

1978

Session Law 78-089

Florida Senate & House of Representatives

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LEGISLATIVE SUPPLEMENT "B" - SESSION LAW ABSTRACT

Sess. Law # <u>78-89</u>		Sec. #	LOF cite
Prime Bill #		Comp./Sim. Bills	
JLMC Hist. Cites	Senate House	Comms. of Ref.	Senate House

COMMITTEE RECORDS

H/S	Committee	Year	Record Series: Folder title, etc.	Loc. Cite	✓
	<i>Sen. Committee</i>	<i>77</i>	<i>Bill FILE SB 1249</i>	<i>18/632</i>	
	<i>House Comm. Affairs</i>	<i>77</i>	<i>Meeting FILE 5/3/77 (CS/HB 1787)</i>	<i>19/97</i>	
<i>S</i>	<i>SCCA</i>	<i>1977</i>	<i>File: SR 1260</i>	<i>18/28</i>	
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Senate/House Journals

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Committee/Floor Tapes

H/S	c/f	Committee/subcommittee name	Date	#	Location Cite

Other Documentation

Record Series Title, folder title, etc.	Location Cite

DOCUMENTATION LIST
Ch. 78-89, *Laws of Florida, 1979*

1. Joint Legislative Management Committee. *Bill Histories, 1977*. [SB 1244 and HB 1787].
2. Proposed committee substitute for SB 1244 (1977).
3. Senate Committee on Commerce. Staff analysis on CS/SB 1244, revised May 11, 1977, prepared by Livingston.
4. Senate Committee on Economic, Community and Consumer Affairs. Staff analysis of CS/SB 1244, dated May 13, amended May 17, 1977, prepared by Gilmore.
5. Proposed committee substitute for HB 1787 (1977).
6. [House Committee on Community Affairs?] Unsigned staff summary of PCB/HB 1787, dated May 2, 1977.
7. *Journal of the Florida House of Representatives*, May 30, 1977 (amendments 1-3 to CS/CS/HB 1787) and June 24, 1977 (Governor's veto message on CS/CS/HB 1787).
8. CS/HB 1787 (1977), enrolled.
9. Joint Legislative Management Committee. *Bill Histories, 1978*. [SB 457 and HB 54].
10. Senate Bill 457 (1978).
11. House Bill 54 (1978).
12. [House Committee on Governmental Affairs?] Unsigned staff summary of HB 54, dated November 2, 1977.
13. [House Committee on Governmental Affairs?] Undated, unsigned staff summary of HB 54 (end of session summary).
14. House Committee on Finance & Taxation. Fiscal note on HB 54, dated December 10, 1977.
15. House Committee on Community Affairs. Fiscal note/economic impact statement on HB 54, dated January 31, 1978.
16. [House Committee on Governmental Affairs?] Fiscal note on HB 54, dated April 3, 1978.
17. Senate Committee on Commerce. Staff analysis of HB 54, dated April 10, 1978, prepared by Martin.
18. Senate Committee on Commerce. Staff analysis of HB 54, dated May 31, 1978 (final report), prepared by Martin.

05/25/77 HOUSE HJ 00788
05/27/77 HOUSE READ THIRD TIME; PASSED; READ 1ST TIME
06/01/77 SENATE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR

07/22/77

SENATE BILL ACTIONS REPORT

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ANNUAL REPORT WITH H.R.S. DEPT. DISCLOSING CERTAIN FINANCIAL
TRANSACTIONS, ETC. AMENDS 395.12. EFFECTIVE DATE: UPON BECOMING LAW.
05/02/77 SENATE INTRODUCED, REFERRED TO HEALTH AND REHABILITATIVE
SERVICES, COMMERCE -SJ 00288
05/09/77 SENATE COMM. REPORT: FAVORABLE WITH AMEND. BY HEALTH AND
REHABILITATIVE SERVICES
05/11/77 SENATE NOW REFERRED TO COMMERCE -SJ 00364
05/25/77 SENATE EXTENSION OF TIME GRANTED COMMITTEE COMMERCE -SJ 00502
06/03/77 SENATE DIED IN COMMITTEE ON COMMERCE

- S 1243 GENERAL BILL BY TRASK (IDENTICAL H 2119)
AGRI. & CONSUMER SERVICES DEPT.; PROVIDES CORRECT NUMBER OF DIVISIONS;
PERMITS PUBLICATION OF BULLETINS BY ADMINISTRATION DIV.; INCLUDES
CONSUMER SERVICES DIV. & FORESTRY DIV. WITHIN DEPT.; CREATES MGT.
SYSTEMS BUREAU & PUBLIC FAIRS & EXPOSITIONS BUREAU IN ADMINISTRATION
DIV. AMENDS CH. 570. EFFECTIVE DATE: 06/20/77.
05/02/77 SENATE INTRODUCED, REFERRED TO AGRICULTURE, GOVERNMENTAL
OPERATIONS -SJ 00288
05/09/77 SENATE COMM. REPORT: FAVORABLE BY AGRICULTURE
05/10/77 SENATE NOW REFERRED TO GOVERNMENTAL OPERATIONS -SJ 00365
05/23/77 SENATE COMM. REPORT: FAVORABLE; PLACED ON CALENDAR BY
GOVERNMENTAL OPERATIONS -SJ 00500
05/31/77 SENATE PASSED; YEAS 35 NAYS 0 -SJ 00649
06/01/77 HOUSE RECEIVED, PLACED ON CALENDAR -HJ 00946
06/02/77 HOUSE SUBSTITUTED FOR H 2119; READ SECOND TIME; READ THIRD
TIME; PASSED; YEAS 105 NAYS 1 -HJ 01149
06/13/77 SENATE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR
06/20/77 APPROVED BY GOVERNOR CHAPTER NO. 77-289
- S 1244 GENERAL BILL BY THOMAS, P. AND OTHERS (SIMILAR CS/H 1787)
(CS) PUBLIC FINANCING/HOUSING; CREATES FLA. HOUSING FINANCE AUTHORITY
LAW; AUTHORIZES CREATION OF HOUSING FINANCE AUTHORITIES BY ORDINANCE;
PROVIDES FOR FUNCTIONS OF SUCH AUTHORITIES TO ALLEVIATE SHORTAGE OF
HOUSING & CAPITAL FOR INVESTMENT IN HOUSING, ETC. EFFECTIVE DATE:
10/01/77.
05/02/77 SENATE INTRODUCED, REFERRED TO COMMERCE, ECONOMIC, COMMUNITY
AND CONSUMER AFFAIRS, FINANCE, TAXATION AND CLAIMS
-SJ 00288
05/11/77 SENATE COMM. REPORT: C/S BY COMMERCE; NOW REFERRED TO
ECONOMIC, COMMUNITY AND CONSUMER AFFAIRS -SJ 00366
05/16/77 SENATE COMM. REPORT: FAVORABLE WITH AMEND. BY ECONOMIC,
COMMUNITY AND CONSUMER AFFAIRS
05/17/77 SENATE NOW REFERRED TO FINANCE, TAXATION AND CLAIMS -SJ 00403
05/20/77 SENATE WITHDRAWN FROM FINANCE, TAXATION AND CLAIMS -SJ 00402;
PLACED ON CALENDAR
05/31/77 SENATE PLACED ON SPECIAL ORDER CALENDAR -SJ 00621; C/S READ
FIRST TIME; IDEN./SIM. HOUSE BILL SUBSTITUTED; LAID ON
TABLE UNDER RULE, IDEN./SIM./COMPARE BILL PASSED; REFER
TO H 1787 (VETOED BY GOVERNOR-06/18/77) -SJ 00672
- S 1245 GENERAL BILL BY THOMAS, J.
PUBLIC OFFICERS & EMPLOYEES; RE GROUP INSURANCE; AUTHORIZES STATE
GOVERNMENT UNITS TO PROVIDE GROUP INSURANCE FOR THEIR OFFICERS &
EMPLOYEES. AMENDS 112.08. EFFECTIVE DATE: UPON BECOMING LAW.
CONTINUED ON NEXT PAGE

1 state and local governmental units to provide assistance to 1.32/8
 2 meet the need for housing.

3 (5) The provisions of this act are found and declared 1.41
 4 to be necessary and in the public interest as a matter of 1.42
 5 legislative determination.

6 Section 3. Definitions.--As used in this act: 1.43

7 (1) "Area of operation" means the area within the 1.43/1
 8 territorial boundaries of the county for which the housing 1.43/2
 9 finance authority is created, and any area outside the 1.43/3
 10 territorial boundaries of such county if the governing body of 1.43/4
 11 the county within which such outside area is located approves. 1.43/5
 12 The approval may be a general approval or an approval only for 1.43/6
 13 specified qualifying housing developments or only for a
 14 specified number of qualifying housing developments. 1.43/7

15 (2) "Bonds" means any bonds, notes, debentures, 1.43/8
 16 interim certificates, or other evidences of financial
 17 indebtedness issued by a housing finance authority under and 1.43/9
 18 pursuant to this act. 1.43/10

19 (3) "Housing finance authority" means a housing 1.52
 20 finance authority created pursuant to section 4 of this act. 1.53

21 (4) "Housing development" means any residential 1.53
 22 building, land, equipment, facility, or other real or personal 1.54
 23 property which may be necessary, convenient, or desirable in 1.55
 24 connection therewith, including streets, sewers, water and 1.56
 25 utility services, parks, gardening, administrative, community,
 26 health, recreational, and educational facilities, and other 1.57
 27 facilities related and subordinate to housing, and also 1.58
 28 includes site preparation, the planning of housing and
 29 improvements, the acquisition of property, the removal or 1.59
 30 demolition of existing structures, the acquisition, 1.60
 31 construction, reconstruction, and rehabilitation of housing 1.60/1

1 and improvements, and all other work in connection therewith,
 2 and all costs of financing, including without limitation the 1.60/2
 3 cost of consultant and legal services, other expenses 1.60/3
 4 necessary or incident to determining the feasibility of the 1.60/4
 5 housing development, administrative and other expenses
 6 necessary or incident to the housing development and the 1.60/5
 7 financing thereof (including reimbursement to any 1.60/6
 8 municipality, county or entity for expenditures made with the 1.60/8
 9 approval of the housing finance authority for the housing
 10 development), and interest accrued during construction and for 1.60/9
 11 a reasonable period thereafter. 1.60/10

12 (5) "Lending institution" means any bank or trust 1.60/11
 13 company, mortgage banker, savings bank, credit union, national
 14 banking association, savings and loan association, building 1.60/12
 15 and loan association, insurance company, the Florida Housing 1.60/13
 16 Development Corporation, or other financial institution or 1.60/14
 17 governmental agency authorized to transact business in this
 18 state and which customarily provides service or otherwise aids 1.60/15
 19 in the financing of mortgages located in the state. 1.60/16

20 (6) "Qualifying housing development" means any housing 1.74
 21 development which a housing finance authority finds will 1.72
 22 assist in alleviating the shortage of housing in the area of 1.73
 23 operation of such authority.

24 Section 4. Creation of housing finance authorities.-- 1.74

25 (1) Each county in this state may create by ordinance 1.74/1
 26 a separate public body corporate and politic to be known as 1.74/2
 27 the "Housing Finance Authority" of the county for which it is 2.0/1
 28 created, to carry out only the powers granted in this act. A 2.0/2
 29 housing finance authority shall not transact any business or 2.0/3
 30 exercise any powers under this act until the governing body of
 31 the county for which such housing finance authority is created

1 passes a resolution declaring the need for a housing finance
 2 authority to function to alleviate a shortage of housing and
 3 capital for investment in housing in its area of operation.
 4 (2) In any suit, action, or proceeding involving the
 5 validity or enforcement of or relating to any contract of a
 6 housing finance authority, the housing finance authority shall
 7 be conclusively deemed to have been established and authorized
 8 to transact business and exercise its powers under this act
 9 upon proof of the adoption of an ordinance by the appropriate
 10 governing body declaring the need for the housing finance
 11 authority. The ordinance shall be sufficient if it declares
 12 the need for such a housing finance authority and finds that
 13 there is a shortage of housing and capital for investment in
 14 housing within its area of operation. A copy of the ordinance
 15 certified by the clerk of the circuit court shall be
 16 admissible in evidence in any suit, action, or proceeding.
 17 (3) The county for which the housing finance authority
 18 is created may, at its sole discretion, and at any time, alter
 19 or change the structure, organization, programs or activities
 20 of any housing finance authority, including the power to
 21 terminate such authority, subject to any limitation on the
 22 impairment of contracts entered into by such authority and
 23 subject to the limitations or requirements of this act.
 24 Section 5. Members; employees; duties and
 25 compensation.--
 26 (1) Each housing finance authority shall be composed
 27 of five members appointed by the governing body of the county
 28 for which the housing finance authority is created, one of
 29 whom shall be designated chairman. Not less than three of the
 30 members shall be knowledgeable in one of the following fields:
 31 labor, finance or commerce. The terms of the members shall be

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1 4 years each, except that the terms of the initial members
 2 shall be as follows: two members shall serve a term of 1
 3 year; one member shall serve a term of 2 years; one member
 4 shall serve a term of 3 years; and one member shall serve a
 5 term of 4 years. A member of the housing finance authority
 6 shall hold office until his successor has been appointed and
 7 has qualified. Each vacancy shall be filled for the remainder
 8 of the unexpired term. A certificate of the appointment or
 9 reappointment of any member of the housing finance authority
 10 shall be filed with the Clerk of the Circuit Court of the
 11 county, and the certificate shall be conclusive evidence of
 12 the due and proper appointment of the member. A member shall
 13 receive no compensation for his services, but shall be
 14 entitled to necessary expenses, including traveling expenses,
 15 incurred in the discharge of his duties.
 16 (2) The powers of each housing finance authority
 17 granted by this act shall be vested in the members of the
 18 housing finance authority in office from time to time. Three
 19 members shall constitute a quorum, and action may be taken by
 20 the housing finance authority upon a vote of a majority of the
 21 members present. A housing finance authority may employ such
 22 agents and employees, permanent or temporary, as it may
 23 require and shall determine the qualifications, duties, and
 24 compensation of such agents and employees. A housing finance
 25 authority may delegate to an agent or employee such powers or
 26 duties as it may deem proper. A housing finance authority may
 27 employ its own legal counsel.
 28 (3) Until the members of the housing finance authority
 29 are appointed, the governing body of the county for which the
 30 housing finance authority is created and the chairman of the
 31 housing finance authority shall have full authority to carry

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1 out the powers of a housing finance authority under this act, 2.58/4
 2 provided, however, that the governing body shall not delegate 2.58/5
 3 its authority to the chairman under this provision. Except as 2.58/6
 4 provided in this section, no member of the housing finance 2.58/7
 5 authority may be an officer or employee of the county for 2.58/8
 6 which the housing finance authority is created.
 7 Section 6. Conflicts of interest; disclosure.--No 2.65
 8 member or employee of a housing finance authority shall 2.66
 9 acquire any interest, direct or indirect, in any qualifying
 10 housing development or in any property included or planned to 2.67
 11 be included in such a development, nor shall he have any 2.68
 12 interest, direct or indirect, in any contract or proposed
 13 contract for materials or services to be furnished or used in 2.69
 14 connection with any qualifying housing development. If any 2.70
 15 member or employee of a housing finance authority owns or 2.71
 16 controls an interest, direct or indirect, in any property
 17 included or planned to be included in any qualifying housing 2.72
 18 project, he shall immediately disclose the same in writing to 2.73
 19 the housing finance authority. Such disclosure shall be 2.74
 20 entered upon the minutes of the housing finance authority. 2.75
 21 Failure so to disclose such interest shall constitute
 22 misconduct in office. 2.76
 23 Section 7. Removal of members.--For neglect of duty or 3.0/1
 24 misconduct in office, a member of a housing finance authority
 25 may be removed by the governing body of the county. A member 3.0/2
 26 may be removed only after he has been given a copy of the 3.0/3
 27 charges at least 10 days prior to the hearing thereon and has 3.0/4
 28 had an opportunity to be heard in person or by counsel. If a 3.0/5
 29 member is removed, a record of the proceedings, together with
 30 the charges and findings thereon, shall be filed in the office 3.0/6
 31

1 of the clerk where the certificate of appointment for such 3.0/7
 2 member is filed.
 3 Section 8. Powers of housing finance authorities.—A 3.8
 4 housing finance authority shall constitute a public body 3.8/1
 5 corporate and politic, exercising the public and essential
 6 governmental functions set forth in this act, and shall 3.8/2
 7 exercise its power to borrow only for the purpose as provided 3.8/3
 8 herein:
 9 (1) To sue and be sued, to have a seal and to alter 3.13
 10 the same at pleasure, to have perpetual succession, to make 3.14
 11 and execute contracts and other instruments necessary or
 12 convenient to the exercise of the powers of the housing 3.15
 13 finance authority, and to make and from time to time amend and 3.16
 14 repeal bylaws, rules, and regulations, not inconsistent with 3.17
 15 this act, to carry into effect the powers and purposes of the 3.18
 16 housing finance authority.
 17 (2) To purchase or make commitments to purchase, and 3.18/1
 18 to take assignments of, from lending institutions acting as a 3.18/2
 19 principal or as an agent of the housing finance authority,
 20 mortgage loans and promissory notes accompanying such mortgage 3.18/3
 21 loans, including federally insured mortgage loans or 3.18/4
 22 participations with lending institutions in such promissory
 23 notes and mortgage loans for the construction, purchase, 3.18/5
 24 reconstruction, or rehabilitation of the qualifying housing 3.18/6
 25 development or portion thereof; provided that the proceeds of 3.18/7
 26 sale or equivalent moneys shall be reinvested in mortgage
 27 loans. 3.18/8
 28 (3) To make loans to lending institutions under terms 3.18/9
 29 and conditions requiring the proceeds thereof to be used by 3.18/10
 30 such lending institutions for the making of new mortgages for 3.18/11
 31 any qualifying housing development, or portion thereof,

obligations be payable out of any funds or properties other than those of the housing finance authority.

Section 13. Form and sale of bonds.--

(1) Bonds of a housing finance authority issued pursuant to this act shall be authorized by a resolution of the housing finance authority and may be issued in one or more series and shall bear such dates, mature at such times, bear interest at such rates, be in such denominations, be in such form, either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed by such members of the housing finance authority and in such manner, be payable in such mean of payment at such places, and be subject to such terms of redemption, with or without premium, as such resolution or any trust indenture entered into pursuant to such resolution may provide, provided, however, that the provisions of s. 215.685 shall apply.

(2)(a) The bonds issued by the authority shall be sold by the authority at public sale substantially in the manner provided by s. 215.68(5)(b) and (c), unless otherwise specifically approved by the State Board of Administration, which is hereby given the power to waive such requirement.

(b) In the event an offer of an issue of bonds at public sale produces no bid, or in the event all bids received are rejected, the authority is authorized to negotiate for the sale of such bonds under such rates and terms as are acceptable; provided, however, that no such bonds shall be so sold or delivered on terms less favorable than the terms contained in any bids rejected at the public sale thereof, or the terms contained in the notice of public sale if no bids were received at such public sale.

(3) In case any member of the housing finance authority whose signature appears on the bonds or coupons shall cease to be a member before the delivery of the bonds or coupons, such bonds shall, nevertheless, be valid and sufficient for all purposes, the same as if such member had remained in office until such delivery. Any provision of law to the contrary notwithstanding, any bonds issued pursuant to this act shall be fully negotiable.

(4) In any suit, action, or proceeding involving the validity or enforceability of any bond of a housing finance authority or the security therefor issued pursuant hereto, any such bond reciting in substance that it has been issued by the housing finance authority to assist in providing financing of a qualifying housing development to alleviate the shortage of housing in its area of operation shall be conclusively deemed to have been issued for a qualifying housing development of such character.

Section 14. Provisions of bonds and trust indentures.--In connection with the issuance of bonds and in order to secure the payment of such bonds, a housing finance authority, in addition to the other powers granted pursuant to this act, shall have power:

(1) To pledge all or any part of any payment made to the housing finance authority pursuant to any loan agreement or pursuant to a sale of any loan or loan commitment.

