

1 A bill to be entitled
2 An act relating to affordable housing; amending s.
3 125.010555, F.S.; revising upwards the length of time
4 that certain rental units must remain affordable in
5 order to qualify for a specified zoning variance;
6 amending s. 166.04151, F.S.; requiring certain
7 incentives be used for the construction of affordable
8 housing; revising upwards the length of time that
9 certain rental units must remain affordable in order
10 to qualify for a specified zoning variance; amending
11 s. 196.1978, F.S.; revising downward the maximum
12 median income used to determine eligibility for
13 certain tax incentives; amending s. 201.02, F.S.;
14 specifying that documentary stamp taxes do not apply
15 to deeds, transfers, or conveyances of residential
16 property to first-time homebuyers; defining the term
17 "first-time homebuyer"; amending s. 201.08, F.S.;
18 specifying that documentary stamp taxes do not apply
19 to certain documents executed by a first-time
20 homebuyer in connection with the purchase of a
21 principal residence; defining the term "first-time
22 homebuyer"; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:
25

26 **Section 1. Paragraph (a) of subsection (7) of section**
27 **125.01055, Florida Statutes, is amended to read:**

28 125.01055 Affordable housing.—

29 (7)(a) A county must authorize multifamily and mixed-use
30 residential as allowable uses in any area zoned for commercial,
31 industrial, or mixed use, and in portions of any flexibly zoned
32 area such as a planned unit development permitted for
33 commercial, industrial, or mixed use, if at least 40 percent of
34 the residential units in a proposed multifamily development are
35 rental units that, for a period of at least 50 ~~30~~ years, are
36 affordable as defined in s. 420.0004. Notwithstanding any other
37 law, local ordinance, or regulation to the contrary, a county
38 may not require a proposed multifamily development to obtain a
39 zoning or land use change, special exception, conditional use
40 approval, variance, transfer of density or development units,
41 amendment to a development of regional impact, or comprehensive
42 plan amendment for the building height, zoning, and densities
43 authorized under this subsection. For mixed-use residential
44 projects, at least 65 percent of the total square footage must
45 be used for residential purposes. The county may not require
46 that more than 10 percent of the total square footage of such
47 mixed-use residential projects be used for nonresidential
48 purposes.

49 **Section 2. Subsection (4) and paragraph (a) of subsection**
50 **(7) of section 166.04151, Florida Statutes, are amended to read:**

166.04151 Affordable housing.—

(4) In exchange for a developer fulfilling the requirements of subsection (2) or, for residential or mixed-use residential development, the requirements of subsection (3), a municipality must provide incentives to fully offset all costs to the developer of its affordable housing contribution or linkage fee. Such incentives may include, but are not limited to:

(a) Allowing the developer density or intensity bonus incentives or more floor space than allowed under the current or proposed future land use designation or zoning;

(b) Reducing or waiving fees, such as impact fees or water and sewer charges; or

(c) Granting other incentives.

Any incentives provided under this subsection must be used for the construction of affordable housing.

(7)(a) A municipality 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 50 ~~30~~ years, are affordable as defined in s. 420.0004. Notwithstanding any other

76 law, local ordinance, or regulation to the contrary, a
77 municipality may not require a proposed multifamily development
78 to obtain a zoning or land use change, special exception,
79 conditional use approval, variance, transfer of density or
80 development units, amendment to a development of regional
81 impact, amendment to a municipal charter, or comprehensive plan
82 amendment for the building height, zoning, and densities
83 authorized under this subsection. For mixed-use residential
84 projects, at least 65 percent of the total square footage must
85 be used for residential purposes. The municipality may not
86 require that more than 10 percent of the total square footage of
87 such mixed-use residential projects be used for nonresidential
88 purposes.

