 relating to setbacks and parking requirements. A proposed
123 development located within one-quarter mile of a military
124 installation identified in s. 163.3175(2) may not be
125 administratively approved. Each county shall maintain on its
126 website a policy containing procedures and expectations for
127 administrative approval pursuant to this subsection.

128 (f)1. A county must, upon request of an applicant, reduce
129 ~~consider reducing~~ parking requirements by at least 20 percent
130 for a proposed development authorized under this subsection if
131 the development:

132 a. Is located within one-quarter mile of a transit stop, as
133 defined in the county's land development code, and the transit
134 stop is accessible from the development; ~~:-~~

135 ~~2. A county must reduce parking requirements by at least 20~~
136 ~~percent for a proposed development authorized under this~~
137 ~~subsection if the development:~~

138 ~~b.a.~~ Is located within one-half mile of a major
139 transportation hub that is accessible from the proposed
140 development by safe, pedestrian-friendly means, such as
141 sidewalks, crosswalks, elevated pedestrian or bike paths, or
142 other multimodal design features; or ~~and~~

143 ~~c.b.~~ Has available parking within 600 feet of the proposed
144 development which may consist of options such as on-street
145 parking, parking lots, or parking garages available for use by

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146 residents of the proposed development. However, a county may not
147 require that the available parking compensate for the reduction
148 in parking requirements.

149 ~~2.3.~~ A county must eliminate parking requirements for a
150 proposed mixed-use residential development authorized under this
151 subsection within an area recognized by the county as a transit-
152 oriented development or area, as provided in paragraph (h).

153 ~~3.4.~~ For purposes of this paragraph, the term "major
154 transportation hub" means any transit station, whether bus,
155 train, or light rail, which is served by public transit with a
156 mix of other transportation options.

157 (1) The court shall give any civil action filed against a
158 county for a violation of this subsection priority over other
159 pending cases and render a preliminary or final decision as
160 expeditiously as possible.

161 (m) If a civil action is filed against a county for a
162 violation of this subsection, the court must assess and award
163 reasonable attorney fees and costs and damages to the prevailing
164 plaintiff. An award of reasonable attorney fees or costs and
165 damages pursuant to this subsection may not exceed \$100,000. In
166 addition, a prevailing plaintiff may not recover any attorney
167 fees or costs directly incurred by or associated with litigation
168 to determine an award of reasonable attorney fees or costs.

169 (n) As used in this subsection, the term:

170 1. "Commercial use" means activities associated with the
171 sale, rental, or distribution of products or the performance of
172 services related thereto. The term includes, but is not limited
173 to, such uses or activities as retail sales; wholesale sales;
174 rentals of equipment, goods, or products; offices; restaurants;

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175 food service vendors; sports arenas; theaters; tourist
176 attractions; and other for-profit business activities. A parcel
177 zoned to permit such uses by right without the requirement to
178 obtain a variance or waiver is considered commercial use for the
179 purposes of this section, irrespective of the local land
180 development regulation's listed category or title. The term does
181 not include uses that are accessory, ancillary, incidental to
182 the allowable uses, or allowed only on a temporary basis.
183 Recreational uses, such as golf courses, tennis courts, swimming
184 pools, and clubhouses, within an area designated for residential
185 use are not commercial use, irrespective of how they are
186 operated.

187 2. "Industrial use" means activities associated with the
188 manufacture, assembly, processing, or storage of products or the
189 performance of services related thereto. The term includes, but
190 is not limited to, such uses or activities as automobile
191 manufacturing or repair, boat manufacturing or repair, junk
192 yards, meat packing facilities, citrus processing and packing
193 facilities, produce processing and packing facilities,
194 electrical generating plants, water treatment plants, sewage
195 treatment plants, and solid waste disposal sites. A parcel zoned
196 to permit such uses by right without the requirement to obtain a
197 variance or waiver is considered industrial use for the purposes
198 of this section, irrespective of the local land development
199 regulation's listed category or title. The term does not include
200 uses that are accessory, ancillary, incidental to the allowable
201 uses, or allowed only on a temporary basis. Recreational uses,
202 such as golf courses, tennis courts, swimming pools, and
203 clubhouses, within an area designated for residential use are

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204 not industrial use, irrespective of how they are operated.