(2) To covenant against pledging or assigning all or any part of any payments made pursuant to any loan agreement or pursuant to the sale of any loan or loan commitment or against permitting or suffering any lien on such payments; and to covenant as to what other, or additional, debts or

1 obligations may be incurred by the housing finance authority 4.42
 2 with respect to any qualifying housing development.
 3 (3) To covenant as to the bonds to be issued and as to 4.42/1
 4 the issuance of such bonds in escrow or otherwise and as to 4.42/2
 5 the use and disposition of the proceeds thereof; and to 4.42/4
 6 provide for the replacement of lost, destroyed or mutilated
 7 bonds; to covenant against extending the time for the payment 4.42/5
 8 of its bonds or interest thereon; and to redeem the other 4.42/6
 9 bonds, covenant for their redemption, and provide the terms 4.42/7
 10 and conditions thereof.
 11 (4) To create or to authorize the creation of special 4.49
 12 funds for moneys held for construction costs, debt service, 4.50
 13 reserves, or other purposes; and to covenant as to the 4.51
 14 construction and disposition of the moneys held in such
 15 special funds.
 16 (5) To prescribe the procedure, if any, by which the 4.52
 17 terms of any contract with the holder of any bonds may be 4.52/1
 18 amended or abrogated, the amount of the bonds the holders of 4.52/2
 19 which must consent thereto, and the manner in which such 4.52/3
 20 consent may be given.
 21 (6) To covenant as to the rights, liabilities, powers, 4.52/4
 22 and duties arising upon the breach by the housing finance 4.52/5
 23 authority of any covenant, condition, or obligation; and to
 24 covenant and prescribe as to events of default and terms and 4.52/6
 25 conditions upon which any or all of its bonds or obligations 4.52/7
 26 shall become or may be declared due before maturity and as to 4.52/8
 27 the terms and conditions upon which such declaration and its 4.61
 28 consequences may be waived.
 29 (7) To vest in a trustee or trustees or the holders of 4.61/1
 30 bonds or any proportion of them the right to enforce the 4.61/2
 31 payment of the bonds or any covenants securing or relating to

1 the bonds; to vest in a trustee or trustees the right, in the 4.61/3
 2 event of a default by said housing finance authority, to 4.61/4
 3 collect the payments made pursuant to any loan agreement or 4.61/5
 4 pursuant to the sale of any loan or loan commitment and to
 5 dispose of such rights in accordance with the agreement of the 4.61/6
 6 housing finance authority with said trustee; to provide for 4.61/7
 7 the powers and duties of a trustee or trustees and to limit 4.61/8
 8 the liabilities thereof; and to provide the terms and
 9 conditions upon which the trustee or trustees of the holders 4.61/9
 10 of bonds or any proportion of them may enforce any covenant or 4.61/10
 11 rights securing or relating to the bonds.
 12 Section 15. Validation of bonds and proceedings.--A 4.72
 13 housing finance authority shall determine its authority to 4.72/2
 14 issue any of its bonds, and the legality of all proceedings 4.72/3
 15 had or taken in connection therewith, in the same manner and
 16 to the same extent as provided in chapter 75, Florida 5.0/1
 17 Statutes, for the determination by a county, municipality,
 18 taxing district, or other political subdivision of its 5.0/2
 19 authority to incur bonded debt or to issue certificates of 5.0/3
 20 indebtedness and of the legality of all proceedings had or 5.0/4
 21 taken in connection therewith.
 22 Section 16. Actions to contest validity of bonds.--An 5.0/5
 23 action or proceeding to contest the validity of any bond 5.0/6
 24 issued under this act, other than a proceeding pursuant to 5.0/7
 25 section 15, must be commenced within 30 days after
 26 notification in a newspaper of general circulation within the 5.0/8
 27 area of the passage by the housing finance authority of the 5.0/9
 28 resolution authorizing the issuance of such bond.
 29 Section 17. Remedies of an obligee of a housing 5.40
 30 finance authority.--An obligee of a housing finance authority
 31 shall have the right, in addition to all other rights which

1 may be conferred on such obligee, subject only to any 5.41
2 contractual restrictions binding upon such obligee:
3 (1) By mandamus, suit, action, or proceeding at law or 5.42
4 in equity, to compel the housing finance authority and the 5.43
5 members, officers, agents, or employees thereof to perform 5.44
6 each and every term, provision, and covenant contained in any
7 contract of the housing finance authority with or for the 5.46
8 benefit of such obligee and to require the carrying out of any 5.47
9 or all of the covenants and agreements of the housing finance 5.49
10 authority and the fulfillment of all duties imposed upon the 5.50
11 housing finance authority by this act. 5.51
12 (2) By suit, action, or proceeding in equity, to 5.52
13 enjoin any acts or things which may be unlawful or the
14 violation of any of the rights of the obligee by the housing 5.53
15 finance authority.
16 Section 18. Additional remedies conferrable by a 5.54
17 housing finance authority.--A housing finance authority shall 5.55
18 have power by resolution, trust indenture, or other contract
19 to confer upon any obligee holding or representing a specified 5.56
20 amount in bonds, the right, in addition to all rights that may 5.56/1
21 otherwise be conferred, upon the happening of an event of 5.56/2
22 default as defined in such resolution or instrument, by suit, 5.56/3
23 action, or proceeding in any court of competent jurisdiction:
24 (1) To obtain the appointment of a receiver of any 5.60
25 payments made pursuant to any loan agreement or sale of any 5.61
26 loan. If such receiver be appointed, he may collect and 5.62
27 receive all payments made pursuant to any such loan agreement
28 or sale of any loan or loan commitment and shall keep such 5.63
29 moneys in a separate account or accounts and apply the same in 5.64
30 accordance with the obligations of said housing finance 5.65
31 authority as the court shall direct.

1 (2) To require the housing finance authority and the 5.66
2 members thereof to account as if it and they were the trustees 5.67
3 of an express trust.
4 Section 19. Availability of financing.--As long as a 5.67/1
5 shortage of housing exists, a housing finance authority shall
6 not unreasonably refuse to participate in the financing of any 5.67/3
7 qualifying housing development upon request. 5.67/4
8 Section 20. Liabilities of a housing finance 5.67/4
9 authority.--In no event shall the liabilities, whether ex 5.71
10 contractu or ex delicto, of a housing finance authority 5.73
11 arising from the financing of any qualifying housing 5.74
12 development be payable from any funds other than the revenues
13 or receipts of such qualifying housing development. 5.75
14 Section 21. Housing bonds exempted from taxation.--The 5.75/1
15 bonds of a housing finance authority issued under this act,
16 together with interest thereon and income therefrom, shall be 6.1
17 exempt from all taxes. The exemption granted by this section 6.2
18 shall not be applicable to any tax imposed by chapter 220,
19 Florida Statutes, on interest, income, or profits on debt 6.3
20 obligations owned by corporations. 6.4
21 Section 22. The provisions of this act shall be 6.5
22 liberally construed in order to effectively carry out the 6.6
23 purposes of this act.
24 Section 23. If any provision of this act or the 6.7
25 application thereof to any person or circumstance is held
26 invalid, the invalidity shall not affect other provisions or 6.8
27 applications of the act which can be given effect without the 6.9
28 invalid provision or application, and to this end the 6.10
29 provisions of this act are declared severable.
30 Section 24. This act shall take effect October 1,
31 1977. 6.11/1

SENATE
STAFF ANALYSIS AND ECONOMIC STATEMENT
Commerce Committee (Livingston)

2. _____
3. _____

Amend. or CS Attached X

Bill No. and Sponsor:

Subject:

CS/SB 1244 Senator P. Thomas

Public Financing for Housing

REFERENCES: Commerce; ECCA, Finance, Taxation, & Claims

I. BILL SUMMARY:

The bill creates the Florida Housing Finance Authority Law and provides for the creation of a housing finance authority within each county to aid in the financing of housing through the issuance of revenue bonds.

II. PURPOSE:

A. Present Situation:

The Florida Housing Act of 1972 created the Florida Housing Development Corporation. This legislation made it possible for savings and loan associations, banks, and insurance companies to come together to form a profit-making corporation which would mobilize capital for financing new or rehabilitated housing for low or moderate income individuals.

It was felt that this private enterprise mechanism would achieve the state's housing goals. However, the corporation's efforts have been stymied by the economic downturn and record interest rates.

The need to further evaluate alternatives in the housing area as a result of the lagging recovery in the housing industry, inadequate housing supplies and cyclical downturns in the availability of mortgage money have caused renewed interest in providing some public involvement in the area of home financing.

B. Effect on Present Situation:

This bill interfaces with section 103 of the federal Internal Revenue Code (which states that interest on revenue bonds is tax-exempt if they are issued to provide residential real property for family units) by authorizing each county in Florida to activate a local housing finance authority if a shortage of housing or housing capital exists in such county. Each authority, to be composed of 5 persons appointed by the governing body of the county, can issue revenue bonds and use the proceeds to make loans to financial institutions or developers, or to buy and sell mortgages, all to directly or indirectly provide housing. The revenue bonds are payable solely and only from the repayment of the loan or sale of the mortgages, so the revenue bonds would be sold on the credit of the financial institution or developer to whom the loan is made or mortgages sold. Housing developments for any income group can be financed under the bill. The revenue bonds would not constitute an obligation of the state or county and no tax funds would be used. A county which creates an authority has the power to, at any time, alter or change the structure, organization, programs or activities of the authority (including the power to terminate the authority.)

III. ECONOMIC CONSIDERATIONS:

Economic Impact: X Yes No

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A. Economic Impact on the Public:

The subsidy provided by this bill lies in the difference in mortgage rates which results from passing on the tax-exempt savings from the bonds. Administrative costs would be underwritten by fees charged by the authority and there would be no debt incurred by the county. In a sense, it is the federal government which would be subsidizing the efforts of housing finance authorities through its willingness to forego taxation on the income of the revenue bonds that would be issued. It is expected that the revenue bonds should be saleable at 1 to 2 percentage points lower than the prevailing mortgage interest rate, allowing the home buyer better mortgage terms.

B. Fiscal Impact on Implementing or Enforcing Agency:

In a housing-dependent state like Florida, this bill would add a tool for dealing with recession-related problems. It would help alleviate Florida's dependence on the largesse of the federal government and its fluctuating commitments to housing.

Since the bonds would be revenue bonds, no pledge of any tax source would be involved.

The 7.5% interest cap in s. 215.685, would apply to the bonds of the authorities. While the State Board of Administration would have the authority to waive this rule, it would not seem expedient to do so. The purpose of the bill is to assist in the financing of housing. If the bonds can't be issued at less than 7.5% interest, the loans from their sale would not be competitive.

IV. COMMENTS:

Technical errors: None noted.

DATE: May 13, 1977

COMMITTEE ACTION: 1. Fav. w/4 Am.

Amended - May 17, 1977

SENATE

2. _____

STAFF ANALYSIS AND ECONOMIC STATEMENT
Economic, Community & Consumer Affairs Comm.

3. _____

(Gilmore)

Amend. ~~XXXXX~~ Attached 4

Bill No. and Sponsor:

Subject:

CS/SB 1244 - Senator P. Thomas

Public Financing for Housing

REFERENCES: Commerce Committee
Economic, Community, and Consumer Affairs Committee
Finance, Taxation, & Claims Committee

I. BILL SUMMARY:

The bill creates the Florida Housing Finance Authority Law and provides for the creation of a housing finance authority within each county to aid in the financing of housing through the issuance of revenue bonds.

II. PURPOSE:

A. Present Situation:

The need to further evaluate alternatives in the housing area as a result of the lagging recovery in the housing industry, inadequate housing supplies and cyclical downturns in the availability of mortgage money have caused renewed interest in providing some public involvement in the area of home financing.

B. Effect on Present Situation:

This bill interfaces with section 103 of the federal Internal Revenue Code (which states that interest on revenue bonds is tax-exempt if they are issued to provide residential real property for family units) by authorizing each county in Florida to activate a local housing finance authority if a shortage of housing or housing capital exists in such county. Each authority, to be composed of 5 persons appointed by the governing body of the county, can issue revenue bonds and use the proceeds to make loans to financial institutions or developers, or to buy and sell mortgages, all to directly or indirectly provide housing. The financial institutions must then use the money received to provide more housing mortgages.

The revenue bonds are payable solely and only from the repayment of the loan or sale of the mortgages, so the revenue bonds would be sold on the credit of the financial institution or developer to whom the loan is made or mortgages sold. Housing developments for any income group can be financed under the bill. The revenue bonds would not constitute an obligation of the state or county and no tax funds would be used.

A county which creates an authority has the power to, at any time, alter or change the structure, organization, programs or activities of the authority (including the power to terminate the authority).

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III. ECONOMIC CONSIDERATIONS:

Economic Impact: Yes X No

A. Economic Impact on the Public:

The subsidy provided by this bill lies in the difference in mortgage rates which results from passing on the tax-exempt savings from the bonds. Administrative costs would be underwritten by fees charged by the authority and there would be no debt incurred by the county. In a sense, it is the federal government which would be subsidizing the efforts of housing finance authorities through its willingness to forego taxation on the income of the revenue bonds that would be issued.

B. Fiscal Impact on Implementing or Enforcing Agencies:

In a housing-dependent state like Florida, this bill would add a tool for dealing with recession-related problems. It would help alleviate Florida's dependence on the largesse of the federal government and its fluctuating commitments to housing.

Since the bonds would be revenue bonds, no pledge of any tax source would be involved.

The 7.5% interest cap in s. 215.685, would apply to the bonds of the authorities. The lending institution would have the option of a private offering, but the issuance of the bond would otherwise be as provided in s. 215.685, F.S.

IV. COMMENTS:

Technical errors: None noted.

Last year, a similar bill, SB 602, died on the Senate Calendar. Another similar bill, HB 4233, passed the House and died in Messages.

This year CS/HB 1787 (Ready) was reported favorably by House Community Affairs Committee and has been referred to Finance and Tax.

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A bill to be entitled
An act relating to public financing for housing; creating the "Florida Housing Finance Authority Law"; providing definitions; authorizing the creation of a housing finance authority by ordinance; providing for the functioning of such authorities to alleviate a shortage of housing and capital for investment in housing; providing for membership, powers, and duties; authorizing a county to exercise the powers of such authority until members are appointed; prohibiting members and employees from acquiring or having certain interest with respect to a qualifying housing development; requiring disclosures of interest; providing for removal of members; authorizing such authorities to make, purchase, and sell loans for qualifying housing developments; prohibiting the financing of qualifying housing developments for profit; authorizing such authorities to issue bonds and limiting sources from which such bonds are payable; providing for validation proceedings; providing for remedies of an obligee; exempting bonds together with income and interest thereon from taxation; providing severability; providing an effective date.

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

Section 1. Short title.--This act shall be known and may be cited as the "Florida Housing Finance Authority Law."

Section 2. Finding and declaration of necessity.--It is found and declared that:

(1) Within this state there is a shortage of housing available at prices or rentals which many persons and families can afford and a shortage of capital for investment in such housing. This shortage constitutes a threat to the health, safety, morals, and welfare of the residents of the state, deprives the state of an adequate tax base, and causes the state to make excessive expenditures for crime prevention and control, public health, welfare and safety, fire and accident protection, and other public services and facilities.

(2) Such shortage cannot be relieved except through the encouragement of investment by private enterprise and the stimulation of construction and rehabilitation of housing through the use of public financing.

(3) The financing, acquisition, construction, reconstruction, and rehabilitation of housing and of the real and personal property and other facilities necessary, incidental, and appurtenant thereto are exclusively public uses and purposes for which public money may be spent, advanced, loaned, or granted and are governmental functions of public concern.

(4) The Congress of the United States has, by the enactment of amendments to the Internal Revenue Code of 1954,

1 found and determined that housing may be financed by means of
2 obligations issued by any state or local governmental unit,
3 the interest on which obligations is exempt from federal income
4 taxation, and has thereby provided a method to aid state and
5 local governmental units to provide assistance to meet the need
6 for housing.

7 (5) The provisions of this act are found and declared
8 be necessary and in the public interest as a matter of
9 legislative determination.

10 Section 3. Definitions.--As used in this act:

11 (1) "Area of operation" means the area within the
12 territorial boundaries of the county for which the housing
13 finance authority is created, and any area outside the
14 territorial boundaries of such county if the governing body
15 of the county within which such outside area is located approves.
16 The approval may be a general approval or an approval only for
17 specified qualifying housing developments or only for a
18 specified number of qualifying housing developments.

19 (2) "Bonds" means any bonds, notes, debentures, interim
20 certificates, or other evidences of financial indebtedness issued
21 by the housing finance authority under and pursuant to this act.

22 (3) "Housing finance authority" means a housing
23 finance authority created pursuant to section 4 of this act.

24 (4) "Housing development" means any residential
25 building, land, equipment, facility, or other real or personal
26 property which may be necessary, convenient, or desirable in
27 connection therewith, including streets, sewers, water and
28 utility services, parks, gardening, administrative, community,
29 health, recreational, and educational facilities, and other

1 facilities related and subordinate to housing, and also in-
2 cludes site preparation, the planning of housing and improve-
3 ments, the acquisition of property, the removal or demolition
4 of existing structures, the acquisition, construction, recon-
5 struction, and rehabilitation of housing and improvements,
6 and all other work in connection therewith, and all costs of
7 financing, including without limitation the cost of consultant
8 and legal services, other expenses necessary or incident to
9 determining the feasibility of the housing development, admin-
10 istrative and other expenses necessary or incident to the
11 housing development and the financing thereof (including re-
12 imbursement to any municipality, county or entity for expendi-
13 tures made with the approval of the housing finance authority
14 for the housing development), and interest accrued during
15 construction and for a reasonable period thereafter.

16 (5) "Lending institution" means any bank or trust
17 company, mortgage banker, savings bank, credit union, national
18 banking association, savings and loan association, building
19 and loan association, insurance company, the Florida Housing
20 Development Corporation, or other financial institution or
21 governmental agency authorized to transact business in this
22 state and which customarily provides service or otherwise aids
23 in the financing of mortgages located in the state.

24 (6) "Qualifying housing development" means any housing
25 development which a housing finance authority finds will assist
26 in alleviating the shortage of housing in the area of operation
27 of such authority.

28 Section 4. Creation of housing finance authorities.--

29 (1) Each county in this state may create by ordinance a
30 separate public body corporate and political to be known as

1 the "Housing Finance Authority" of the county for which it is
2 created, to carry out only the powers granted in this act.
3 A housing finance authority shall not transact any business or
4 exercise any powers under this act until the governing body
5 of the county for which such housing finance authority is
6 created passes a resolution declaring the need for a housing
7 finance authority to function to alleviate a shortage of housing
8 and capital for investment in housing in its area of operation.

9 (2) In any suit, action, or proceeding involving the
10 validity or enforcement of or relating to any contract of a
11 housing finance authority, the housing finance authority shall
12 be conclusively deemed to have been established and authorized
13 to transact business and exercise its powers under this act
14 upon proof of the adoption of an ordinance by the appropriate
15 governing body declaring the need for the housing finance
16 authority. The ordinance shall be sufficient if it declares
17 the need for such a housing finance authority and finds that
18 there is a shortage of housing and capital for investment in
19 housing within its area of operation. A copy of the ordinance
20 certified by the Clerk of the Circuit Court, shall be admissible
21 evidence in any suit, action, or proceeding.

22 (3) The county for which the housing finance authority
23 is created may, at its sole discretion, and at any time, alter
24 or change the structure, organization, programs or activities
25 of any housing finance authority, including the power to termin-
26 ate such authority, subject to any limitation on the impairment
27 of contracts entered into by such authority and subject to the
28 limitations or requirements of this act.

29 Section 5. Members; employees; duties and compensation.
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1 (1) Each housing finance authority shall be composed
2 of five members appointed by the governing body of the county
3 for which the housing finance authority is created, one of whom
4 shall be designated chairman. Not less than three of the
5 members shall be knowledgeable in one of the following fields:
6 labor, finance or commerce. The terms of the members shall be
7 4 years each, except that the terms of the initial members
8 shall be as follows: two members shall serve a term of 1 year;
9 one member shall serve a term of 2 years; one member shall
10 serve a term of 3 years; and one member shall serve a term of
11 4 years. A member of the housing finance authority shall hold
12 office until his successor has been appointed and has qualified.
13 Each vacancy shall be filled for the remainder of the unexpired
14 term. A certificate of the appointment or reappointment of
15 any member of the housing finance authority shall be filed
16 with the Clerk of the Circuit Court for such county, and the
17 certificate shall be conclusive evidence of the due and proper
18 appointment of the member. A member shall receive no com-
19 pensation for his services, but shall be entitled to necessary
20 expenses, including traveling expenses, incurred in the dis-
21 charge of his duties.