89 **Section 3. Paragraphs (d) and (o) of subsection (3) of**
90 **section 196.1978, Florida Statutes, are amended to read:**

91 196.1978 Affordable housing property exemption.—

92 (3)

93 (d)1. The property appraiser shall exempt:

94 a. Seventy-five percent of the assessed value of the units
95 in multifamily projects that meet the requirements of this
96 subsection and are used to house natural persons or families
97 whose annual household income is greater than 80 percent but not
98 more than 100 ~~120~~ percent of the median annual adjusted gross
99 income for households within the metropolitan statistical area
100 or, if not within a metropolitan statistical area, within the

101 county in which the person or family resides; and

102 b. From ad valorem property taxes the units in multifamily
103 projects that meet the requirements of this subsection and are
104 used to house natural persons or families whose annual household
105 income does not exceed 80 percent of the median annual adjusted
106 gross income for households within the metropolitan statistical
107 area or, if not within a metropolitan statistical area, within
108 the county in which the person or family resides.

109 2. When determining the value of a unit for purposes of
110 applying an exemption pursuant to this paragraph, the property
111 appraiser must include in such valuation the proportionate share
112 of the residential common areas, including the land, fairly
113 attributable to such unit.

114 (o)1. Beginning with the 2025 tax roll, a taxing authority
115 may elect, upon adoption of an ordinance or resolution approved
116 by a two-thirds vote of the governing body, not to exempt
117 property under sub-subparagraph (d)1.a. located in a county
118 specified pursuant to subparagraph 2., subject to the conditions
119 of this paragraph.

120 2. A taxing authority must make a finding in the ordinance
121 or resolution that the most recently published Shimberg Center
122 for Housing Studies Annual Report, prepared pursuant to s.
123 420.6075, identifies that a county that is part of the
124 jurisdiction of the taxing authority is within a metropolitan
125 statistical area or region where the number of affordable and

126 available units in the metropolitan statistical area or region
127 is greater than the number of renter households in the
128 metropolitan statistical area or region for the category
129 entitled "0-100 ~~120~~ percent AMI."

130 3. An election made pursuant to this paragraph may apply
131 only to the ad valorem property tax levies imposed within a
132 county specified pursuant to subparagraph 2. by the taxing
133 authority making the election.

134 4. The ordinance or resolution must take effect on the
135 January 1 immediately succeeding adoption and shall expire on
136 the second January 1 after the January 1 in which the ordinance
137 or resolution takes effect. The ordinance or resolution may be
138 renewed prior to its expiration pursuant to this paragraph.

139 5. The taxing authority proposing to make an election
140 under this paragraph must advertise the ordinance or resolution
141 or renewal thereof pursuant to the requirements of s. 50.011(1)
142 prior to adoption.

143 6. The taxing authority must provide to the property
144 appraiser the adopted ordinance or resolution or renewal thereof
145 by the effective date of the ordinance or resolution or renewal
146 thereof.

147 7. Notwithstanding an ordinance or resolution or renewal
148 thereof adopted pursuant to this paragraph, property in a
149 multifamily project that received an exemption pursuant to sub-
150 subparagraph (d)1.a. before the adoption or renewal of such

ordinance or resolution may continue to receive such exemption for each subsequent consecutive year that the same owner or each successive owner applies for and is granted the exemption.

Section 4. Subsections (9), (10), and (11) of section 201.02, Florida Statutes, are renumbered as subsections (10), (11), and (12), respectively, and a new subsection (9) is added to that section, to read:

201.02 Tax on deeds and other instruments relating to real property or interests in real property.—

(9) Taxes imposed by this section do not apply to a deed, transfer, or conveyance that transfers or conveys residential property to a first-time homebuyer for use as a principal residence. For purposes of this subsection, the term "first-time homebuyer" means a person who has not held ownership interest in a principal residence during the 3-year period before the date of purchase of the principal residence and who is a moderate-income person as defined in s. 420.602.

Section 5. Subsection (10) is added to section 201.08, Florida Statutes, to read:

201.08 Tax on promissory or nonnegotiable notes, written obligations to pay money, or assignments of wages or other compensation; exception.—

(10) Taxes imposed by this section do not apply to documents described in subsection (1) that are executed by a first-time homebuyer in connection with the purchase of a

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176 principal residence. For purposes of this subsection, the term
177 "first-time homebuyer" means a person who has not held ownership
178 interest in a principal residence during the 3-year period
179 before the date of purchase of the principal residence and who
180 is a moderate-income person as defined in s. 420.602.

181 **Section 6.** This act shall take effect July 1, 2026.