205 3. "Mixed use" means any use that combines multiple types
206 of approved land uses from at least two of the residential use,
207 commercial use, and industrial use categories. The term does not
208 include uses that are accessory, ancillary, incidental to the
209 allowable uses, or allowed only on a temporary basis.

210 Recreational uses, such as golf courses, tennis courts, swimming
211 pools, and clubhouses, within an area designated for residential
212 use are not mixed use, irrespective of how they are operated.

213 4. "Planned unit development" has the same meaning as
214 provided in s. 163.3202(5)(b).

215 (9)(a) A county may not impose a building moratorium that
216 has the effect of delaying the permitting or construction of a
217 multifamily residential or mixed-use residential development
218 authorized under subsection (7) except as provided in paragraph
219 (b).

220 (b) A county may, by ordinance, impose such a building
221 moratorium for no more than 90 days in any 3-year period. Before
222 adoption of such a building moratorium, the county shall prepare
223 or cause to be prepared an assessment of the county's need for
224 affordable housing at the extremely-low-income, very-low-income,
225 low-income, or moderate-income limits specified in s. 420.0004,
226 including projections of such need for the next 5 years. This
227 assessment must be posted on the county's website by the date
228 the notice of proposed enactment is published, and presented at
229 the same public meeting at which the proposed ordinance imposing
230 the building moratorium is adopted by the board of county
231 commissioners. This assessment must be included in the business
232 impact estimate for the ordinance imposing such a moratorium

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233 required by s. 125.66(3).

234 (c) If a civil action is filed against a county for a
235 violation of this subsection, the court must assess and award
236 reasonable attorney fees and costs and damages to the prevailing
237 plaintiff. An award of reasonable attorney fees or costs and
238 damages pursuant to this subsection may not exceed \$100,000. In
239 addition, a prevailing plaintiff may not recover any attorney
240 fees or costs directly incurred by or associated with litigation
241 to determine an award of reasonable attorney fees or costs.

242 Section 2. Present paragraph (l) of subsection (7) of
243 section 166.04151, Florida Statutes, is redesignated as
244 paragraph (o), a new paragraph (l) and paragraphs (m) and (n)
245 are added to that subsection, subsection (9) is added to that
246 section, and paragraphs (a), (d), (e), and (f) of subsection (7)
247 are amended, to read:

248 166.04151 Affordable housing.—

249 (7)(a) A municipality must authorize multifamily and mixed-
250 use residential as allowable uses in any area zoned for
251 commercial, industrial, or mixed use, and in portions of any
252 flexibly zoned area such as a planned unit development permitted
253 for commercial, industrial, or mixed use, if at least 40 percent
254 of the residential units in a proposed multifamily development
255 are rental units that, for a period of at least 30 years, are
256 affordable as defined in s. 420.0004. Notwithstanding any other
257 law, local ordinance, or regulation to the contrary, a
258 municipality may not require a proposed multifamily development
259 to obtain a zoning or land use change, special exception,
260 conditional use approval, variance, transfer of density or
261 development units, amendment to a development of regional

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262 impact, amendment to a development agreements, amendment to a
263 restrictive covenant, or comprehensive plan amendment for the
264 building height, zoning, and densities authorized under this
265 subsection. For mixed-use residential projects, at least 65
266 percent of the total square footage must be used for residential
267 purposes. The municipality may not require that more than 10
268 percent of the total square footage of such mixed-use
269 residential projects be used for nonresidential purposes.

270 (d)1. A municipality may not restrict the height of a
271 proposed development authorized under this subsection below the
272 highest currently allowed, or allowed on July 1, 2023, height
273 for a commercial or residential building located in its
274 jurisdiction within 1 mile of the proposed development or 3
275 stories, whichever is higher. For purposes of this paragraph,
276 the term "highest currently allowed height" does not include the
277 height of any building that met the requirements of this
278 subsection or the height of any building that has received any
279 bonus, variance, or other special exception for height provided
280 in the municipality's land development regulations as an
281 incentive for development.

282 2. If the proposed development is adjacent to, on two or
283 more sides, a parcel zoned for single-family residential use
284 that is within a single-family residential development with at
285 least 25 contiguous single-family homes, the municipality may
286 restrict the height of the proposed development to 150 percent
287 of the tallest building on any property adjacent to the proposed
288 development, the highest currently allowed height for the
289 property provided in the municipality's land development
290 regulations, or 3 stories, whichever is higher. For the purposes

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291 of this paragraph, the term "adjacent to" means those properties
292 sharing more than one point of a property line, but does not
293 include properties separated by a public road or body of water,
294 including man-made lakes or ponds.