22 (2) The powers of each housing finance authority
23 granted by this act shall be vested in the members of the
24 housing finance authority in office from time to time. Three
25 members shall constitute a quorum, and action may be taken by
26 the housing finance authority upon a vote of a majority of the
27 members present. A housing finance authority may employ such
28 agents and employees, permanent or temporary, as it may require
29 and shall determine the qualifications, duties, and compensation
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1 of such agents and employees. A housing finance authority may
2 delegate to an agent or employee such powers or duties as it
3 may deem proper. A housing finance authority may employ its
4 own legal counsel.

5 (3) Until the members of the housing finance authority
6 are appointed, the governing body of the county for which the
7 housing finance authority is created and the chairman of the
8 housing finance authority shall have full authority to carry
9 out the powers of a housing finance authority under this act,
10 provided, however, that the governing body shall not delegate
11 its authority to the chairman under this provision. Except,
12 as provided in this section, no member of the housing finance
13 authority may be an officer or employee of the county for
14 which the housing finance authority is created.

15 Section 6. Conflicts of interest; disclosure.--No
16 member or employee of a housing finance authority shall acquire
17 any interest, direct or indirect, in any qualifying housing
18 development or in any property included or planned to be includ-
19 ed in such a development, nor shall he have any interest, direct
20 or indirect, in any contract or proposed contract for materials
21 services to be furnished or used in connection with any
22 qualifying housing development. If any member or employee of
23 a housing finance authority owns or controls an interest,
24 direct or indirect, in any property included or planned to be
25 included in any qualifying housing project, he shall immediately
26 disclose the same in writing to the housing finance authority.
27 Such disclosure shall be entered upon the minutes of the housing
28 finance authority. Failure so to disclose such interest shall
29 constitute misconduct in office.

30 Section 7. Removal of members.--For neglect of duty or
31 misconduct in office, a member of a housing finance authority
may be removed by the governing body of the county. A member

1 may be removed only after he has been given a copy of the
2 charges at least 10 days prior to the hearing thereon and has
3 had an opportunity to be heard in person or by counsel. If
4 a member is removed, a record of the proceedings, together with
5 the charges and findings thereon, shall be filed in the office
6 of the clerk where the certificate of appointment for such
7 member is filed.

8 Section 8. Powers of housing finance authorities.--A
9 housing finance authority shall constitute a public body
10 corporate and politic, exercising the public and essential
11 governmental functions set forth in this act, and having all
12 the powers necessary or convenient to carry out and effectuate
13 the purpose and provisions of this act, including, without
14 limitation, the following powers in addition to others herein
15 granted:

16 (1) To sue and be sued, to have a seal and to alter
17 the same at pleasure, to have perpetual succession, to make
18 and execute contracts and other instruments necessary or
19 convenient to the exercise of the powers of the housing finance
20 authority, and to make and from time to time amend and repeal
21 bylaws, rules, and regulations, not inconsistent with this
22 act, to carry into effect the powers and purposes of the
23 housing finance authority.

24 (2) To purchase or make commitments to purchase, and
25 to take assignments of, from lending institutions acting as a
26 principal or as an agent of the housing finance authority,
27 mortgage loans and promissory notes accompanying such
28 mortgage loans, including federally insured mortgage loans or
29 participations with lending institutions in such promissory

1 notes and mortgage loans for the construction, purchase, recon-
2 struction, or rehabilitation of the qualifying housing develop-
3 ment or portion thereof; provided that the proceeds of sale or
4 equivalent monies shall be reinvested in mortgage loans.

5 (3) To make loans to lending institutions under terms
6 and conditions requiring the proceeds thereof to be used by
7 such lending institutions for the making of new mortgages for
8 any qualifying housing development, or portion thereof, located
9 wholly or partially within the area of operation of such hous-
10 ing finance authority. Prior to making a loan to a lending
11 institution which makes such loans or provides such financing,
12 the lending institution must agree to use the proceeds of such
13 loan within a reasonable period of time to make loans or to
14 otherwise provide financing for the acquisition, construction,
15 reconstruction, or rehabilitation of a housing development or
16 portion thereof, and the housing finance authority must find
17 that such loan will assist in alleviating the shortage of
18 housing and of capital for investment in housing within its
19 area of operation.

20 (4) To invest any funds held in reserves or sinking
21 bonds or any funds not required for immediate disbursement in
22 property or securities in which lending institutions may
23 legally invest funds subject to their control. The proceeds
24 from the sale of any bonds may be invested in other property
25 or securities if the purchasers and holders of such bonds
26 consent to or authorize such investments, whether in a trust
27 or otherwise.

28 (5) To purchase its bonds at any price, all bonds so
29 purchased to be canceled.

30 (6) Within its area of operation, to determine whether
31 there exists a shortage of housing and capital for investment.

1 in such housing.

2 Section 9. Limitation.--No housing finance authority
3 shall finance the acquisition, construction, reconstruction,
4 or rehabilitation of any qualifying housing development for
5 its own profit or as a source of revenue to the state or any
6 local governmental unit.

7 Section 10. No power of eminent domain.--No housing
8 finance authority shall have the power to acquire any real
9 property by the exercise of the power of eminent domain to
10 accomplish any of the purposes specified in this act.

11 Section 11. Planning, zoning, and building laws.--Each
12 qualifying housing development shall be subject to the planning,
13 zoning, health, and building laws, ordinances, and regulations
14 applicable to the place in which such qualifying housing
15 development is situate.

16 Section 12. Bonds.--

17 (1) A housing finance authority may issue revenue
18 bonds from time to time in the discretion of the housing finance
19 authority for the purposes of this act. A housing finance
20 authority may also issue refunding bonds for the purpose of
21 paying, retiring, or refunding bonds previously issued by it.
22 A housing finance authority may issue such types of bonds as
23 it may determine; provided that the principal and interest on
24 such bonds are payable solely and only from:

25 (a) The repayment of any loans made by the housing
26 finance authority pursuant to the provisions of section 8
27 or purchased by the housing finance authority pursuant to
28 section 8; or

29 (b) The sale of any housing loans or commitments to
30 purchase housing loans which are purchased pursuant to section
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1 8.
2 (2) Any debentures issued pursuant to the provisions
3 of this act shall be secured by a mortgage or other
4 security device.
5 (3) In no event shall any bonds issued pursuant to
6 the provisions of this act be payable from the general revenues
7 of the housing finance authority.
8 (4) Neither the members of a housing finance authority
9 nor any person executing the bonds shall be liable personally
10 on the bonds by reason of the issuance thereof. The bonds
11 issued pursuant to the provisions hereof, and the bonds shall
12 so state on their face, shall not be a debt of the county or the
13 state, or any political subdivision thereof; and neither the
14 county, nor any state or political subdivision thereof, shall
15 be liable thereon; nor in any event shall such bonds or
16 obligations be payable out of any funds or properties other
17 than those of the housing finance authority.
18 Section 13. Form and sale of bonds.--
19 (1) Bonds of a housing finance authority issued
20 pursuant to this act shall be authorized by a resolution of
21 the housing finance authority and may be issued in one or more
22 series and shall bear such dates, mature at such times, bear
23 interest at such rates, be in such denominations, be in such
24 form, either coupon or registered, carry such conversion or
25 registration privileges, have such rank or priority, be
26 executed by such members of the housing finance authority and
27 in such manner, be payable in such mean of payment at such
28 places, and be subject to such terms of redemption, with or
29 without premium, as such resolution or any trust indenture

1 entered into pursuant to such resolution may provide, provided,
2 however, that the provision of s. 215.685 shall apply.
3 (2)(a) The bonds issued by the authority shall be sold
4 by the authority at public sale substantially in the manner
5 provided by paragraphs (b) & (c) of subsection (5) of section
6 215.68, unless otherwise specifically approved by the state
7 board of administration, which is hereby given the power to
8 waive such requirement.
9 (b) In the event an offer of an issue of bonds at
10 public sale produces no bid, or in the event all bids received
11 are rejected, the authority is authorized to negotiate for the
12 sale of such bonds under such rates and terms as are accept-
13 able; provided, however, that no such bonds shall be so sold
14 or delivered on terms less favorable than the terms contained
15 in any bids rejected at the public sale, thereof, or the
16 terms contained in the notice of public sale if no bids were
17 received at such public sale.
18 (3) In case any member of the housing finance authority
19 whose signature appears on the bond or coupons shall cease to
20 be a member before the delivery of the bond or coupons, such
21 bonds shall, nevertheless, be valid and sufficient for all
22 purposes, the same as if such member had remained in office
23 until such delivery. Any provision of law to the contrary
24 notwithstanding, any bonds issued pursuant to this act shall
25 be fully negotiable.
26 (4) In any suit, action, or proceeding involving the
27 validity or enforceability of any bond of a housing finance
28 authority or the security therefor issued pursuant hereto, any
29 such bond reciting in substance that it has been issued by the
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1 housing finance authority to assist in providing financing of a
2 qualifying housing development to alleviate the shortage of
3 housing in its area of operation shall be conclusively deemed
4 to have been issued for a qualifying housing development of
5 such character.

6 Section 14. Provisions of bonds and trust indentures.--

7 In connection with the issuance of bonds and in order to secure
8 the payment of such bonds, a housing finance authority, in
9 addition to the other powers granted pursuant to this act,
10 shall have power:

11 (1) To pledge all or any part of any payment made to
12 the housing finance authority pursuant to any loan agreement
13 or pursuant to a sale of any loan or loan commitment.

14 (2) To covenant against pledging or assigning all or
15 any part of any payments made pursuant to any loan agreement
16 or pursuant to the sale of any loan or loan commitment or
17 against permitting or suffering any lien on such payments; and
18 to covenant as to what other, or additional, debts or obliga-
19 tions may be incurred by the housing finance authority with
20 respect to any qualifying housing development.

21 (3) To covenant as to the bond to be issued and as to
22 the issuance of such bonds in escrow or otherwise and as to
23 the use and disposition of the proceeds thereof; and to provide
24 for the replacement of lost, destroyed or mutilated bonds; to
25 covenant against extending the time for the payment of its
26 bonds or interest thereon; and to redeem the other bonds,
27 covenant for their redemption, and provide the terms and
28 conditions thereof.

1 (4) To create or to authorize the creation of special
2 funds for moneys held for construction costs, debt service,
3 reserves, or other purposes; and to covenant as to the construc-
4 tion and disposition of the moneys held in such special funds.

5 (5) To prescribe the procedure, if any, by which the
6 terms of any contract with the holder of any bonds may be
7 amended or abrogated, the amount of the bonds the holders of
8 which must consent thereto, and the manner in which such con-
9 sent may be given.

10 (6) To covenant as to the rights, liabilities, powers,
11 and duties arising upon the breach by the housing finance
12 authority of any covenant, condition, or obligation; and to
13 covenant and prescribe as to events of default and terms and
14 conditions upon which any or all of its bonds or obligations
15 shall become or may be declared due before maturity and as to
16 the terms and conditions upon which such declaration and its
17 consequences may be waived.

18 (7) To vest in a trustee or trustees or the holders of
19 bonds or any proportion of them the right to enforce the pay-
20 ment of the bonds or any covenants securing or relating to the
21 bonds; to vest in a trustee or trustees the right, in the event
22 of a default by said housing finance authority, to collect the
23 payments made pursuant to any loan agreement or pursuant to the
24 sale of any loan or loan commitment and to dispose of such
25 rights in accordance with the agreement of the housing finance
26 authority with said trustee; to provide for the powers and
27 duties of a trustee or trustees and to limit the liabilities
28 thereof; and to provide the terms and conditions upon which the
29 trustee or trustees of the holders of bonds or any proportion

1 of them may enforce any covenant or rights securing or relating
2 to the bonds.

3 Section 15. Validation of bonds and proceedings.--

4 (1) A housing finance authority shall determine its
5 authority to issue any of its bonds, and the legality of all
6 proceedings had or taken in connection therewith, in the same
7 manner and to the same extent as provided in chapter 75,
8 Florida Statutes, for the determination by a county, municipal-
9 lity, taxing district, or other political subdivision
10 of its authority to incur bonded debt or to issue certificates
11 of indebtedness and of the legality of all proceedings had or
12 taken in connection therewith.

13 Section 16. Actions to contest validity of bonds.--

14 An action or proceeding to contest the validity of any bond
15 issued under this act, other than a proceeding pursuant to
16 section 15, must be commenced within 30 days after notification
17 in a newspaper or general circulation within the area of the
18 passage by the housing finance authority of the resolution
19 authorizing the issuance of such bond.

20 Section 17. Remedies of an obligee of a housing finance

21 hority.--An obligee of a housing finance authority shall
22 have the right, in addition to all other rights which may be
23 conferred on such obligee, subject only to any contractual
24 restrictions binding upon such obligee:

25 (1) By mandamus, suit, action, or proceeding at law or
26 in equity, to compel the housing finance authority and the
27 members, officers, agents, or employees thereof to perform
28 each and every term, provision, and covenant contained in any
29 contract of the housing finance authority with or for the
30 benefit of such obligee and to require the carrying out of any
31 or all of the covenants and agreements of the housing finance

1 authority and the fulfillment of all duties imposed upon the
2 housing finance authority by this act.

3 (2) By suit, action, or proceeding in equity, to
4 enjoin any acts or things which may be unlawful or the violation
5 of any of the rights of the obligee by the housing finance
6 authority.

7 Section 18. Additional remedies conferrable by a
8 housing finance authority.--A housing finance authority shall
9 have power by resolution, trust indenture, or other contract
10 to confer upon any obligee holding or representing a specified
11 amount in bonds, the right, in addition to all rights that may
12 otherwise be conferred, upon the happening of an event of
13 default as defined in such resolution or instrument, by suit,
14 action, or proceeding in any court of competent jurisdiction:

15 (1) To obtain the appointment of a receiver of any
16 payments made pursuant to any loan agreement or sale of any
17 loan. If such receiver be appointed, he may collect and
18 receive all payments made pursuant to any such loan agreement
19 or sale of any loan or loan commitment and shall keep such
20 moneys in a separate account or accounts and apply the same in
21 accordance with the obligations of said housing finance author-
22 ity as the court shall direct.

23 (2) To require the housing finance authority and the
24 members thereof to account as if it and they were the trustees
25 of an express trust.

26 Section 19. Availability of financing.--As long as a
27 shortage of housing exists, a housing finance authority shall
28 not unreasonably refuse to participate in the financing of any
29 qualifying housing development upon request.

1 Section 20. Liabilities of a housing finance author- 2 |
ity.--In no event shall the liabilities, whether ex contractu 3 |
or ex delicto, of a housing finance authority arising from the 4 |
financing of any qualifying housing development be payable
5 from any funds other than the revenues or receipts of such
6 qualifying housing development.

7 Section 21. Housing bonds exempted from taxation.--
8 The bonds of a housing finance authority issued under this act,
9 together with interest thereon and income therefrom, shall be
10 exempt from all taxes. The exemption granted by this
section 11 |shall not be applicable to any tax imposed by chapter
220,
12 Florida Statutes, on interest, income, or profits on debt
13 obligations owned by corporations.

14 Section 22. The provisions of this act shall be
15 liberally construed in order to effectively carry out the
16 purposes of this act. ~~Section 23~~. If any provision of this act or the
18 application thereof to any person or circumstance is held
19 invalid, the invalidity shall not affect other provisions or 20
|applications of the act which can be given effect without the
21 invalid provision or application, and to this end the provi-
22 sions of this act are declared severable.

23 Section 24. This act shall take effect October 1, 1977.

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STAFF SUMMARY OF
PROPOSED COMMITTEE SUBSTITUTE
FOR HB 1787

Sponsor: Community Affairs & Rep. Ready

Other Reference: *Finance and Innovation*

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A) Problem Addressed --

The lagging recovery in the housing industry, inadequate housing supplies, and cyclical downturns in the availability of mortgage money have caused renewed interest in providing some public involvement in the area of home financing.

B) What the Bill Does --

The bill authorizes the creation of a county housing finance authority upon adoption of an ordinance and with a declaration of need. The five member board, appointed by the county commission, is empowered to issue bonds, the proceeds from the sale of which may be used to purchase mortgages and make loans to lending institutions. Such monies must then be "re-cycled" into more housing mortgages by the lending institutions. Another provision authorizes the investment of the proceeds of the sale of bonds in a manner agreeable to the holders of its bonds.

The procedures for the issuance of the bonds is the same as that provided under the State Bond Act (Chapter 215) except that the authority, not the division of bond finance, shall sell its own bonds. If no acceptable bid on its bonds is received from public sale, then the authority is authorized to negotiate for the private sale of its bonds. All bonds must be validated pursuant to the provisions of Chapter 75, Florida Statutes.

C) Similar Legislation

HB 1787, for which the proposed draft is a substitute, differs from the substitute in several significant areas. It would have created an authority in all cities and counties in the state, while the CS/HB 1787 provides for ordinance creation in counties only. The original bill would have established an entirely new set of bonding procedures, (allowing any rate of interest, private sale without public bids, and only permissive validation of the bonds).

D) Economic Impact State --

The subsidy provided by this bill lies in the difference in mortgage rates which results from passing on the tax-exempt savings from the bonds. Administrative costs would be underwritten by fees charged by the authority and there would be no debt incurred by the county. In a since, it is the federal government which would be subsidizing the efforts of housing finance authorities through its willingness to forego

taxation on the income of the revenue bonds that would be issued. It is expected that the revenue bonds should be saleable at 1 to 2 percentage points lower than the prevailing mortgage interest rate, allowing the home buyer better mortgage terms.

E) Staff Comments --

In a housing-dependent state like Florida, this bill would add a tool for dealing with recession-related problems. It would help alleviate Florida's dependence on the largesse of the federal government and its fluctuating commitments to housing.

Since the bonds would be revenue bonds, no pledge of any tax source would be involved.

The 7.5% interest cap in s. 215.685, would apply to the bonds of the authorities. While the State Board of Administration would have the authority to waive this rule, it would not seem expedient to do so. The purpose of the bill is to assist in the financing of housing. If the bonds can't be issued at less than $7\frac{1}{2}\%$ interest, the loans from their sale would not be competitive.

GLVO
5/2/77

Journals

of the

House of Representatives



ORGANIZATION SESSION
and
FIRST REGULAR SESSION
of the
FIFTH LEGISLATURE
[under the Constitution as Revised in 1968]

NOVEMBER 16, 1976
and
APRIL 5 through JUNE 3, 1977

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[Including a record of transmittal of Acts subsequent to sine die adjournment]

—a companion measure, was substituted therefor and read the second time by title. Under Rule 8.19, the bill was referred to the Engrossing Clerk.

By the Committees on Finance & Taxation and Community Affairs and Representative Ready—

CS for CS for HB 1787—A bill to be entitled An act relating to public financing for housing; creating the "Florida Housing Finance Authority Law"; providing definitions; authorizing the creation of a housing finance authority by ordinance; providing for the functioning of such authorities to alleviate a shortage of housing and capital for investment in housing; providing for membership, powers, and duties; authorizing a county to exercise the powers of such authority until members are appointed; prohibiting members and employees from acquiring or having certain interests with respect to a qualifying housing development; requiring disclosures of interest; providing for removal of members; authorizing such authorities to make, purchase, and sell loans for qualifying housing developments; prohibiting the financing of qualifying housing developments for profit; authorizing such authorities to issue bonds and limiting sources from which such bonds are payable; providing for validation proceedings; providing for remedies of an obligee; exempting bonds together with income and interest thereon from taxation; providing severability; providing an effective date.

—was read the first time by title and HB 1787 and CS for HB 1787 were laid on the table. On motion by Mr. Ready, the rules were waived and CS for CS for HB 1787 was read the second time by title.

The Committee on Rules & Calendar offered the following amendment:

Amendment 1—On page 13, line 13, strike "covenant" and insert: covenant

Mr. Ready moved the adoption of the amendment, which was adopted.