295 (e) A proposed development authorized under this subsection
296 must be administratively approved without ~~and no~~ further action
297 by the governing body of the municipality or any quasi-judicial
298 or administrative board or reviewing body ~~is required~~ if the
299 development satisfies the municipality's land development
300 regulations for multifamily developments in areas zoned for such
301 use and is otherwise consistent with the comprehensive plan,
302 with the exception of provisions establishing allowable
303 densities, floor area ratios, height, and land use. Such land
304 development regulations include, but are not limited to,
305 regulations relating to setbacks and parking requirements. A
306 proposed development located within one-quarter mile of a
307 military installation identified in s. 163.3175(2) may not be
308 administratively approved. Each municipality shall maintain on
309 its website a policy containing procedures and expectations for
310 administrative approval pursuant to this subsection.

311 (f)1. A municipality must, upon request of an applicant,
312 reduce ~~consider reducing~~ parking requirements for a proposed
313 development authorized under this subsection if the development:

314 a. Is located within one-quarter mile of a transit stop, as
315 defined in the municipality's land development code, and the
316 transit stop is accessible from the development;-

317 ~~2. A municipality must reduce parking requirements by at~~
318 ~~least 20 percent for a proposed development authorized under~~
319 ~~this subsection if the development:~~

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320 ~~b.a.~~ Is located within one-half mile of a major
321 transportation hub that is accessible from the proposed
322 development by safe, pedestrian-friendly means, such as
323 sidewalks, crosswalks, elevated pedestrian or bike paths, or
324 other multimodal design features; ~~or.~~

325 ~~c.b.~~ Has available parking within 600 feet of the proposed
326 development which may consist of options such as on-street
327 parking, parking lots, or parking garages available for use by
328 residents of the proposed development. However, a municipality
329 may not require that the available parking compensate for the
330 reduction in parking requirements.

331 ~~2.3.~~ A municipality must eliminate parking requirements for
332 a proposed mixed-use residential development authorized under
333 this subsection within an area recognized by the municipality as
334 a transit-oriented development or area, as provided in paragraph
335 (h).

336 ~~3.4.~~ For purposes of this paragraph, the term "major
337 transportation hub" means any transit station, whether bus,
338 train, or light rail, which is served by public transit with a
339 mix of other transportation options.

340 (1) The court shall give any civil action filed against a
341 municipality for a violation of this subsection priority over
342 other pending cases and render a preliminary or final decision
343 as expeditiously as possible.

344 (m) If a civil action is filed against a municipality for a
345 violation of this subsection, the court must assess and award
346 reasonable attorney fees and costs and damages to the prevailing
347 plaintiff. An award of reasonable attorney fees or costs and
348 damages pursuant to this subsection may not exceed \$100,000. In

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349 addition, a prevailing plaintiff may not recover any attorney
350 fees or costs directly incurred by or associated with litigation
351 to determine an award of reasonable attorney fees or costs.

352 (n) As used in this subsection, the term:

353 1. "Commercial use" means activities associated with the
354 sale, rental, or distribution of products or the performance of
355 services related thereto. The term includes, but is not limited
356 to, such uses or activities as retail sales; wholesale sales;
357 rentals of equipment, goods, or products; offices; restaurants;
358 food service vendors; sports arenas; theaters; tourist
359 attractions; and other for-profit business activities. A parcel
360 zoned to permit such uses by right without the requirement to
361 obtain a variance or waiver is considered commercial use for the
362 purposes of this section, irrespective of the local land
363 development regulation's listed category or title. The term does
364 not include uses that are accessory, ancillary, incidental to
365 the allowable uses, or allowed only on a temporary basis.
366 Recreational uses, such as golf courses, tennis courts, swimming
367 pools, and clubhouses, within an area designated for residential
368 use are not commercial use, irrespective of how they are
369 operated.

370 2. "Industrial use" means activities associated with the
371 manufacture, assembly, processing, or storage of products or the
372 performance of services related thereto. The term includes, but
373 is not limited to, such uses or activities as automobile
374 manufacturing or repair, boat manufacturing or repair, junk
375 yards, meat packing facilities, citrus processing and packing
376 facilities, produce processing and packing facilities,
377 electrical generating plants, water treatment plants, sewage

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378 treatment plants, and solid waste disposal sites. A parcel zoned
379 to permit such uses by right without the requirement to obtain a
380 variance or waiver is considered industrial use for the purposes
381 of this section, irrespective of the local land development
382 regulation's listed category or title. The term does not include
383 uses that are accessory, ancillary, incidental to the allowable
384 uses, or allowed only on a temporary basis. Recreational uses,
385 such as golf courses, tennis courts, swimming pools, and
386 clubhouses, within an area designated for residential use are
387 not industrial, irrespective of how they are operated.

388 3. "Mixed-use" means any use that combines multiple types
389 of approved land uses from at least two of the residential use,
390 commercial use, and industrial use categories. The term does not
391 include uses that are accessory, ancillary, incidental to the
392 allowable uses, or allowed only on a temporary basis.

393 Recreational uses, such as golf courses, tennis courts, swimming
394 pools, and clubhouses, within an area designated for residential
395 use are not mixed use, irrespective of how they are operated.

396 4. "Planned unit development" has the same meaning as
397 provided in s. 163.3202(5)(b).

398 (9)(a) A municipality may not impose a building moratorium
399 that has the effect of delaying the permitting or construction
400 of a multifamily residential or mixed-use residential
401 development authorized under subsection (7) except as provided
402 in paragraph (b).

403 (b) A municipality may, by ordinance, impose such a
404 building moratorium for no more than 90 days in any 3-year
405 period. Before adoption of such a building moratorium, the
406 municipality shall prepare or cause to be prepared an assessment

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407 of the municipality's need for affordable housing at the
408 extremely-low-income, very-low-income, low-income, or moderate-
409 income limits specified in s. 420.0004, including projections of
410 such need for the next 5 years. This assessment must be posted
411 on the municipality's website by the date the notice of proposed
412 enactment is published and must be presented at the same public
413 meeting at which the proposed ordinance imposing the building
414 moratorium is adopted by the governing body of the municipality.
415 This assessment must be included in the business impact estimate
416 for the ordinance imposing such a moratorium required by s.
417 166.041(4).

418 (c) If a civil action is filed against a municipality for a
419 violation of this subsection, the court must assess and award
420 reasonable attorney fees and costs and damages to the prevailing
421 plaintiff. An award of reasonable attorney fees or costs and
422 damages pursuant to this subsection may not exceed \$100,000. In
423 addition, a prevailing plaintiff may not recover any attorney
424 fees or costs directly incurred by or associated with litigation
425 to determine an award of reasonable attorney fees or costs.

426 Section 3. An applicant for a proposed development
427 authorized under s. 125.01055(7), Florida Statutes, or s.
428 166.04151(7), Florida Statutes, who submitted an application,
429 written request, or notice of intent to use such provisions to
430 the county or municipality and which application, written
431 request, or notice of intent has been received by the county or
432 municipality, as applicable, before July 1, 2025, may notify the
433 county or municipality by July 1, 2025, of its intent to proceed
434 under the provisions of s. 125.01055(7), Florida Statutes, or s.
435 166.04151(7), Florida Statutes, as they existed at the time of

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436 submittal. A county or municipality, as applicable, shall allow
437 an applicant who submitted such application, written request, or
438 notice of intent before July 1, 2025, the opportunity to submit
439 a revised application, written request, or notice of intent to
440 account for the changes made by this act.

441 Section 4. Paragraph (a) of subsection (9) of section
442 380.0552, Florida Statutes, is amended to read:

443 380.0552 Florida Keys Area; protection and designation as
444 area of critical state concern.—

445 (9) MODIFICATION TO PLANS AND REGULATIONS.—

446 (a) Any land development regulation or element of a local
447 comprehensive plan in the Florida Keys Area may be enacted,
448 amended, or rescinded by a local government, but the enactment,
449 amendment, or rescission becomes effective only upon approval by
450 the state land planning agency. The state land planning agency
451 shall review the proposed change to determine if it is in
452 compliance with the principles for guiding development specified
453 in chapter 27F-8, Florida Administrative Code, as amended
454 effective August 23, 1984, and must approve or reject the
455 requested changes within 60 days after receipt. Amendments to
456 local comprehensive plans in the Florida Keys Area must also be
457 reviewed for compliance with the following:

458 1. Construction schedules and detailed capital financing
459 plans for wastewater management improvements in the annually
460 adopted capital improvements element, and standards for the
461 construction of wastewater treatment and disposal facilities or
462 collection systems that meet or exceed the criteria in s.
463 403.086(11) for wastewater treatment and disposal facilities or
464 s. 381.0065(4)(1) for onsite sewage treatment and disposal

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465 systems.