Representatives McPherson and Boyd offered the following amendment:

Amendment 2—On page 11, lines 21-22, strike "directed by the lending institutions involved in financing" and insert: approved by the State Board of Administration

Mr. McPherson moved the adoption of the amendment, which failed of adoption.

Representative Pajcic offered the following amendment:

Amendment 3—On page 4, line 23, insert a new subsection (7) to read: (7) "Eligible persons" means persons or families, irrespective of race, creed, national origin or sex, determined by the authority under rule adopted pursuant to chapter 120, to be of low or moderate income requiring such assistance as is made available pursuant to this act on account of insufficient personal or family income taking into consideration such facts as:

- (a) The amount of the total income of such persons and families available for housing needs;
- (b) The size of the family;
- (c) The cost and condition of housing facilities available;
- (d) The ability of such persons and families to compete successfully in the normal private housing market and to pay the amounts at which private enterprise is providing sanitary, decent and safe housing; and
- (e) If appropriate, standards established for various federal programs determining eligibility based on income of such persons and families.

Mr. Pajcic moved the adoption of the amendment. On motion by Mr. Williams, the amendment was laid on the table.

Under Rule 8.19, the bill was referred to the Engrossing Clerk.

THE SPEAKER PRO TEMPORE IN THE CHAIR

HB 1964—A bill to be entitled An act relating to landlord and tenant law; amending s. 83.49(1), Florida Statutes, 1976 Supplement, authorizing landlords to post an irrevocable letter of credit with the clerk of the circuit court from certain banking institutions as an alternative to the present requirements

of the deposit money or advance rent provisions of the landlord and tenant law; providing an effective date.

—was read the second time by title.

Representatives Becker and Steinberg offered the following amendment:

Amendment 1—On page 2, strike lines 18 and 19 and insert: Section 2. Subsection (10) of s. 83.43, Florida Statutes, is amended to read:

83.43 Definitions.—As used in this part, the following words and terms shall have the following meaning unless some other meaning is plainly indicated:

(10) "Transient occupancy" means occupancy when it is the intention of the parties that the occupancy will be temporary, where the premises are not to be used as the sole domicile of the occupant.

Section 3. This act shall take effect upon becoming law.

Mr. Steinberg moved the adoption of the amendment, which failed of adoption.

Representatives Pajcic and Mixson offered the following amendment:

Amendment 2—On page 2, strike all of lines 18-19, and insert: Section 2. Subsection (2) of section 83.43, Florida Statutes, is amended to read:

83.43 Definitions.—As used in this part, the following words and terms shall have the following meanings unless some other meaning is plainly indicated:

(2) "Dwelling unit" means:

- (a) A structure or part of a structure that is rented for use as a home, residence, or sleeping place by one person or by two or more persons who maintain a common household.
- (b) A mobile home rented by a tenant.
- (c) A mobile home lot within a mobile home park that is rented for occupancy by one or more persons who own the mobile home located on the lot.

(d) A structure or part of a structure that is furnished, with or without rent, as an incident of employment for use as a home, residence, or sleeping place by one or more persons.

Section 3. Section 83.46, Florida Statutes, is amended to read:

83.46 Rent; duration of tenancies.—

(1) Unless otherwise agreed, rent is payable without demand or notice; periodic rent is payable at the beginning of each rent payment period; and rent is uniformly apportionable from day to day.

(2) If the rental agreement contains no provision as to duration of the tenancy, the duration is determined by the periods for which the rent is payable. If the rent is payable weekly, then the tenancy is from week to week; if payable monthly, tenancy is from month to month; if payable quarterly, tenancy is from quarter to quarter; if payable yearly, tenancy is from year to year.

(3) If the dwelling unit is furnished without rent as an incident of employment and there is no agreement as to the duration of tenancy, the duration is determined by the periods for which wages are payable. If wages are payable weekly or more frequently, then the tenancy is from week to week; and if wages are payable monthly, then the tenancy is from month to month.

Section 4. Section 83.57, Florida Statutes, is amended to read:

83.57 Remedies; termination of tenancy without specific term.—A tenancy without a specific duration, as defined in s. 83.46(2) and (3), may be terminated by either party giving written notice in the manner provided in s. 83.56(4) [F. S. 1973], as follows:

(1) When the tenancy is from year to year, by giving not less than 60 days' notice prior to the end of any annual period;

(2) When the tenancy is from quarter to quarter, by giving not less than 30 days' notice prior to the end of any quarterly period;

class. Under House Rules 5.1 and 5.10, it seems appropriate for me to abstain from voting and offer this brief explanation for doing so.

Representative Tom R. Moore

So the joint resolution passed, as further amended, by the required Constitutional three-fifths vote of the membership and was immediately certified to the Senate after engrossment.

MR. FULFORD IN THE CHAIR

SB 634—A bill to be entitled An act relating to dispensing opticians; amending s. 484.08, Florida Statutes, relating to the renewal of licenses, fees therefor, expenditure of revenues, and annual reports; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—102

Adams	Easley	Hutto	Morgan
Allen	Eckhart	James	Nelson
Andrews	Evans	Jennings	Nuckolls
Barrett	Ewing	Jones	Ogden
Batchelor	Fechtel	Kershaw	O'Malley
Becker	Fontana	Kirkwood	Pajcic
Bell	Fortune	Kiser	Patchett
Black	Foster	Kutun	Poindexter
Blackburn	Fox	Langley	Poole
Bloom	Frank	Lehman	Ready
Boyd	Gallagher	Lewis, T.	Redman
Burnsed	Girardeau	Lockward	Richard
Burrall	Gordon	Malloy	Richmond
Carlton	Grizzle	Mann	Rish
Cassens	Grosse	Margolis	Robinson
Cherry	Gustafson	Martin	Sample
Considine	Hagler	Maxwell	Sheldon
Conway	Hattaway	McCall	Smith
Cox	Hawkins	McDonald	Steinberg
Crawford	Hazelton	McKnight	Taylor
Crenshaw	Hazouri	McPherson	Thompson
Culbreath	Healey	Melvin	Warner
Danson	Hector	Mica	Woodruff
Davis	Hieber	Mixson	Young
Dixon	Hodes	Moore, R.	
Dyer	Hollingsworth	Moore, T.	

Nays—1

Neal

Votes after roll call:

Yeas—Hodges, J. W. Lewis, Gersten

So the bill passed and was immediately certified to the Senate.

Under Rule 7.11, HB 935 was laid on the table.

CS for CS for HB 1787—A bill to be entitled An act relating to public financing for housing; creating the "Florida Housing Finance Authority Law"; providing definitions; authorizing the creation of a housing finance authority by ordinance; providing for the functioning of such authorities to alleviate a shortage of housing and capital for investment in housing; providing for membership, powers, and duties; authorizing a county to exercise the powers of such authority until members are appointed; prohibiting members and employees from acquiring or having certain interests with respect to a qualifying housing development; requiring disclosures of interest; providing for removal of members; authorizing such authorities to make, purchase, and sell loans for qualifying housing developments; prohibiting the financing of qualifying housing developments for profit; authorizing such authorities to issue bonds and limiting sources from which such bonds are payable; providing for validation proceedings; providing for remedies of an obligee; exempting bonds together with income and interest thereon from taxation; providing severability; providing an effective date.

—was read the third time by title.

Representative Patterson offered the following amendment:

Amendment 4—On page 6, line 20, after "present" insert: , however, any order, judgment or decision of the board must have the concurrence of the majority of its members to be effective.

Mr. Ready moved the adoption of the amendment, which was adopted by two-thirds vote.

Representative Patterson offered the following amendment:

Amendment 5—On page 10, line 2, strike "in" and insert: at

Mr. Ready moved the adoption of the amendment, which was adopted by two-thirds vote.

The question recurred on the passage of CS for CS for HB 1787. The vote was:

Yeas—109

The Chair	Evans	Jones	Nuckolls
Adams	Fontana	Kershaw	Ogden
Allen	Forbes	Kirkwood	O'Malley
Barrett	Fortune	Kiser	Patchett
Batchelor	Foster	Kutun	Patterson
Becker	Fox	Langley	Poindexter
Bell	Frank	Lehman	Poole
Black	Gallagher	Lewis, J. W.	Ready
Blackburn	Girardeau	Lewis, T.	Redman
Bloom	Gordon	Lockward	Richard
Boyd	Grizzle	Malloy	Richmond
Brown	Grosse	Mann	Rish
Burnsed	Gustafson	Margolis	Robinson
Burrall	Haben	Martin	Ryals
Cassens	Hagler	Maxwell	Sadowski
Cherry	Hattaway	McCall	Sample
Considine	Hazelton	McDonald	Sheldon
Conway	Hazouri	McKnight	Smith
Cox	Healey	McPherson	Steinberg
Craig	Hector	Melvin	Taylor
Crawford	Hieber	Mica	Thompson
Crenshaw	Hill	Mixson	Warner
Culbreath	Hodes	Moffitt	Williams
Davis	Hodges	Moore, R.	Woodruff
Dixon	Hollingsworth	Moore, T.	Young
Dyer	Hutto	Morgan	
Easley	James	Neal	
Eckhart	Jennings	Nelson	

Nays—5

Andrews	Ewing	Fechtel	Pajcic
Danson			

Votes after roll call:

Yeas—Ward, Gersten
Yeas to Nays—J. W. Lewis

So the bill passed, as further amended, and was immediately certified to the Senate after engrossment.

HB 1964—A bill to be entitled An act relating to landlord and tenant law; amending s. 83.49(1), Florida Statutes, 1976 Supplement, authorizing landlords to post an irrevocable letter of credit with the clerk of the circuit court from certain banking institutions as an alternative to the present requirements of the deposit money or advance rent provisions of the landlord and tenant law; amending ss. 83.43(2), 83.46, and 83.57, Florida Statutes, providing for the inclusion of dwelling units provided as an incident of employment; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—112

The Chair	Black	Cassens	Culbreath
Adams	Blackburn	Cherry	Danson
Allen	Bloom	Considine	Davis
Andrews	Boyd	Conway	Dixon
Barrett	Brown	Cox	Dyer
Batchelor	Burnsed	Craig	Easley
Becker	Burrall	Crawford	Eckhart
Bell	Carlton	Crenshaw	Evans

Journal
of the
House of Representatives



Special Session

of the

Fifth Legislature

[under the Constitution as Revised in 1968]

JUNE 22 through JUNE 24, 1977

Forbes	Jennings	Mixson	Richmond
Fulford	Kirkwood	Moore, R.	Sample
Grizzle	Kiser	Moore, T.	Steinberg
Hattaway	Langley	Nelson	Thompson
Hodges	McCall	Nuckolls	Ward
Hollingsworth	McDonald	Patchett	Williams
Hutto	Melvin	Patterson	
James	Mica	Poole	

Nays—66

The Chair	Dyer	Healey	Neal
Adams	Eckhart	Hector	O'Malley
Allen	Evans	Hieber	Papy
Andrews	Fontana	Hill	Poindexter
Becker	Foster	Kershaw	Ready
Bell	Fox	Kutun	Richard
Black	Frank	Lewis, J. W.	Rish
Blackburn	Gallagher	Lewis, T.	Robinson
Boyd	Gersten	Lockward	Ryals
Brown	Girardeau	Malloy	Sadowski
Cherry	Gordon	Mann	Sheldon
Considine	Grosse	Margolis	Smith
Conway	Haben	Martin	Taylor
Crenshaw	Hagler	McKnight	Warner
Culbreath	Hawkins	McPherson	Young
Davis	Hazelton	Moffitt	
Dixon	Hazouri	Morgan	

Votes after roll call:

Nays to Yeas—Gallagher, Hawkins

Therefore, HJR 37-B was not admitted for introduction.

Recess

At 9:37 a.m. the House stood in formal recess, to reconvene upon call of the Speaker.

Reconvened

The House was called to order by the Speaker at 9:50 a.m.

A quorum was present.

Communications

The House took up the following vetoed Act of the 1977 Regular Session, which had been transmitted by the Secretary of State with the objections of the Governor:

CS for CS for HB 1787

Honorable Bruce A. Smathers
Secretary of State

June 18, 1977

Dear Secretary Smathers:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Committee Substitute for Committee Substitute for House Bill 1787, enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1977, and entitled:

"An act relating to public financing for housing; creating the "Florida Housing Finance Authority Law"; providing definitions; authorizing the creation of a housing finance authority by ordinance; providing for the functioning of such authorities to alleviate a shortage of housing and capital for investment in housing; providing for membership, powers, and duties; authorizing a county to exercise the powers of such authority until members are appointed; prohibiting members and employees from acquiring or having certain interests with respect to a qualifying housing development; requiring disclosures of interest; providing for removal of members; authorizing such authorities to make, purchase, and sell loans for qualifying housing developments; prohibiting the financing of qualifying housing developments for profit; authorizing such authorities to issue bonds and limiting sources from which such bonds are payable; providing for validation proceedings; providing for remedies of an obligee;

exempting bonds together with income and interest thereon from taxation; providing severability; providing an effective date."

This act is meant to provide a mechanism for creating county housing finance authorities to alleviate a shortage of capital for housing. I have long supported this laudable goal and, last year, proposed and supported a constitutional amendment to grant the State authority to assist in meeting this need. Unfortunately, protections against misuse of public authority which I insisted upon in last year's act have not been included in this proposal.

The act contains a very broad definition of "housing development" which would authorize the use of tax-free public bond money for virtually any development activity in any income range, including projects only marginally related to housing. It is not restricted to the public purpose of providing low and moderate-income housing. In addition, the act does not contain the protections against misuse of the bond power contained in the State bond act.

The act appears to violate the provisions of Article VII, Section 10 of the Florida Constitution prohibiting the lending of public credit to private companies. The constitutional principle that public powers shall not be delegated to private bodies is also violated. In fact, the act grants great power to the private lending institution which stands to make a profit from its activities. This bill even permits the lending institution involved to make the sole decision whether there will be a public sale or whether the bond will be sold by private negotiations. This violation of public policy is further compounded by permitting the private lending institution to direct the investment of bond moneys not immediately required for the purpose of the bond issue.

Admittedly, federal regulation and bond validations in court provide some protection against misuse; however, it is especially incumbent upon the State to assure proper use of public tax-free bonds. I have not only highlighted this need to the Legislature, but also in my meetings in New York with representatives of the national bond market. Since the fiscal problems of New York became evident, it is absolutely necessary to insure the proper management of our governmental bonds.

Because of the serious constitutional and public policy problems I have outlined above, I am withholding my approval of Committee Substitute for Committee Substitute for House Bill 1787, Regular Session of the Legislature commencing on April 5, 1977, and do hereby veto the same.

Sincerely,
REUBIN ASKEW
Governor

Mr. Martin moved the previous question, which was agreed to. Mr. Ready suggested the absence of a quorum. A quorum of 110 Members was present. The question recurred on the passage of CS for CS for HB 1787, the veto of the Governor to the contrary notwithstanding. The vote was:

Yeas—63

Adams	Eckhart	Hieber	Mixson
Barrett	Evans	Hill	Moore, R.
Becker	Fortune	Hodges	Morgan
Bell	Foster	Hollingsworth	Nuckolls
Blackburn	Fox	James	O'Malley
Bloom	Fulford	Jennings	Patchett
Boyd	Gallagher	Jones	Poindexter
Burnsed	Gordon	Kirkwood	Poole
Burrall	Grizzle	Kiser	Ready
Considine	Haben	Langley	Redman
Conway	Hattaway	Lewis, T.	Steinberg
Cox	Hawkins	Margolis	Thompson
Craig	Hazelton	Maxwell	Ward
Crawford	Hazouri	McCall	Warner
Dyer	Healey	Melvin	Williams
Easley	Hector	Mica	

Nays—43

Allen	Carlton	Davis	Frank
Andrews	Cherry	Dixon	Girardeau
Batchelor	Crenshaw	Fechtel	Grosse
Black	Danson	Fontana	Hagler

5.18/632

ENROLLED

AS PASSED BY THE LEGISLATURE

1 A bill to be entitled 1:btc
2 An act relating to public financing for 1.4
3 housing; creating the "Florida Housing Finance 1:qq
4 Authority Law"; providing definitions; 1.4/3
5 authorizing the creation of a housing finance 1.4/4
6 authority by ordinance; providing for the 1.4/5
7 functioning of such authorities to alleviate a 1.4/6
8 shortage of housing and capital for investment 1.4/7
9 in housing; providing for membership, powers, 1.4/8
10 and duties; authorizing a county to exercise 1.4/9
11 the powers of such authority until members are 1.4/10
12 appointed; prohibiting members and employees 1.4/11
13 from acquiring or having certain interests with 1.4/12
14 respect to a qualifying housing development; 1.4/13
15 requiring disclosures of interest; providing 1.4/14
16 for removal of members; authorizing such 1.4/15
17 authorities to make, purchase, and sell loans
18 for qualifying housing developments;
19 prohibiting the financing of qualifying housing
20 developments for profit; authorizing such
21 authorities to issue bonds and limiting sources
22 from which such bonds are payable; providing
23 for validation proceedings; providing for
24 remedies of an obligee; exempting bonds
25 together with income and interest thereon from
26 taxation; providing severability; providing an
27 effective date.

28
29 Be It Enacted by the Legislature of the State of Florida: 1:enc
30
31

1 Section 1. Short title.--This act shall be known and 1.19
2 may be cited as the "Florida Housing Finance Authority Law." 1.19/2
3 Section 2. Finding and declaration of necessity.--It 1.19/2
4 is found and declared that: 1.21
5 (1) Within this state there is a shortage of housing 1.21
6 available at prices or rentals which many persons and families 1.21/1
7 can afford and a shortage of capital for investment in such 1.21/3
8 housing. This shortage constitutes a threat to the health, 1.21/4
9 safety, morals, and welfare of the residents of the state, 1.21/5
10 deprives the state of an adequate tax base, and causes the 1.21/6
11 state to make excessive expenditures for crime prevention and
12 control, public health, welfare and safety, fire and accident 1.21/7
13 protection, and other public services and facilities. 1.21/8
14 (2) Such shortage cannot be relieved except through 1.21/8
15 the encouragement of investment by private enterprise and the 1.21/9
16 stimulation of construction and rehabilitation of housing 1.21/10
17 through the use of public financing.
18 (3) The financing, acquisition, construction, 1.31
19 reconstruction, and rehabilitation of housing and of the real 1.32
20 and personal property and other facilities necessary,
21 incidental, and appurtenant thereto are exclusively public 1.32/1
22 uses and purposes for which public money may be spent, 1.32/2
23 advanced, loaned, or granted and are governmental functions of 1.32/3
24 public concern.
25 (4) The Congress of the United States has, by the 1.32/4
26 enactment of amendments to the Internal Revenue Code of 1954,
27 found and determined that housing may be financed by means of 1.32/5
28 obligations issued by any state or local governmental unit, 1.32/6
29 the interest on which obligations is exempt from federal 1.32/7
30 income taxation, and has thereby provided a method to aid
31

1 state and local governmental units to provide assistance to 1.32/8
 2 meet the need for housing.
 3 (5) The provisions of this act are found and declared 1.41
 4 to be necessary and in the public interest as a matter of 1.42
 5 legislative determination.
 6 Section 3. Definitions.--As used in this act: 1.43
 7 (1) "Area of operation" means the area within the 1.43/1
 8 territorial boundaries of the county for which the housing 1.43/2
 9 finance authority is created, and any area outside the 1.43/3
 10 territorial boundaries of such county if the governing body of 1.43/4
 11 the county within which such outside area is located approves. 1.43/5
 12 The approval may be a general approval or an approval only for 1.43/6
 13 specified qualifying housing developments or only for a
 14 specified number of qualifying housing developments. 1.43/7
 15 (2) "Bonds" means any bonds, notes, debentures, 1.43/8
 16 interim certificates, or other evidences of financial
 17 indebtedness issued by a housing finance authority under and 1.43/9
 18 pursuant to this act. 1.43/10
 19 (3) "Housing finance authority" means a housing 1.52
 20 finance authority created pursuant to section 4 of this act. 1.53
 21 (4) "Housing development" means any residential 1.53
 22 building, land, equipment, facility, or other real or personal 1.54
 23 property which may be necessary, convenient, or desirable in 1.55
 24 connection therewith, including streets, sewers, water and 1.56
 25 utility services, parks, gardening, administrative, community,
 26 health, recreational, and educational facilities, and other 1.57
 27 facilities related and subordinate to housing, and also 1.58
 28 includes site preparation, the planning of housing and
 29 improvements, the acquisition of property, the removal or 1.59
 30 demolition of existing structures, the acquisition, 1.60
 31 construction, reconstruction, and rehabilitation of housing 1.60/1

1 and improvements, and all other work in connection therewith,
 2 and all costs of financing, including without limitation the 1.60/2
 3 cost of consultant and legal services, other expenses 1.60/3
 4 necessary or incident to determining the feasibility of the 1.60/4
 5 housing development, administrative and other expenses
 6 necessary or incident to the housing development and the 1.60/5
 7 financing thereof (including reimbursement to any 1.60/6
 8 municipality, county or entity for expenditures made with the 1.60/8
 9 approval of the housing finance authority for the housing
 10 development), and interest accrued during construction and for 1.60/9
 11 a reasonable period thereafter. 1.60/10
 12 (5) "Lending institution" means any bank or trust 1.60/11
 13 company, mortgage banker, savings bank, credit union, national
 14 banking association, savings and loan association, building 1.60/12
 15 and loan association, insurance company, or other financial 1.60/13
 16 institution authorized to transact business in this state and 1.60/14
 17 which customarily provides service or otherwise aids in the 1.60/15
 18 financing of mortgages located in the state. 1.60/16
 19 (6) "Qualifying housing development" means any housing 1.71
 20 development which a housing finance authority finds will 1.72
 21 assist in alleviating the shortage of housing in the area of 1.73
 22 operation of such authority.
 23 Section 4. Creation of housing finance authorities.-- 1.74
 24 (1) Each county in this state may create by ordinance 1.74/1
 25 a separate public body corporate and politic to be known as 1.74/2
 26 the "Housing Finance Authority" of the county for which it is 2.0/1
 27 created, to carry out only the powers granted in this act. A 2.0/2
 28 housing finance authority shall not transact any business or 2.0/3
 29 exercise any powers under this act until the governing body of
 30 the county for which such housing finance authority is created 2.0/4
 31 passes a resolution declaring the need for a housing finance 2.0/5

1 authority to function to alleviate a shortage of housing and 2.0/6
 2 capital for investment in housing in its area of operation.
 3 (2) In any suit, action, or proceeding involving the 2.0/7
 4 validity or enforcement of or relating to any contract of a 2.0/8
 5 housing finance authority, the housing finance authority shall 2.0/9
 6 be conclusively deemed to have been established and authorized
 7 to transact business and exercise its powers under this act 2.0/10
 8 upon proof of the adoption of an ordinance by the appropriate 2.0/11
 9 governing body declaring the need for the housing finance 2.0/12
 10 authority. The ordinance shall be sufficient if it declares 2.0/13
 11 the need for such a housing finance authority and finds that
 12 there is a shortage of housing and capital for investment in 2.0/15
 13 housing within its area of operation. A copy of the ordinance 2.0/16
 14 certified by the clerk of the circuit court shall be 2.0/17
 15 admissible in evidence in any suit, action, or proceeding. 2.0/18
 16 (3) The county for which the housing finance authority 2.0/19
 17 is created may, at its sole discretion, and at any time, alter
 18 or change the structure, organization, programs or activities 2.0/20
 19 of any housing finance authority, including the power to 2.0/22
 20 terminate such authority, subject to any limitation on the 2.0/23
 21 impairment of contracts entered into by such authority and
 22 subject to the limitations or requirements of this act. 2.0/25
 23 Section 5. Members; employees; duties and 2.28
 24 compensation.--
 25 (1) Each housing finance authority shall be composed 2.28/2
 26 of five members appointed by the governing body of the county 2.28/3
 27 for which the housing finance authority is created, one of 2.28/4
 28 whom shall be designated chairman. Not less than three of the
 29 members shall be knowledgeable in one of the following fields: 2.28/5
 30 labor, finance or commerce. The terms of the members shall be 2.28/6
 31 4 years each, except that the terms of the initial members 2.28/7

1 shall be as follows: two members shall serve a term of 1 2.28/9
 2 year; one member shall serve a term of 2 years; one member 2.28/10
 3 shall serve a term of 3 years; and one member shall serve a 2.28/11
 4 term of 4 years. A member of the housing finance authority
 5 shall hold office until his successor has been appointed and 2.28/12
 6 has qualified. Each vacancy shall be filled for the remainder 2.28/13
 7 of the unexpired term. A certificate of the appointment or 2.28/14
 8 reappointment of any member of the housing finance authority
 9 shall be filed with the Clerk of the Circuit Court of the 2.28/15
 10 county, and the certificate shall be conclusive evidence of 2.28/17
 11 the due and proper appointment of the member. A member shall 2.28/18
 12 receive no compensation for his services, but shall be
 13 entitled to necessary expenses, including traveling expenses, 2.28/19
 14 incurred in the discharge of his duties. 2.28/20
 15 (2) The powers of each housing finance authority 2.28/20
 16 granted by this act shall be vested in the members of the 2.50
 17 housing finance authority in office from time to time. Three 2.50/1
 18 members shall constitute a quorum, and action may be taken by 2.50/2
 19 the housing finance authority upon a vote of a majority of the 2.50/3
 20 members present. (however, any order, judgment or decision of
 21 the board must have the concurrence of the majority of its 2.50/4
 22 members to be effective. A housing finance authority may 2.50/5
 23 employ such agents and employees, permanent or temporary, as 2.50/6
 24 it may require and shall determine the qualifications, duties, 2.50/7
 25 and compensation of such agents and employees.) A housing 2.50/8
 26 finance authority may delegate to an agent or employee such
 27 powers or duties as it may deem proper. A housing finance 2.50/9
 28 authority may employ its own legal counsel. 2.50/10
 29 (3) Until the members of the housing finance authority 2.50/11
 30 are appointed, the governing body of the county for which the 2.50/12
 31 housing finance authority is created and the chairman of the

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1 housing finance authority shall have full authority to carry 2.58/3
2 out the powers of a housing finance authority under this act, 2.58/4
3 provided, however, that the governing body shall not delegate 2.58/5
4 its authority to the chairman under this provision. Except as 2.58/6
5 provided in this section, no member of the housing finance 2.58/7
6 authority may be an officer or employee of the county for 2.58/8
7 which the housing finance authority is created.

8 Section 6. Conflicts of interest; disclosure.--No 2.65
9 member or employee of a housing finance authority shall 2.66
10 acquire any interest, direct or indirect, in any qualifying 2.67
11 housing development or in any property included or planned to 2.68
12 be included in such a development, nor shall he have any
13 interest, direct or indirect, in any contract or proposed
14 contract for materials or services to be furnished or used in 2.69
15 connection with any qualifying housing development. If any 2.70
16 member or employee of a housing finance authority owns or 2.71
17 controls an interest, direct or indirect, in any property
18 included or planned to be included in any qualifying housing 2.72
19 project, he shall immediately disclose the same in writing to 2.73
20 the housing finance authority. Such disclosure shall be 2.74
21 entered upon the minutes of the housing finance authority. 2.75
22 Failure so to disclose such interest shall constitute
23 misconduct in office. 2.76
24 Section 7. Removal of members.--A member of a housing 2.76
25 finance authority may be removed without cause by a 3/5 vote 2.76/1
26 of the governing body of the county, or for neglect of duty or 3.0/1
27 misconduct in office by a majority vote of the governing body 3.0/2
28 of the county. A member may be removed only after he has been 3.0/3
29 given a copy of the charges at least 10 days prior to the 3.0/4
30 hearing thereon and has had an opportunity to be heard in
31 person or by counsel. If a member is removed, a record of the 3.0/5

1 proceedings, together with the charges and findings thereon, 3.0/6
2 shall be filed in the office of the clerk where the
3 certificate of appointment for such member is filed. 3.0/7
4 Section 8. Powers of housing finance authorities.--A 3.8
5 housing finance authority shall constitute a public body 3.8/1
6 corporate and politic, exercising the public and essential
7 governmental functions set forth in this act, and shall 3.8/2
8 exercise its power to borrow only for the purpose as provided 3.8/3
9 herein:

10 (1) To sue and be sued, to have a seal and to alter 3.13
11 the same at pleasure, to have perpetual succession, to make 3.14
12 and execute contracts and other instruments necessary or
13 convenient to the exercise of the powers of the housing 3.15
14 finance authority, and to make and from time to time amend and 3.16
15 repeal bylaws, rules, and regulations, not inconsistent with 3.17
16 this act, to carry into effect the powers and purposes of the 3.18
17 housing finance authority.

18 (2) To purchase or make commitments to purchase or to 3.18/1
19 make loans for such purpose, and to take assignments of, from 3.18/2
20 lending institutions acting as a principal or as an agent of 3.18/3
21 the housing finance authority, mortgage loans and promissory 3.18/4
22 notes accompanying such mortgage loans, including federally
23 insured mortgage loans or participations with lending 3.18/5
24 institutions in such promissory notes and mortgage loans for 3.18/6
25 the construction, purchase, reconstruction, or rehabilitation 3.18/7
26 of the qualifying housing development or portion thereof;
27 provided that the proceeds of sale or equivalent moneys shall 3.18/8
28 be reinvested in mortgage loans. 3.18/9
29 (3) To make loans to lending institutions under terms 3.18/10
30 and conditions requiring the proceeds thereof to be used by 3.18/11
31 such lending institutions for the making of new mortgages for 3.18/12

1 any qualifying housing development, or portion thereof,
 2 located wholly or partially within the area of operation of 3.18/13
 3 such housing finance authority. Prior to making a loan to a 3.18/15
 4 lending institution which makes such loans or provides such 3.18/16
 5 financing, the lending institution must agree to use the 3.18/17
 6 proceeds of such loan within a reasonable period of time to 3.18/18
 7 make loans or to otherwise provide financing for the 3.18/19
 8 acquisition, construction, reconstruction, or rehabilitation 3.18/20
 9 of a housing development or portion thereof, and the housing 3.18/21
 10 finance authority must find that such loan will assist in 3.18/21
 11 alleviating the shortage of housing and of capital for 3.18/21
 12 investment in housing within its area of operation.
 13 (4) To invest, at the direction of the lending 3.18/22
 14 institution, any funds held in reserves or sinking funds or 3.18/23
 15 any funds not required for immediate disbursement in property 3.18/24
 16 or securities in which lending institutions may legally invest 3.18/26
 17 funds subject to their control.
 18 Section 9. Limitation.--No housing finance authority 3.47
 19 shall finance the acquisition, construction, reconstruction, 3.48
 20 or rehabilitation of any qualifying housing development for 3.50
 21 its own profit or as a source of revenue to the state or any
 22 local governmental unit.
 23 Section 10. No power of eminent domain.--No housing 3.51
 24 finance authority shall have the power to acquire any real 3.52
 25 property by the exercise of the power of eminent domain to 3.53
 26 accomplish any of the purposes specified in this act.
 27 Section 11. Planning, zoning, and building laws.--Each 3.54
 28 qualifying housing development shall be subject to the 3.55
 29 planning, zoning, health, and building laws, ordinances, and
 30 regulations applicable to the place in which such qualifying 3.56
 31 housing development is situate. 3.57

1 Section 12. Bonds.-- 3.57
 2 (1) A housing finance authority may issue revenue 3.57/1
 3 bonds from time to time at the discretion of the housing 3.57/2
 4 finance authority for the purposes of this act. A housing 3.57/3
 5 finance authority may also issue refunding bonds for the 3.57/5
 6 purpose of paying, retiring, or refunding bonds previously
 7 issued by it. A housing finance authority may issue such 3.57/6
 8 types of bonds as it may determine; provided that the 3.57/7
 9 principal and interest on such bonds are payable solely and 3.57/8
 10 only from:
 11 (a) The repayment of any loans made by the housing 3.57/9
 12 finance authority pursuant to the provisions of section 8 or 3.57/10
 13 purchased by the housing finance authority pursuant to section
 14 8; or
 15 (b) The sale of any housing loans or commitments to 3.57/11
 16 purchase housing loans which are purchased pursuant to section 3.57/12
 17 8.
 18 (2) Any bonds issued pursuant to the provisions of 3.57/13
 19 this act shall be secured by a mortgage or other security
 20 device. 3.57/14
 21 (3) In no event shall any bonds issued pursuant to the 3.57/14
 22 provisions of this act be payable from the general revenues of 3.57/15
 23 the housing finance authority. 3.57/16
 24 (4) Neither the members of a housing finance authority 3.57/16
 25 nor any person executing the bonds shall be liable personally 3.57/17
 26 on the bonds by reason of the issuance thereof. The bonds 3.57/18
 27 issued pursuant to the provisions hereof, and the bonds shall 3.57/19
 28 so state on their face, shall not be a debt of the county or 3.57/20
 29 the state, or any political subdivision thereof; and neither 4.0/1
 30 the county, nor any state or political subdivision thereof, 4.0/2
 31 shall be liable thereon; nor in any event shall such bonds or

1 obligations be payable out of any funds or properties other 4.0/3
 2 than those of the housing finance authority. 4.0/4
 3 Section 13. Form and sale of bonds.-- 4.0/4
 4 (1) Bonds of a housing finance authority issued 4.0/5
 5 pursuant to this act shall be authorized by a resolution of 4.0/6
 6 the housing finance authority and may be issued in one or more 4.0/7
 7 series and shall bear such dates, mature at such times, bear 4.0/8
 8 interest at such rates, be in such denominations, be in such 4.0/9
 9 form, either coupon or registered, carry such conversion or 4.0/10
 10 registration privileges, have such rank or priority, be 4.0/11
 11 executed by such members of the housing finance authority and 4.0/11
 12 in such manner, be payable in such mean of payment at such 4.0/12
 13 places, and be subject to such terms of redemption, with or 4.0/13
 14 without premium, as such resolution or any trust indenture 4.0/13
 15 entered into pursuant to such resolution may provide, 4.0/14
 16 provided, however, that the provisions of s. 215.685 shall 4.0/14
 17 apply. 4.0/15
 18 (2)(a) The bonds issued by the authority shall be sold 4.0/15
 19 by the authority at public sale substantially in the manner 4.0/16
 20 provided by s. 215.68(5)(b) and (c), unless otherwise 4.0/17
 21 specifically directed by the lending institutions involved in 4.0/17
 22 financing, which are hereby given the power to waive such 4.0/19
 23 requirement. 4.0/19
 24 (b) In the event an offer of an issue of bonds at 4.0/20
 25 public sale produces no bid, or in the event all bids received 4.0/21
 26 are rejected, the authority is authorized to negotiate for the 4.0/22
 27 sale of such bonds under such rates and terms as are 4.0/22
 28 acceptable; provided, however, that no such bonds shall be so 4.0/23
 29 sold or delivered on terms less favorable than the terms 4.0/24
 30 contained in any bids rejected at the public sale thereof, or
 31

1 the terms contained in the notice of public sale if no bids 4.0/25
 2 were received at such public sale. 4.0/26
 3 (3) In case any member of the housing finance 4.0/26
 4 authority whose signature appears on the bonds or coupons 4.0/27
 5 shall cease to be a member before the delivery of the bonds or 4.0/28
 6 coupons, such bonds shall, nevertheless, be valid and 4.0/29
 7 sufficient for all purposes, the same as if such member had 4.0/30
 8 remained in office until such delivery. Any provision of law 4.0/30
 9 to the contrary notwithstanding, any bonds issued pursuant to 4.0/31
 10 this act shall be fully negotiable. 4.0/31
 11 (4) In any suit, action, or proceeding involving the 4.0/32
 12 validity or enforceability of any bond of a housing finance 4.0/34
 13 authority or the security therefor issued pursuant hereto, any 4.0/35
 14 such bond reciting in substance that it has been issued by the 4.0/36
 15 housing finance authority to assist in providing financing of 4.0/36
 16 a qualifying housing development to alleviate the shortage of 4.0/37
 17 housing in its area of operation shall be conclusively deemed 4.0/38
 18 to have been issued for a qualifying housing development of 4.0/38
 19 such character. 4.0/38
 20 Section 14. Provisions of bonds and trust 4.32
 21 indentures.--In connection with the issuance of bonds and in 4.32/1
 22 order to secure the payment of such bonds, a housing finance 4.32/2
 23 authority, in addition to the other powers granted pursuant to 4.32/3
 24 this act, shall have power: 4.32/3
 25 (1) To pledge all or any part of any payment made to 4.36
 26 the housing finance authority pursuant to any loan agreement 4.37
 27 or pursuant to a sale of any loan or loan commitment. 4.37
 28 (2) To covenant against pledging or assigning all or 4.38
 29 any part of any payments made pursuant to any loan agreement 4.39
 30 or pursuant to the sale of any loan or loan commitment or 4.40
 31 against permitting or suffering any lien on such payments; and 4.40

1 to covenant as to what other, or additional, debts or 4.41
2 obligations may be incurred by the housing finance authority 4.42
3 with respect to any qualifying housing development.
4 (3) To covenant as to the bonds to be issued and as to 4.42/1
5 the issuance of such bonds in escrow or otherwise and as to 4.42/2
6 the use and disposition of the proceeds thereof; and to 4.42/4
7 provide for the replacement of lost, destroyed or mutilated
8 bonds; to covenant against extending the time for the payment 4.42/5
9 of its bonds or interest thereon; and to redeem the other 4.42/6
10 bonds, covenant for their redemption, and provide the terms 4.42/7
11 and conditions thereof.
12 (4) To create or to authorize the creation of special 4.49
13 funds for moneys held for construction costs, debt service,
14 reserves, or other purposes; and to covenant as to the 4.50
15 construction and disposition of the moneys held in such 4.51
16 special funds.
17 (5) To prescribe the procedure, if any, by which the 4.52
18 terms of any contract with the holder of any bonds may be 4.52/1
19 amended or abrogated, the amount of the bonds the holders of 4.52/2
20 which must consent thereto, and the manner in which such 4.52/3
21 consent may be given.
22 (6) To covenant as to the rights, liabilities, powers, 4.52/4
23 and duties arising upon the breach by the housing finance 4.52/5
24 authority of any covenant, condition, or obligation; and to
25 covenant and prescribe as to events of default and terms and 4.52/6
26 conditions upon which any or all of its bonds or obligations 4.52/7
27 shall become or may be declared due before maturity and as to 4.52/8
28 the terms and conditions upon which such declaration and its 4.61
29 consequences may be waived.
30 (7) To vest in a trustee or trustees or the holders of 4.61/1
31 bonds or any proportion of them the right to enforce the 4.61/2

1 payment of the bonds or any covenants securing or relating to
2 the bonds; to vest in a trustee or trustees the right, in the 4.61/3
3 event of a default by said housing finance authority, to 4.61/4
4 collect the payments made pursuant to any loan agreement or 4.61/5
5 pursuant to the sale of any loan or loan commitment and to
6 dispose of such rights in accordance with the agreement of the 4.61/6
7 housing finance authority with said trustee; to provide for 4.61/7
8 the powers and duties of a trustee or trustees and to limit 4.61/8
9 the liabilities thereof; and to provide the terms and
10 conditions upon which the trustee or trustees of the holders 4.61/9
11 of bonds or any proportion of them may enforce any covenant or 4.61/10
12 rights securing or relating to the bonds.
13 Section 15. Validation of bonds and proceedings.--A 4.72
14 housing finance authority shall determine its authority to 4.72/2
15 issue any of its bonds, and the legality of all proceedings 4.72/3
16 had or taken in connection therewith, in the same manner and
17 to the same extent as provided in chapter 75, Florida 5.0/1
18 Statutes, for the determination by a county, municipality,
19 taxing district, or other political subdivision of its 5.0/2
20 authority to incur bonded debt or to issue certificates of 5.0/3
21 indebtedness and of the legality of all proceedings had or 5.0/4
22 taken in connection therewith.
23 Section 16. Actions to contest validity of bonds.--An 5.0/5
24 action or proceeding to contest the validity of any bond 5.0/6
25 issued under this act, other than a proceeding pursuant to 5.0/7
26 section 15, must be commenced within 30 days after
27 notification in a newspaper of general circulation within the 5.0/8
28 area of the passage by the housing finance authority of the 5.0/9
29 resolution authorizing the issuance of such bond.
30 Section 17. Remedies of an obligee of a housing 5.40
31 finance authority.--An obligee of a housing finance authority