466 2. Goals, objectives, and policies to protect public safety
467 and welfare in the event of a natural disaster by maintaining a
468 hurricane evacuation clearance time for permanent residents of
469 no more than 26 ~~24~~ hours. The hurricane evacuation clearance
470 time shall be determined by a hurricane evacuation study
471 conducted in accordance with a professionally accepted
472 methodology and approved by the state land planning agency. For
473 purposes of hurricane evacuation clearance time:

474 a. Mobile home residents are not considered permanent
475 residents.

476 b. The City of Key West Area of Critical State Concern
477 established by chapter 28-36, Florida Administrative Code, shall
478 be included in the hurricane evacuation study and is subject to
479 the evacuation requirements of this subsection.

480 Section 5. It is the intent of the Legislature that the
481 amendment made by this act to s. 380.0552, Florida Statutes,
482 will accommodate the building of additional developments within
483 the Florida Keys to ameliorate the acute affordable housing and
484 building permit allocation shortage. The Legislature also
485 intends that local governments subject to the hurricane
486 evacuation clearance time restrictions on residential buildings
487 manage growth with a heightened focus on long-term stability and
488 affordable housing for the local workforce.

489 Section 6. Section 420.5098, Florida Statutes, is created
490 to read:

491 420.5098 Public sector and hospital employer-sponsored
492 housing policy.—

493 (1) The Legislature finds that it is in the best interests

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494 of the state and the state's economy to provide affordable
495 housing to state residents employed by hospitals, health care
496 facilities, and governmental entities in order to attract and
497 maintain the highest quality labor by incentivizing such
498 employers to sponsor affordable housing opportunities. Section
499 42(g)(9)(B) of the Internal Revenue Code provides that a
500 qualified low-income housing project does not fail to meet the
501 general public use requirement solely because of occupancy
502 restrictions or preferences that favor tenants who are members
503 of a specified group under a state program or policy that
504 supports housing for such specified group. Therefore, it is the
505 intent of the Legislature to establish a policy that supports
506 the development of affordable workforce housing for employees of
507 hospitals, health care facilities, and governmental entities.

508 (2) For purposes of this section, the term:

509 (a) "Governmental entity" means any state, regional,
510 county, local, or municipal governmental entity of this state,
511 whether executive, judicial, or legislative; any department,
512 division, bureau, commission, authority, or political
513 subdivision of the state; any public school, state university,
514 or Florida College System institution; or any special district
515 as defined in s. 189.012.

516 (b) "Health care facility" has the same meaning as provided
517 in s. 159.27(16).

518 (c) "Hospital" means a hospital under chapter 155, a
519 hospital district created pursuant to chapter 189, or a hospital
520 licensed pursuant to chapter 395, including corporations not for
521 profit that are qualified as charitable under s. 501(c)(3) of
522 the Internal Revenue Code and for-profit entities.

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523 (3) It is the policy of the state to support housing for
524 employees of hospitals, health care facilities, and governmental
525 entities and to allow developers in receipt of federal low-
526 income housing tax credits allocated pursuant to s. 420.5099,
527 local or state funds, or other sources of funding available to
528 finance the development of affordable housing to create a
529 preference for housing for such employees. Such preference must
530 conform to the requirements of s. 42(g)(9) of the Internal
531 Revenue Code.

532 Section 7. Section 760.26, Florida Statutes, is amended to
533 read:

534 760.26 Prohibited discrimination in land use decisions and
535 in permitting of development.—It is unlawful to discriminate in
536 land use decisions or in the permitting of development based on
537 race, color, national origin, sex, disability, familial status,
538 religion, or, except as otherwise provided by law, the source of
539 financing of a development or proposed development or the nature
540 of a development or proposed development as affordable housing.

541 Section 8. This act shall take effect July 1, 2025.