1 shall have the right, in addition to all other rights which
2 may be conferred on such obligee, subject only to any 5.41
3 contractual restrictions binding upon such obligee:
4 (1) By mandamus, suit, action, or proceeding at law or 5.42
5 in equity, to compel the housing finance authority and the 5.43
6 members, officers, agents, or employees thereof to perform 5.44
7 each and every term, provision, and covenant contained in any
8 contract of the housing finance authority with or for the 5.46
9 benefit of such obligee and to require the carrying out of any 5.47
10 or all of the covenants and agreements of the housing finance 5.49
11 authority and the fulfillment of all duties imposed upon the 5.50
12 housing finance authority by this act. 5.51
13 (2) By suit, action, or proceeding in equity, to 5.52
14 enjoin any acts or things which may be unlawful or the
15 violation of any of the rights of the obligee by the housing 5.53
16 finance authority.
17 Section 18. Additional remedies conferrable by a 5.54
18 housing finance authority.--A housing finance authority shall 5.55
19 have power by resolution, trust indenture, or other contract
20 to confer upon any obligee holding or representing a specified 5.56
21 amount in bonds, the right, in addition to all rights that may 5.56/1
22 otherwise be conferred, upon the happening of an event of 5.56/2
23 default as defined in such resolution or instrument, by suit, 5.56/3
24 action, or proceeding in any court of competent jurisdiction:
25 (1) To obtain the appointment of a receiver of any 5.60
26 payments made pursuant to any loan agreement or sale of any 5.61
27 loan. If such receiver be appointed, he may collect and 5.62
28 receive all payments made pursuant to any such loan agreement
29 or sale of any loan or loan commitment and shall keep such 5.63
30 moneys in a separate account or accounts and apply the same in 5.64
31

1 accordance with the obligations of said housing finance 5.65
2 authority as the court shall direct.
3 (2) To require the housing finance authority and the 5.66
4 members thereof to account as if it and they were the trustees 5.67
5 of an express trust.
6 Section 19. Availability of financing.--As long as a 5.67/1
7 shortage of housing exists, a housing finance authority shall
8 not unreasonably refuse to participate in the financing of any 5.67/3
9 qualifying housing development upon request. 5.67/4
10 Section 20. Liabilities of a housing finance 5.67/4
11 authority.--In no event shall the liabilities, whether ex 5.71
12 contractu or ex delicto, of a housing finance authority 5.73
13 arising from the financing of any qualifying housing 5.74
14 development be payable from any funds other than the revenues
15 or receipts of such qualifying housing development. 5.75
16 Section 21. Housing bonds exempted from taxation.--The 5.75/1
17 bonds of a housing finance authority issued under this act,
18 together with interest thereon and income therefrom, shall be
19 exempt from all taxes. The exemption granted by this section 6.2
20 shall not be applicable to any tax imposed by chapter 220,
21 Florida Statutes, on interest, income, or profits on debt 6.3
22 obligations owned by corporations. 6.4
23 Section 22. The provisions of this act shall be 6.5
24 liberally construed in order to effectively carry out the 6.6
25 purposes of this act.
26 Section 23. If any provision of this act or the 6.7
27 application thereof to any person or circumstance is held
28 invalid, the invalidity shall not affect other provisions or 6.8
29 applications of the act which can be given effect without the 6.9
30 invalid provision or application, and to this end the 6.9/1
31 provisions of this act are declared severable.

1 Section 24. Limitation on Rates.--The intent of this 6.9/2
2 legislation is that consumers receive maximum possible 6.9/3
3 benefits; therefore, no lending institution receiving proceeds
4 of bond issues pursuant to this act may loan any of the 6.9/4
5 proceeds of such bond issue at the rate violative of federal 6.9/5
6 arbitrage regulations.

7 Section 25. This act shall take effect October 1, 6.9/6
8 1977.

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1 A bill to be entitled
 2 An act relating to public financing for
 3 housing; creating the "Florida Housing Finance
 4 Authority Law"; providing definitions;
 5 authorizing the creation of a housing finance
 6 authority by ordinance; providing for the
 7 functioning of such authorities to alleviate a
 8 shortage of housing and capital for investment
 9 in housing; providing for membership, powers,
 10 and duties; authorizing a county to exercise
 11 the powers of such authority until members are
 12 appointed; prohibiting members and employees
 13 from acquiring or having certain interests with
 14 respect to a qualifying housing development;
 15 requiring disclosures of interest; providing
 16 for removal of members; authorizing such
 17 authorities to make, purchase, and sell loans
 18 for qualifying housing developments;
 19 prohibiting the financing of qualifying housing
 20 developments for profit; authorizing such
 21 authorities to issue bonds and limiting sources
 22 from which such bonds are payable; providing
 23 for validation proceedings; providing for
 24 remedies of an obligee; exempting bonds
 25 together with income and interest thereon from
 26 taxation; providing severability; providing an
 27 effective date.

29 Be It Enacted by the Legislature of the State of Florida:

31

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DEPARTMENT OF STATE
R. A. GRAY BUILDING
Tallahassee, FL 32399-0250

Series 18 Carton 657

1 Section 1. Short title.--This act shall be known and
2 may be cited as the "Florida Housing Finance Authority Law."

3 Section 2. Finding and declaration of necessity.--It
4 is found and declared that:

5 (1) Within this state there is a shortage of housing
6 available at prices or rentals which many persons and families
7 can afford and a shortage of capital for investment in such
8 housing. This shortage constitutes a threat to the health,
9 safety, morals, and welfare of the residents of the state,
10 deprives the state of an adequate tax base, and causes the
11 state to make excessive expenditures for crime prevention and
12 control, public health, welfare and safety, fire and accident
13 protection, and other public services and facilities.

14 (2) Such shortage cannot be relieved except through
15 the encouragement of investment by private enterprise and the
16 stimulation of construction and rehabilitation of housing
17 through the use of public financing.

18 (3) The financing, acquisition, construction,
19 reconstruction, and rehabilitation of housing and of the real
20 and personal property and other facilities necessary,
21 incidental, and appurtenant thereto are exclusively public
22 uses and purposes for which public money may be spent,
23 advanced, loaned, or granted and are governmental functions of
24 public concern.

25 (4) The Congress of the United States has, by the
26 enactment of amendments to the Internal Revenue Code of 1954,
27 found and determined that housing may be financed by means of
28 obligations issued by any state or local governmental unit,
29 the interest on which obligations is exempt from federal
30 income taxation, and has thereby provided a method to aid
31

1 state and local governmental units to provide assistance to
2 meet the need for housing.

3 (5) The provisions of this act are found and declared
4 to be necessary and in the public interest as a matter of
5 legislative determination.

6 Section 3. Definitions.--As used in this act:

7 (1) "Area of operation" means the area within the
8 territorial boundaries of the county for which the housing
9 finance authority is created, and any area outside the
10 territorial boundaries of such county if the governing body of
11 the county within which such outside area is located approves.
12 The approval may be a general approval or an approval only for
13 specified qualifying housing developments or only for a
14 specified number of qualifying housing developments.

15 (2) "Bonds" means any bonds, notes, debentures,
16 interim certificates, or other evidences of financial
17 indebtedness issued by a housing finance authority under and
18 pursuant to this act.

19 (3) "Housing finance authority" means a housing
20 finance authority created pursuant to section 4 of this act.

21 (4) "Housing development" means any residential
22 building, land, equipment, facility, or other real or personal
23 property which may be necessary, convenient, or desirable in
24 connection therewith, including streets, sewers, water and
25 utility services, parks, gardening, administrative, community,
26 health, recreational, and educational facilities, and other
27 facilities related and subordinate to moderate, middle, or
28 lesser income housing, and also includes site preparation, the
29 planning of housing and improvements, the acquisition of
30 property, the removal or demolition of existing structures,
31 the acquisition, construction, reconstruction, and

1 rehabilitation of housing and improvements, and all other work
2 in connection therewith, and all costs of financing, including
3 without limitation the cost of consultant and legal services,
4 other expenses necessary or incident to determining the
5 feasibility of the housing development, administrative and
6 other expenses necessary or incident to the housing
7 development and the financing thereof (including reimbursement
8 to any municipality, county or entity for expenditures made
9 with the approval of the housing finance authority for the
10 housing development), and interest accrued during construction
11 and for a reasonable period thereafter.

12 (5) "Lending institution" means any bank or trust
13 company, mortgage banker, savings bank, credit union, national
14 banking association, savings and loan association, building
15 and loan association, insurance company, or other financial
16 institution authorized to transact business in this state and
17 which customarily provides service or otherwise aids in the
18 financing of mortgages located in the state.

19 (6) "Qualifying housing development" means any housing
20 development which a housing finance authority finds will
21 assist in alleviating the shortage of housing in the area of
22 operation of such authority.

23 (7) "Eligible persons" means persons or families,
24 irrespective of race, creed, national origin or sex,
25 determined by the housing finance authority by rule to be of
26 moderate, middle or lesser income requiring such assistance as
27 is made available pursuant to this act on account of
28 insufficient personal or family income and taking into
29 consideration such facts as:

30 (a) The amount of the total income of such persons and
31 families available for housing needs.

1 (b) The size of the family.

2 (c) The cost and condition of available housing
3 facilities.

4 (d) The ability of such persons and families to
5 compete successfully in the normal, private housing market and
6 to pay the amounts for which private enterprise is providing
7 sanitary, decent and safe housing.

8 (e) If appropriate, the standards established for
9 various federal programs determining eligibility based on
10 income of such persons and families.

11 Section 4. Creation of housing finance authorities.--

12 (1) Each county in this state may create by ordinance
13 a separate public body corporate and politic to be known as
14 the "Housing Finance Authority" of the county for which it is
15 created, to carry out only the powers granted in this act. A
16 housing finance authority shall not transact any business or
17 exercise any powers under this act until the governing body of
18 the county for which such housing finance authority is created
19 passes a resolution declaring the need for a housing finance
20 authority to function to alleviate a shortage of housing and
21 capital for investment in housing in its area of operation.

22 (2) In any suit, action, or proceeding involving the
23 validity or enforcement of or relating to any contract of a
24 housing finance authority, the housing finance authority shall
25 be conclusively deemed to have been established and authorized
26 to transact business and exercise its powers under this act
27 upon proof of the adoption of an ordinance by the appropriate
28 governing body declaring the need for the housing finance
29 authority. The ordinance shall be sufficient if it declares
30 the need for such a housing finance authority and finds that
31 there is a shortage of housing and capital for investment in

1 housing within its area of operation. A copy of the ordinance
2 certified by the clerk of the circuit court shall be
3 admissible in evidence in any suit, action, or proceeding.

4 (3) The county for which the housing finance authority
5 is created may, at its sole discretion, and at any time, alter
6 or change the structure, organization, programs or activities
7 of any housing finance authority, including the power to
8 terminate such authority, subject to any limitation on the
9 impairment of contracts entered into by such authority and
10 subject to the limitations or requirements of this act.

11 Section 5. Members; employees; duties and
12 compensation.--

13 (1) Each housing finance authority shall be composed
14 of five members appointed by the governing body of the county
15 for which the housing finance authority is created, one of
16 whom shall be designated chairman. Not less than three of the
17 members shall be knowledgeable in one of the following fields:
18 labor, finance or commerce. The terms of the members shall be
19 4 years each, except that the terms of the initial members
20 shall be as follows: two members shall serve a term of 1
21 year; one member shall serve a term of 2 years; one member
22 shall serve a term of 3 years; and one member shall serve a
23 term of 4 years. A member of the housing finance authority
24 shall hold office until his successor has been appointed and
25 has qualified. Each vacancy shall be filled for the remainder
26 of the unexpired term. A certificate of the appointment or
27 reappointment of any member of the housing finance authority
28 shall be filed with the Clerk of the Circuit Court of the
29 county, and the certificate shall be conclusive evidence of
30 the due and proper appointment of the member. A member shall
31 receive no compensation for his services, but shall be

1 entitled to necessary expenses, including traveling expenses,
2 incurred in the discharge of his duties.

3 (2) The powers of each housing finance authority
4 granted by this act shall be vested in the members of the
5 housing finance authority in office from time to time. Three
6 members shall constitute a quorum, and action may be taken by
7 the housing finance authority upon a vote of a majority of the
8 members present. A housing finance authority may employ such
9 agents and employees, permanent or temporary, as it may
10 require and shall determine the qualifications, duties, and
11 compensation of such agents and employees. A housing finance
12 authority may delegate to an agent or employee such powers or
13 duties as it may deem proper. A housing finance authority may
14 employ its own legal counsel.

15 (3) Until the members of the housing finance authority
16 are appointed, the governing body of the county for which the
17 housing finance authority is created and the chairman of the
18 housing finance authority shall have full authority to carry
19 out the powers of a housing finance authority under this act,
20 provided, however, that the governing body shall not delegate
21 its authority to the chairman under this provision. Except as
22 provided in this section, no member of the housing finance
23 authority may be an officer or employee of the county for
24 which the housing finance authority is created.

25 Section 6. Conflicts of interest; disclosure.--No
26 member or employee of a housing finance authority shall
27 acquire any interest, direct or indirect, in any qualifying
28 housing development or in any property included or planned to
29 be included in such a development, nor shall he have any
30 interest, direct or indirect, in any contract or proposed
31 contract for materials or services to be furnished or used in

1 connection with any qualifying housing development. If any
2 member or employee of a housing finance authority owns or
3 controls an interest, direct or indirect, in any property
4 included or planned to be included in any qualifying housing
5 project, he shall immediately disclose the same in writing to
6 the housing finance authority. Such disclosure shall be
7 entered upon the minutes of the housing finance authority.
8 Failure so to disclose such interest shall constitute
9 misconduct in office.

10 Section 7. Removal of members.--A member of a housing
11 finance authority may be removed without cause by a 3/5 vote
12 of the governing body of the county, or for neglect of duty or
13 misconduct in office by a majority vote of the governing body
14 of the county. A member may be removed only after he has been
15 given a copy of the charges at least 10 days prior to the
16 hearing thereon and has had an opportunity to be heard in
17 person or by counsel. If a member is removed, a record of the
18 proceedings, together with the charges and findings thereon,
19 shall be filed in the office of the clerk where the
20 certificate of appointment for such member is filed.

21 Section 8. Powers of housing finance authorities.--A
22 housing finance authority shall constitute a public body
23 corporate and politic, exercising the public and essential
24 governmental functions set forth in this act, and shall
25 exercise its power to borrow only for the purpose as provided
26 herein:

27 (1) To sue and be sued, to have a seal and to alter
28 the same at pleasure, to have perpetual succession, to make
29 and execute contracts and other instruments necessary or
30 convenient to the exercise of the powers of the housing
31 finance authority, and to make and from time to time amend and

1 repeal bylaws, rules, and regulations, not inconsistent with
2 this act, to carry into effect the powers and purposes of the
3 housing finance authority.

4 (2) To purchase or make commitments to purchase or to
5 make loans for such purpose, and to take assignments of, from
6 lending institutions acting as a principal or as an agent of
7 the housing finance authority, mortgage loans and promissory
8 notes accompanying such mortgage loans, including federally
9 insured mortgage loans or participations with lending
10 institutions in such promissory notes and mortgage loans for
11 the construction, purchase, reconstruction, or rehabilitation
12 of the qualifying housing development or portion thereof;
13 provided that the proceeds of sale or equivalent moneys shall
14 be reinvested in mortgage loans.

15 (3) To make loans to lending institutions under terms
16 and conditions requiring the proceeds thereof to be used by
17 such lending institutions for the making of new mortgages for
18 any qualifying housing development, or portion thereof,
19 located wholly or partially within the area of operation of
20 such housing finance authority. Prior to making a loan to a
21 lending institution which makes such loans or provides such
22 financing, the lending institution must agree to use the
23 proceeds of such loan within a reasonable period of time to
24 make loans or to otherwise provide financing for the
25 acquisition, construction, reconstruction, or rehabilitation
26 of a housing development or portion thereof, and the housing
27 finance authority must find that such loan will assist in
28 alleviating the shortage of housing and of capital for
29 investment in housing within its area of operation.

30 (4) To invest, at the direction of the lending
31 institution, any funds held in reserves or sinking funds or

1 any funds not required for immediate disbursement in property
2 or securities in which lending institutions may legally invest
3 funds subject to their control.

4 Section 9. Limitation.--No housing finance authority
5 shall finance the acquisition, construction, reconstruction,
6 or rehabilitation of any qualifying housing development for
7 its own profit or as a source of revenue to the state or any
8 local governmental unit.

9 Section 10. No power of eminent domain.--No housing
10 finance authority shall have the power to acquire any real
11 property by the exercise of the power of eminent domain to
12 accomplish any of the purposes specified in this act.

13 Section 11. Planning, zoning, and building laws.--Each
14 qualifying housing development shall be subject to the
15 planning, zoning, health, and building laws, ordinances, and
16 regulations applicable to the place in which such qualifying
17 housing development is situate.

18 Section 12. Bonds.--

19 (1) A housing finance authority may issue revenue
20 bonds from time to time in the discretion of the housing
21 finance authority for the purposes of this act. A housing
22 finance authority may also issue refunding bonds for the
23 purpose of paying, retiring, or refunding bonds previously
24 issued by it. A housing finance authority may issue such
25 types of bonds as it may determine; provided that the
26 principal and interest on such bonds are payable solely and
27 only from:

28 (a) The repayment of any loans made by the housing
29 finance authority pursuant to the provisions of section 8 or
30 purchased by the housing finance authority pursuant to section
31 8; or

1 (b) The sale of any housing loans or commitments to
2 purchase housing loans which are purchased pursuant to section
3 8.

4 (2) Any bonds issued pursuant to the provisions of
5 this act shall be secured by a mortgage or other security
6 device.

7 (3) In no event shall any bonds issued pursuant to the
8 provisions of this act be payable from the general revenues of
9 the housing finance authority.

10 (4) Neither the members of a housing finance authority
11 nor any person executing the bonds shall be liable personally
12 on the bonds by reason of the issuance thereof. The bonds
13 issued pursuant to the provisions hereof, and the bonds shall
14 so state on their face, shall not be a debt of the county or
15 the state, or any political subdivision thereof; and neither
16 the county, nor any state or political subdivision thereof,
17 shall be liable thereon; nor in any event shall such bonds or
18 obligations be payable out of any funds or properties other
19 than those of the housing finance authority.

20 Section 13. Form and sale of bonds.--

21 (1) Bonds of a housing finance authority issued
22 pursuant to this act shall be authorized by a resolution of
23 the housing finance authority and may be issued in one or more
24 series and shall bear such dates, mature at such times, bear
25 interest at such rates, be in such denominations, be in such
26 form, either coupon or registered, carry such conversion or
27 registration privileges, have such rank or priority, be
28 executed by such members of the housing finance authority and
29 in such manner, be payable in such mean of payment at such
30 places, and be subject to such terms of redemption, with or
31 without premium, as such resolution or any trust indenture

1 entered into pursuant to such resolution may provide,
2 provided, however, that the provisions of s. 215.685, Florida
3 Statutes, shall apply.

4 (2)(a) The bonds issued by the authority shall be sold
5 by the authority at public sale substantially in the manner
6 provided by s. 215.68(5)(b) and (c), Florida Statutes, unless
7 otherwise approved by the State Board of Administration;
8 provided, that such requirement shall be deemed waived if the
9 State Board of Administration has not responded in writing
10 within 30 days from date of application.

11 (b) In the event an offer of an issue of bonds at
12 public sale produces no bid, or in the event all bids received
13 are rejected, the authority is authorized to negotiate for the
14 sale of such bonds under such rates and terms as are
15 acceptable; provided, however, that no such bonds shall be so
16 sold or delivered on terms less favorable than the terms
17 contained in any bids rejected at the public sale thereof, or
18 the terms contained in the notice of public sale if no bids
19 were received at such public sale.

20 (3) In case any member of the housing finance
21 authority whose signature appears on the bonds or coupons
22 shall cease to be a member before the delivery of the bonds or
23 coupons, such bonds shall, nevertheless, be valid and
24 sufficient for all purposes, the same as if such member had
25 remained in office until such delivery. Any provision of law
26 to the contrary notwithstanding, any bonds issued pursuant to
27 this act shall be fully negotiable.

28 (4) In any suit, action, or proceeding involving the
29 validity or enforceability of any bond of a housing finance
30 authority or the security therefor issued pursuant hereto, any
31 such bond reciting in substance that it has been issued by the

1 housing finance authority to assist in providing financing of
2 a qualifying housing development to alleviate the shortage of
3 housing in its area of operation shall be conclusively deemed
4 to have been issued for a qualifying housing development of
5 such character.

6 Section 14. Provisions of bonds and trust
7 indentures.--In connection with the issuance of bonds and in
8 order to secure the payment of such bonds, a housing finance
9 authority, in addition to the other powers granted pursuant to
10 this act, shall have power:

11 (1) To pledge all or any part of any payment made to
12 the housing finance authority pursuant to any loan agreement
13 or pursuant to a sale of any loan or loan commitment.

14 (2) To covenant against pledging or assigning all or
15 any part of any payments made pursuant to any loan agreement
16 or pursuant to the sale of any loan or loan commitment or
17 against permitting or suffering any lien on such payments; and
18 to covenant as to what other, or additional, debts or
19 obligations may be incurred by the housing finance authority
20 with respect to any qualifying housing development.

21 (3) To covenant as to the bonds to be issued and as to
22 the issuance of such bonds in escrow or otherwise and as to
23 the use and disposition of the proceeds thereof; and to
24 provide for the replacement of lost, destroyed or mutilated
25 bonds; to covenant against extending the time for the payment
26 of its bonds or interest thereon; and to redeem the other
27 bonds, covenant for their redemption, and provide the terms
28 and conditions thereof.

29 (4) To create or to authorize the creation of special
30 funds for moneys held for construction costs, debt service,
31 reserves, or other purposes; and to covenant as to the

1 construction and disposition of the moneys held in such
2 special funds.

3 (5) To prescribe the procedure, if any, by which the
4 terms of any contract with the holder of any bonds may be
5 amended or abrogated, the amount of the bonds the holders of
6 which must consent thereto, and the manner in which such
7 consent may be given.

8 (6) To covenant as to the rights, liabilities, powers,
9 and duties arising upon the breach by the housing finance
10 authority of any covenant, condition, or obligation; and to
11 covenant and prescribe as to events of default and terms and
12 conditions upon which any or all of its bonds or obligations
13 shall become or may be declared due before maturity and as to
14 the terms and conditions upon which such declaration and its
15 consequences may be waived.

16 (7) To vest in a trustee or trustees or the holders of
17 bonds or any proportion of them the right to enforce the
18 payment of the bonds or any covenants securing or relating to
19 the bonds; to vest in a trustee or trustees the right, in the
20 event of a default by said housing finance authority, to
21 collect the payments made pursuant to any loan agreement or
22 pursuant to the sale of any loan or loan commitment and to
23 dispose of such rights in accordance with the agreement of the
24 housing finance authority with said trustee; to provide for
25 the powers and duties of a trustee or trustees and to limit
26 the liabilities thereof; and to provide the terms and
27 conditions upon which the trustee or trustees of the holders
28 of bonds or any proportion of them may enforce any covenant or
29 rights securing or relating to the bonds.

30 Section 15. Validation of bonds and proceedings.--A
31 housing finance authority shall determine its authority to

1 issue any of its bonds, and the legality of all proceedings
2 had or taken in connection therewith, in the same manner and
3 to the same extent as provided in chapter 75, Florida
4 Statutes, for the determination by a county, municipality,
5 taxing district, or other political subdivision of its
6 authority to incur bonded debt or to issue certificates of
7 indebtedness and of the legality of all proceedings had or
8 taken in connection therewith.

9 Section 16. Actions to contest validity of bonds.--An
10 action or proceeding to contest the validity of any bond
11 issued under this act, other than a proceeding pursuant to
12 section 15, must be commenced within 30 days after
13 notification in a newspaper of general circulation within the
14 area of the passage by the housing finance authority of the
15 resolution authorizing the issuance of such bond.

16 Section 17. Remedies of an obligee of a housing
17 finance authority.--An obligee of a housing finance authority
18 shall have the right, in addition to all other rights which
19 may be conferred on such obligee, subject only to any
20 contractual restrictions binding upon such obligee:

21 (1) By mandamus, suit, action, or proceeding at law or
22 in equity, to compel the housing finance authority and the
23 members, officers, agents, or employees thereof to perform
24 each and every term, provision, and covenant contained in any
25 contract of the housing finance authority with or for the
26 benefit of such obligee and to require the carrying out of any
27 or all of the covenants and agreements of the housing finance
28 authority and the fulfillment of all duties imposed upon the
29 housing finance authority by this act.

30 (2) By suit, action, or proceeding in equity, to
31 enjoin any acts or things which may be unlawful or the

1 violation of any of the rights of the obligee by the housing
2 finance authority.

3 Section 18. Additional remedies conferrable by a
4 housing finance authority.--A housing finance authority shall
5 have power by resolution, trust indenture, or other contract
6 to confer upon any obligee holding or representing a specified
7 amount in bonds, the right, in addition to all rights that may
8 otherwise be conferred, upon the happening of an event of
9 default as defined in such resolution or instrument, by suit,
10 action, or proceeding in any court of competent jurisdiction:

11 (1) To obtain the appointment of a receiver of any
12 payments made pursuant to any loan agreement or sale of any
13 loan. If such receiver be appointed, he may collect and
14 receive all payments made pursuant to any such loan agreement
15 or sale of any loan or loan commitment and shall keep such
16 moneys in a separate account or accounts and apply the same in
17 accordance with the obligations of said housing finance
18 authority as the court shall direct.

19 (2) To require the housing finance authority and the
20 members thereof to account as if it and they were the trustees
21 of an express trust.

22 Section 19. Availability of financing.--As long as a
23 shortage of housing exists, a housing finance authority shall
24 not unreasonably refuse to participate in the financing of any
25 qualifying housing development upon request.

26 Section 20. Liabilities of a housing finance
27 authority.--In no event shall the liabilities, whether ex
28 contractu or ex delicto, of a housing finance authority
29 arising from the financing of any qualifying housing
30 development be payable from any funds other than the revenues
31 or receipts of such qualifying housing development.

1 Section 21. Housing bonds exempted from taxation.--The
2 bonds of a housing finance authority issued under this act,
3 together with interest thereon and income therefrom, shall be
4 exempt from all taxes. The exemption granted by this section
5 shall not be applicable to any tax imposed by chapter 220,
6 Florida Statutes, on interest, income, or profits on debt
7 obligations owned by corporations.

8 Section 22. The provisions of this act shall be
9 liberally construed in order to effectively carry out the
10 purposes of this act.

11 Section 23. If any provision of this act or the
12 application thereof to any person or circumstance is held
13 invalid, the invalidity shall not affect other provisions or
14 applications of the act which can be given effect without the
15 invalid provision or application, and to this end the
16 provisions of this act are declared severable.

17 Section 24. Limitation on rates.--The intent of this
18 legislation is that consumers receive maximum possible
19 benefits; therefore, no lending institution receiving proceeds
20 of bond issues pursuant to this act may loan any of the
21 proceeds of such bond issue at the rate violative of federal
22 arbitrage regulations.

23 Section 25. This act shall take effect October 1,
24 1978.

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HOUSE SUMMARY

Creates the "Florida Housing Finance Authority Law."
Authorizes each county to establish a housing finance
authority for the purpose of alleviating any shortage of
housing of a type and price that can be afforded by many
persons and families of moderate, middle, or lesser
income residing in such county. Provides that such
housing authorities shall stimulate construction and
rehabilitation of housing by the sale of bonds, proceeds
from which sale shall be used to make loans to qualified
persons and firms for the provision of housing. Provides
method of selection, terms of office, membership, powers,
duties, and other responsibilities of such housing
authorities.

See bill for details.

By Representative Ready and others

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A bill to be entitled
An act relating to public financing for housing; creating the "Florida Housing Finance Authority Law"; providing definitions; authorizing the creation of a housing finance authority by ordinance; providing for the functioning of such authorities to alleviate a shortage of housing and capital for investment in housing; providing for membership, powers, and duties; authorizing a county to exercise the powers of such authority until members are appointed; prohibiting members and employees from acquiring or having certain interests with respect to a qualifying housing development; requiring disclosures of interest; providing for removal of members; authorizing such authorities to make, purchase, and sell loans for qualifying housing developments; prohibiting the financing of qualifying housing developments for profit; authorizing such authorities to issue bonds and limiting sources from which such bonds are payable; providing for validation proceedings; providing for remedies of an obligee; exempting bonds together with income and interest thereon from taxation; providing severability; providing an effective date.

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

1 Section 1. Short title.--This act shall be known and 2.21
2 may be cited as the "Florida Housing Finance Authority Law." 2.23
3 Section 2. Finding and declaration of necessity.--It 2.23
4 is found and declared that: 2.24
5 (1) Within this state there is a shortage of housing 2.24
6 available at prices or rentals which many persons and families 2.25
7 can afford and a shortage of capital for investment in such 2.27
8 housing. This shortage constitutes a threat to the health, 2.28
9 safety, morals, and welfare of the residents of the state, 2.29
10 deprives the state of an adequate tax base, and causes the 2.30
11 state to make excessive expenditures for crime prevention and 2.31
12 control, public health, welfare and safety, fire and accident 2.32
13 protection, and other public services and facilities. 2.32
14 (2) Such shortage cannot be relieved except through 2.33
15 the encouragement of investment by private enterprise and the 2.34
16 stimulation of construction and rehabilitation of housing
17 through the use of public financing.
18 (3) The financing, acquisition, construction, 2.35
19 reconstruction, and rehabilitation of housing and of the real 2.36
20 and personal property and other facilities necessary, 2.37
21 incidental, and appurtenant thereto are exclusively public 2.38
22 uses and purposes for which public money may be spent, 2.39
23 advanced, loaned, or granted and are governmental functions of
24 public concern.
25 (4) The Congress of the United States has, by the 2.40
26 enactment of amendments to the Internal Revenue Code of 1954, 2.41
27 found and determined that housing may be financed by means of 2.42
28 obligations issued by any state or local governmental unit, 2.43
29 the interest on which obligations is exempt from federal
30 income taxation, and has thereby provided a method to aid
31

1 state and local governmental units to provide assistance to 2
2 meet the need for housing.
3 (5) The provisions of this act are found and declared 2.
4 to be necessary and in the public interest as a matter of 2.
5 legislative determination.
6 Section 3. Definitions.--As used in this act: 2.
7 (1) "Area of operation" means the area within the 2.
8 territorial boundaries of the county for which the housing 2.
9 finance authority is created, and any area outside the 2.
10 territorial boundaries of such county if the governing body of 2.
11 the county within which such outside area is located approves. 2.
12 The approval may be a general approval or an approval only for 2.
13 specified qualifying housing developments or only for a
14 specified number of qualifying housing developments. 2.
15 (2) "Bonds" means any bonds, notes, debentures, 2.
16 interim certificates, or other evidences of financial
17 indebtedness issued by a housing finance authority under and 2.
18 pursuant to this act. 2.
19 (3) "Housing finance authority" means a housing 2.
20 finance authority created pursuant to section 4 of this act. 2.
21 (4) "Housing development" means any residential 2.
22 building, land, equipment, facility, or other real or personal 2.
23 property which may be necessary, convenient, or desirable in 2.
24 connection therewith, including streets, sewers, water and 2.
25 utility services, parks, gardening, administrative, community,
26 health, recreational, and educational facilities, and other 2.
27 facilities related and subordinate to moderate, middle, or 2.
28 lesser income housing, and also includes site preparation, the 2.
29 planning of housing and improvements, the acquisition of 2.
30 property, the removal or demolition of existing structures, 2.
31 the acquisition, construction, reconstruction, and

1 rehabilitation of housing and improvements, and all other work 2.
 2 in connection therewith, and all costs of financing, including 2.
 3 without limitation the cost of consultant and legal services, 2.
 4 other expenses necessary or incident to determining the
 5 feasibility of the housing development, administrative and 2.
 6 other expenses necessary or incident to the housing 2.
 7 development and the financing thereof (including reimbursement 2.
 8 to any municipality, county or entity for expenditures made 2.
 9 with the approval of the housing finance authority for the 2.
 10 housing development), and interest accrued during construction 2.
 11 and for a reasonable period thereafter. 2.
 12 (5) "Lending institution" means any bank or trust 3.
 13 company, mortgage banker, savings bank, credit union, national 3.
 14 banking association, savings and loan association, building 3.
 15 and loan association, insurance company, or other financial 3.
 16 institution authorized to transact business in this state and 3.
 17 which customarily provides service or otherwise aids in the 3.
 18 financing of mortgages located in the state. 3.
 19 (6) "Qualifying housing development" means any housing 3.
 20 development which a housing finance authority finds will 3.
 21 assist in alleviating the shortage of housing in the area of 3.
 22 operation of such authority. 3.
 23 (7) "Eligible persons" means persons or families, 3.
 24 irrespective of race, creed, national origin or sex, 3.
 25 determined by the housing finance authority by rule to be of 3.
 26 moderate, middle or lesser income requiring such assistance as 3.
 27 is made available pursuant to this act on account of 3.
 28 insufficient personal or family income and taking into 3.
 29 consideration such facts as:
 30 (a) The amount of the total income of such persons and 3.
 31 families available for housing needs.

1 (b) The size of the family. 3.
 2 (c) The cost and condition of available housing 3.
 3 facilities.
 4 (d) The ability of such persons and families to 3.
 5 compete successfully in the normal, private housing market and 3.
 6 to pay the amounts for which private enterprise is providing
 7 sanitary, decent and safe housing. 3.
 8 (e) If appropriate, the standards established for 3.
 9 various federal programs determining eligibility based on
 10 income of such persons and families. 3.
 11 Section 4. Creation of housing finance authorities.-- 3.
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 13 a separate public body corporate and politic to be known as 3
 14 the "Housing Finance Authority" of the county for which it is 3
 15 created, to carry out only the powers granted in this act. A 3.
 16 housing finance authority shall not transact any business or
 17 exercise any powers under this act until the governing body of
 18 the county for which such housing finance authority is created 3.
 19 passes a resolution declaring the need for a housing finance 3.
 20 authority to function to alleviate a shortage of housing and 3.
 21 capital for investment in housing in its area of operation.
 22 (2) In any suit, action, or proceeding involving the 3.
 23 validity or enforcement of or relating to any contract of a 3.
 24 housing finance authority, the housing finance authority shall 3.
 25 be conclusively deemed to have been established and authorized
 26 to transact business and exercise its powers under this act 3.
 27 upon proof of the adoption of an ordinance by the appropriate 3.
 28 governing body declaring the need for the housing finance 3.
 29 authority. The ordinance shall be sufficient if it declares 3.
 30 the need for such a housing finance authority and finds that
 31 there is a shortage of housing and capital for investment in

1 housing within its area of operation. A copy of the ordinance 3
2 certified by the clerk of the circuit court shall be 3
3 admissible in evidence in any suit, action, or proceeding. 3

4 (3) The county for which the housing finance authority 3
5 is created may, at its sole discretion, and at any time, alter 3
6 or change the structure, organization, programs or activities 3
7 of any housing finance authority, including the power to 3
8 terminate such authority, subject to any limitation on the 3
9 impairment of contracts entered into by such authority and 3
10 subject to the limitations or requirements of this act. 3

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12 compensation.-- 3

13 (1) Each housing finance authority shall be composed 3
14 of five members appointed by the governing body of the county 3
15 for which the housing finance authority is created, one of 3
16 whom shall be designated chairman. Not less than three of the 3
17 members shall be knowledgeable in one of the following fields: 3
18 labor, finance or commerce. The terms of the members shall be 3
19 4 years each, except that the terms of the initial members 3
20 shall be as follows: two members shall serve a term of 1 2
21 year; one member shall serve a term of 2 years; one member 3
22 shall serve a term of 3 years; and one member shall serve a 3
23 term of 4 years. A member of the housing finance authority 3
24 shall hold office until his successor has been appointed and 3
25 has qualified. Each vacancy shall be filled for the remainder 3
26 of the unexpired term. A certificate of the appointment or 3
27 reappointment of any member of the housing finance authority 3
28 shall be filed with the Clerk of the Circuit Court of the 3
29 county, and the certificate shall be conclusive evidence of 3
30 the due and proper appointment of the member. A member shall 3
31 receive no compensation for his services, but shall be

1 entitled to necessary expenses, including traveling expenses, 3
2 incurred in the discharge of his duties. 3

3 (2) The powers of each housing finance authority 3
4 granted by this act shall be vested in the members of the 3
5 housing finance authority in office from time to time. Three 3
6 members shall constitute a quorum, and action may be taken by 3
7 the housing finance authority upon a vote of a majority of the 3
8 members present. A housing finance authority may employ such 3
9 agents and employees, permanent or temporary, as it may 3
10 require and shall determine the qualifications, duties, and 3
11 compensation of such agents and employees. A housing finance 3
12 authority may delegate to an agent or employee such powers or 3
13 duties as it may deem proper. A housing finance authority may 3
14 employ its own legal counsel. 3

15 (3) Until the members of the housing finance authority 3
16 are appointed, the governing body of the county for which the 3
17 housing finance authority is created and the chairman of the 3
18 housing finance authority shall have full authority to carry 3
19 out the powers of a housing finance authority under this act, 3
20 provided, however, that the governing body shall not delegate 3
21 its authority to the chairman under this provision. Except as 3
22 provided in this section, no member of the housing finance 3
23 authority may be an officer or employee of the county for 3
24 which the housing finance authority is created. 3

25 Section 6. Conflicts of interest; disclosure.--No 3
26 member or employee of a housing finance authority shall 4
27 acquire any interest, direct or indirect, in any qualifying 4
28 housing development or in any property included or planned to 4
29 be included in such a development, nor shall he have any 4
30 interest, direct or indirect, in any contract or proposed 4
31 contract for materials or services to be furnished or used in 4

1 connection with any qualifying housing development. If any 4
2 member or employee of a housing finance authority owns or 4
3 controls an interest, direct or indirect, in any property
4 included or planned to be included in any qualifying housing 4.
5 project, he shall immediately disclose the same in writing to 4.
6 the housing finance authority. Such disclosure shall be 4.
7 entered upon the minutes of the housing finance authority. 4.
8 Failure so to disclose such interest shall constitute
9 misconduct in office. 4.

10 Section 7. Removal of members.--A member of a housing 4.
11 finance authority may be removed without cause by a 3/5 vote 4.
12 of the governing body of the county, or for neglect of duty or 4.
13 misconduct in office by a majority vote of the governing body 4.
14 of the county. A member may be removed only after he has been 4.
15 given a copy of the charges at least 10 days prior to the 4
16 hearing thereon and has had an opportunity to be heard in 4
17 person or by counsel. If a member is removed, a record of the 4
18 proceedings, together with the charges and findings thereon, 4
19 shall be filed in the office of the clerk where the
20 certificate of appointment for such member is filed. 4

21 Section 8. Powers of housing finance authorities.--A 4
22 housing finance authority shall constitute a public body 4
23 corporate and politic, exercising the public and essential
24 governmental functions set forth in this act, and shall 4.
25 exercise its power to borrow only for the purpose as provided 4.
26 herein: 4.

27 (1) To sue and be sued, to have a seal and to alter 4.
28 the same at pleasure, to have perpetual succession, to make 4.
29 and execute contracts and other instruments necessary or
30 convenient to the exercise of the powers of the housing 4.
31 finance authority, and to make and from time to time amend and 4.

1 repeal bylaws, rules, and regulations, not inconsistent with 4
2 this act, to carry into effect the powers and purposes of the 4.
3 housing finance authority. 4.

4 (2) To purchase or make commitments to purchase or to 4.
5 make loans for such purpose, and to take assignments of, from 4.
6 lending institutions acting as a principal or as an agent of 4
7 the housing finance authority, mortgage loans and promissory 4
8 notes accompanying such mortgage loans, including federally
9 insured mortgage loans or participations with lending 4
10 institutions in such promissory notes and mortgage loans for 4
11 the construction, purchase, reconstruction, or rehabilitation 4
12 of the qualifying housing development or portion thereof;
13 provided that the proceeds of sale or equivalent moneys shall 4
14 be reinvested in mortgage loans. 4

15 (3) To make loans to lending institutions under terms 4
16 and conditions requiring the proceeds thereof to be used by 4
17 such lending institutions for the making of new mortgages for 4
18 any qualifying housing development, or portion thereof,
19 located wholly or partially within the area of operation of 4
20 such housing finance authority. Prior to making a loan to a 4.
21 lending institution which makes such loans or provides such 4.
22 financing, the lending institution must agree to use the
23 proceeds of such loan within a reasonable period of time to 4.
24 make loans or to otherwise provide financing for the 4.
25 acquisition, construction, reconstruction, or rehabilitation
26 of a housing development or portion thereof, and the housing 4.
27 finance authority must find that such loan will assist in 4.
28 alleviating the shortage of housing and of capital for 4.
29 investment in housing within its area of operation. 4.

30 (4) To invest, at the direction of the lending 4.5
31 institution, any funds held in reserves or sinking funds or 4.5

1 any funds not required for immediate disbursement in property
2 or securities in which lending institutions may legally invest 4.55
3 funds subject to their control. 4.57
4 Section 9. Limitation.--No housing finance authority 4.58
5 shall finance the acquisition, construction, reconstruction,
6 or rehabilitation of any qualifying housing development for 4.59
7 its own profit or as a source of revenue to the state or any 4.61
8 local governmental unit.
9 Section 10. No power of eminent domain.--No housing 4.62
10 finance authority shall have the power to acquire any real 4.63
11 property by the exercise of the power of eminent domain to 4.64
12 accomplish any of the purposes specified in this act.
13 Section 11. Planning, zoning, and building laws.--Each 4.65
14 qualifying housing development shall be subject to the 4.66
15 planning, zoning, health, and building laws, ordinances, and
16 regulations applicable to the place in which such qualifying 4.67
17 housing development is situate. 4.68
18 Section 12. Bonds.-- 4.68
19 (1) A housing finance authority may issue revenue 4.69
20 bonds from time to time in the discretion of the housing 4.70
21 finance authority for the purposes of this act. A housing 4.71
22 finance authority may also issue refunding bonds for the 4.73
23 purpose of paying, retiring, or refunding bonds previously
24 issued by it. A housing finance authority may issue such 4.74
25 types of bonds as it may determine; provided that the 4.75
26 principal and interest on such bonds are payable solely and 4.76
27 only from:
28 (a) The repayment of any loans made by the housing 5.1
29 finance authority pursuant to the provisions of section 8 or 5.2
30 purchased by the housing finance authority pursuant to section
31 8; or

1 (b) The sale of any housing loans or commitments to 5
2 purchase housing loans which are purchased pursuant to section 5
3 8. 8.
4 (2) Any bonds issued pursuant to the provisions of 5
5 this act shall be secured by a mortgage or other security 5
6 device. 5
7 (3) In no event shall any bonds issued pursuant to the 5
8 provisions of this act be payable from the general revenues of 5
9 the housing finance authority. 5
10 (4) Neither the members of a housing finance authority 5
11 nor any person executing the bonds shall be liable personally 5
12 on the bonds by reason of the issuance thereof. The bonds 5
13 issued pursuant to the provisions hereof, and the bonds shall 5
14 so state on their face, shall not be a debt of the county or 5
15 the state, or any political subdivision thereof; and neither 5
16 the county, nor any state or political subdivision thereof, 5
17 shall be liable thereon; nor in any event shall such bonds or 5
18 obligations be payable out of any funds or properties other 5
19 than those of the housing finance authority. 5
20 Section 13. Form and sale of bonds.--
21 (1) Bonds of a housing finance authority issued
22 pursuant to this act shall be authorized by a resolution of
23 the housing finance authority and may be issued in one or more
24 series and shall bear such dates, mature at such times, bear
25 interest at such rates, be in such denominations, be in such
26 form, either coupon or registered, carry such conversion or
27 registration privileges, have such rank or priority, be
28 executed by such members of the housing finance authority and
29 in such manner, be payable in such mean of payment at such
30 places, and be subject to such terms of redemption, with or
31 without premium, as such resolution or any trust indenture

1 entered into pursuant to such resolution may provide,
2 provided, however, that the provisions of s. 215.685 shall 5.
3 apply.

4 (2) (a) The bonds issued by the authority shall be sold 5.
5 by the authority at public sale substantially in the manner 5.
6 provided by s. 215.68(5) (b) and (c), unless otherwise approved 5.
7 by the State Board of Administration; provided, that such
8 requirement shall be deemed waived if the State Board of 5.
9 Administration has not responded in writing within 30 days 5.
10 from date of application.

11 (b) In the event an offer of an issue of bonds at 5.
12 public sale produces no bid, or in the event all bids received 5.
13 are rejected, the authority is authorized to negotiate for the
14 sale of such bonds under such rates and terms as are 5.
15 acceptable; provided, however, that no such bonds shall be so 5.
16 sold or delivered on terms less favorable than the terms 5
17 contained in any bids rejected at the public sale thereof, or
18 the terms contained in the notice of public sale if no bids 5
19 were received at such public sale. 5

20 (3) In case any member of the housing finance 5
21 authority whose signature appears on the bonds or coupons 5
22 shall cease to be a member before the delivery of the bonds or 5
23 coupons, such bonds shall, nevertheless, be valid and 5
24 sufficient for all purposes, the same as if such member had
25 remained in office until such delivery. Any provision of law 5
26 to the contrary notwithstanding, any bonds issued pursuant to 5
27 this act shall be fully negotiable.

28 (4) In any suit, action, or proceeding involving the 5
29 validity or enforceability of any bond of a housing finance 5.
30 authority or the security therefor issued pursuant hereto, any
31 such bond reciting in substance that it has been issued by the 5.

1 housing finance authority to assist in providing financing of 5
2 a qualifying housing development to alleviate the shortage of 5
3 housing in its area of operation shall be conclusively deemed 5
4 to have been issued for a qualifying housing development of
5 such character.

6 Section 14. Provisions of bonds and trust 5
7 indentures.--In connection with the issuance of bonds and in 5
8 order to secure the payment of such bonds, a housing finance 5
9 authority, in addition to the other powers granted pursuant to 5
10 this act, shall have power:

11 (1) To pledge all or any part of any payment made to 5
12 the housing finance authority pursuant to any loan agreement 5
13 or pursuant to a sale of any loan or loan commitment.

14 (2) To covenant against pledging or assigning all or 5
15 any part of any payments made pursuant to any loan agreement 5
16 or pursuant to the sale of any loan or loan commitment or 5
17 against permitting or suffering any lien on such payments; and
18 to covenant as to what other, or additional, debts or 5
19 obligations may be incurred by the housing finance authority 5
20 with respect to any qualifying housing development.

21 (3) To covenant as to the bonds to be issued and as to 5
22 the issuance of such bonds in escrow or otherwise and as to 5
23 the use and disposition of the proceeds thereof; and to 5
24 provide for the replacement of lost, destroyed or mutilated
25 bonds; to covenant against extending the time for the payment 5
26 of its bonds or interest thereon; and to redeem the other 5
27 bonds, covenant for their redemption, and provide the terms
28 and conditions thereof.

29 (4) To create or to authorize the creation of special 5
30 funds for moneys held for construction costs, debt service,
31 reserves, or other purposes; and to covenant as to the

1 construction and disposition of the moneys held in such
2 special funds.

3 (5) To prescribe the procedure, if any, by which the
4 terms of any contract with the holder of any bonds may be
5 amended or abrogated, the amount of the bonds the holders of
6 which must consent thereto, and the manner in which such
7 consent may be given.

8 (6) To covenant as to the rights, liabilities, powers,
9 and duties arising upon the breach by the housing finance
10 authority of any covenant, condition, or obligation; and to
11 covenant and prescribe as to events of default and terms and
12 conditions upon which any or all of its bonds or obligations
13 shall become or may be declared due before maturity and as to
14 the terms and conditions upon which such declaration and its
15 consequences may be waived.

16 (7) To vest in a trustee or trustees or the holders of
17 bonds or any proportion of them the right to enforce the
18 payment of the bonds or any covenants securing or relating to
19 the bonds; to vest in a trustee or trustees the right, in the
20 event of a default by said housing finance authority, to
21 collect the payments made pursuant to any loan agreement or
22 pursuant to the sale of any loan or loan commitment and to
23 dispose of such rights in accordance with the agreement of the
24 housing finance authority with said trustee; to provide for
25 the powers and duties of a trustee or trustees and to limit
26 the liabilities thereof; and to provide the terms and
27 conditions upon which the trustee or trustees of the holders
28 of bonds or any proportion of them may enforce any covenant or
29 rights securing or relating to the bonds.

30 Section 15. Validation of bonds and proceedings.--A
31 housing finance authority shall determine its authority to

1 issue any of its bonds, and the legality of all proceedings
2 had or taken in connection therewith, in the same manner and
3 to the same extent as provided in chapter 75, Florida
4 Statutes, for the determination by a county, municipality,
5 taxing district, or other political subdivision of its
6 authority to incur bonded debt or to issue certificates of
7 indebtedness and of the legality of all proceedings had or
8 taken in connection therewith.

9 Section 16. Actions to contest validity of bonds.--An
10 action or proceeding to contest the validity of any bond
11 issued under this act, other than a proceeding pursuant to
12 section 15, must be commenced within 30 days after
13 notification in a newspaper of general circulation within the
14 area of the passage by the housing finance authority of the
15 resolution authorizing the issuance of such bond.

16 Section 17. Remedies of an obligee of a housing
17 finance authority.--An obligee of a housing finance authority
18 shall have the right, in addition to all other rights which
19 may be conferred on such obligee, subject only to any
20 contractual restrictions binding upon such obligee:

21 (1) By mandamus, suit, action, or proceeding at law or
22 in equity, to compel the housing finance authority and the
23 members, officers, agents, or employees thereof to perform
24 each and every term, provision, and covenant contained in any
25 contract of the housing finance authority with or for the
26 benefit of such obligee and to require the carrying out of any
27 or all of the covenants and agreements of the housing finance
28 authority and the fulfillment of all duties imposed upon the
29 housing finance authority by this act.

30 (2) By suit, action, or proceeding in equity, to
31 enjoin any acts or things which may be unlawful or the

1 violation of any of the rights of the obligee by the housing
2 finance authority. 6.

3 Section 18. Additional remedies conferrable by a 6.
4 housing finance authority.--A housing finance authority shall 6.
5 have power by resolution, trust indenture, or other contract 6.
6 to confer upon any obligee holding or representing a specified 6
7 amount in bonds, the right, in addition to all rights that may 6.
8 otherwise be conferred, upon the happening of an event of 6.
9 default as defined in such resolution or instrument, by suit, 6.
10 action, or proceeding in any court of competent jurisdiction: 6.

11 (1) To obtain the appointment of a receiver of any 6.
12 payments made pursuant to any loan agreement or sale of any 6.
13 loan. If such receiver be appointed, he may collect and 6.
14 receive all payments made pursuant to any such loan agreement 6.
15 or sale of any loan or loan commitment and shall keep such 6.
16 moneys in a separate account or accounts and apply the same in 6.
17 accordance with the obligations of said housing finance 6.
18 authority as the court shall direct. 6.

19 (2) To require the housing finance authority and the 6.
20 members thereof to account as if it and they were the trustees 6.
21 of an express trust. 6.

22 Section 19. Availability of financing.--As long as a 6.
23 shortage of housing exists, a housing finance authority shall 6.
24 not unreasonably refuse to participate in the financing of any 6.
25 qualifying housing development upon request. 6.

26 Section 20. Liabilities of a housing finance 6.
27 authority.--In no event shall the liabilities, whether ex 6.
28 contractu or ex delicto, of a housing finance authority 6.
29 arising from the financing of any qualifying housing 6.
30 development be payable from any funds other than the revenues 6.
31 or receipts of such qualifying housing development. 6.

1 Section 21. Housing bonds exempted from taxation.--The 6
2 bonds of a housing finance authority issued under this act, 6
3 together with interest thereon and income therefrom, shall be 6
4 exempt from all taxes. The exemption granted by this section 6
5 shall not be applicable to any tax imposed by chapter 220, 6
6 Florida Statutes, on interest, income, or profits on debt 6
7 obligations owned by corporations. 6

8 Section 22. The provisions of this act shall be 6
9 liberally construed in order to effectively carry out the 6
10 purposes of this act. 6

11 Section 23. If any provision of this act or the 6
12 application thereof to any person or circumstance is held 6
13 invalid, the invalidity shall not affect other provisions or 6
14 applications of the act which can be given effect without the 6
15 invalid provision or application, and to this end the 7
16 provisions of this act are declared severable. 7

17 Section 24. Limitation on rates.--The intent of this 7
18 legislation is that consumers receive maximum possible 7
19 benefits; therefore, no lending institution receiving proceeds 7
20 of bond issues pursuant to this act may loan any of the 7
21 proceeds of such bond issue at the rate violative of federal 7
22 arbitrage regulations. 7

23 Section 25. This act shall take effect October 1, 7
24 1978. 7
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HOUSE SUMMARY

Creates the "Florida Housing Finance Authority Law."
Authorizes each county to establish a housing finance
authority for the purpose of alleviating any shortage of
housing of a type and price that can be afforded by many
persons and families of moderate, middle, or lesser
income residing in such county. Provides that such
housing authorities shall stimulate construction and
rehabilitation of housing by the sale of bonds, proceeds
from which sale shall be used to make loans to qualified
persons and firms for the provision of housing. Provides
method of selection, terms of office, membership, powers,
duties, and other responsibilities of such housing
authorities.

See bill for details.

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STAFF SUMMARY OF HB 54
Sponsor: Rep. Ready
Other Reference: Finance & Taxation
Appropriations

A) Problem Addressed --

Inadequate housing supplies and cyclical downturns in the availability of mortgage money have caused renewed interest in providing some public involvement in the area of home financing. Florida's economy is heavily affected by influences on its immense housing industry, as demonstrated by the recession a couple years ago.

B) What the Bill Does --

The bill authorizes the creation of a housing finance authority in counties who adopt an ordinance after making a declaration of need. The five member board, appointed by the county commission, is empowered to issue bonds, the proceeds from the sale of which may be used to purchase mortgages and make loans to lending institutions. Such monies must then be "re-cycled" into more housing mortgages by the lending institutions. Another provision authorizes the investment of the proceeds of the sale of bonds in a manner agreeable to the holders of its bonds.

The procedure for the issuance of the bonds is the same as that provided under the State Bond Act (Chapter 215) except that the authority, not the division of bond finance, shall sell its own bonds. Only if the State Board of Administration approves (or fails to act within 30 days after a request by the authority) may the authority sell its bonds in another manner than provided by Chapter 215.

C) Similar Legislation --

CS/CS/HB 1787 passed the legislature as a similar bill last session, but was vetoed by the Governor. The only difference is that the present bill has language relating to eligibility of "moderate, middle or lesser" income people and a thirty day period of review in which the State Board of Administration must act on variances in bond issuance procedures.

D) Economic Impact State --

The subsidy provided by this bill lies in the difference in mortgage rates which results from passing on the tax-exempt savings from the bonds. Administrative costs would be underwritten by fees charged by the authority and there would be no debt incurred by the county. In a sense, it is the federal government which would be subsidizing the efforts of housing finance authorities through its willingness to forego taxation on the income of the revenue bonds that would be issued. It is expected that the revenue bonds should be saleable at 1 to 2 percentage points lower than the prevailing mortgage interest rate, allowing the home buyer better mortgage terms.

E) Staff Comments --

In a housing-dependent state like Florida, this bill would add a tool for dealing with recession-related problems. It would help alleviate Florida's dependence on the largesse of the federal government and its fluctuating commitments to housing.

Since the bonds would be revenue bonds, no pledge of any tax source would be involved.

The 7.5% interest cap in s. 215.685, would apply to the bonds of the authorities. While the State Board of Administration would have the authority to waive this rule, it would not seem expedient to do so. The purpose of the bill is to assist in the financing of housing. If the bonds can't be issued at less than 7½% interest, the loans from their sale would not be very competititve.

The Governor's veto, which is attached, cited the absence of "protection against misuse of public authority" and "of the bond power contained in the State Bond Act." The Governor's Housing Goals Council subsequently re-inforced the veto on the grounds that the bill lacked effective state control, that risks of failure were enhanced by the proliferation of such units, and they found a state-level Housing Finance Agency preferable.

In response to the Governor's veto, three changes were made in the bill as it was re-introduced:

- (1) on page 3, lines 27-28: "moderate, middle or lesser income" was added as a limit to the kinds of housing in which the authority could participate.
- (2) page 4, line 23 through page 5, line 10: The language regarding eligibility of prospective home buyers was added. (This language is very similar to that in the State Housing Finance Agency bill).
- (3) page 12, lines 7-10: Language was added which gives 30 days (from the date of request) to the State Board of Administration before which it must take action to exempt an authority's bond sale from compliance with the procedures of the State Bond Act. Failure to act in that time would automatically grant the requested exemption.

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STAFF SUMMARY OF HB 54

END OF SESSION UPDATE

Senate Amendments:

1. The original bill required public sale of housing authority bonds, unless otherwise approved by the State Board of Administration. The Senate amendment provides an additional exemption from public sale if:

- a) the bonds are in one of the three highest classifications;
- b) there is attached an appropriate certification and opinion of counsel pursuant to federal arbitrage regulations; and,
- c) the official statement issued with the bonds is filed with the State Board of Administration.

2. The effective date was changed from October 1 to July 1.

FISCAL NOTE

In compliance with Rule 7.16, there is hereby submitted a fiscal note on the above listed bill relative to the effect on revenues, expenditures, or fiscal liability of the State.

I. DESCRIPTION OF BILL:

A. Fund or Tax Affected: None

B. Principal Agency Affected Counties

C. Statement of Purpose The purpose of this bill is to encourage investment in housing by private enterprises and to stimulate the construction and rehabilitation of housing through the use of public financing. This will hopefully aid in the recovery of the housing industry and help provide more adequate housing supplies.

D. Narrative Summary The bill authorizes the creation of a county housing finance authority upon adoption of an ordinance and with a declaration of need. A five member board, appointed by the county commission, is empowered to issue bonds, the proceeds from the sale of which may be used to purchase mortgages and make loans to lending institutions. Such monies would be used by lending institutions to make housing loans. Provisions of the State Bond Act must be followed unless waived by the State Board of Administration, provided it acts within 30 days of such request.

II. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

A. Non-Recurring or First Year Start-up Effects
None

B. Recurring or Annualized Continuation Effects
None

C. Long Run Effects other than Normal Growth
None

D. Appropriations Consequences/Source of Funds
None

III. COMMENTS:

FISCAL NOTE/ECONOMIC IMPACT STATEMENT

(See Staff Report for Narrative Summary and Statement of Purpose)

In compliance with Rule 7.16, there is hereby submitted (1) a fiscal note on the above listed bill relative to the effect on revenues, expenditures, or fiscal liability of the State, and (2) a statement of economic impact on local governments, the private sector, and society as a whole.

I. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

A. Non-Recurring or First Year Start-up Effects

None

B. Recurring or Annualized Continuation Effects

None

C. Long Run Effects other than Normal Growth

None

D. Appropriations Consequences/Source of Funds

None

II. ECONOMIC IMPACT ON LOCAL GOVERNMENTS:

A. Fiscal Impact on Local Governments as a Whole

1. Non-Recurring

Administrative costs are underwritten by fees charged by the local housing finance authority.

2. Recurring

Same as (1).

B. Long Run Effects other than Normal Growth

N/A

C. Differential or Regional Effects

Bill would only affect those areas that have a shortage of housing and capital for housing development.

D. Effects on Inter-Governmental Funding and Program Administration

Funds made available by local housing authorities might be able to attract additional federal housing dollars.

III. ECONOMIC IMPACT ON PRIVATE SECTOR/SOCIETY AS A WHOLE:

A. Costs Imposed on federal government due to their willingness to forego taxation on the bonds. Magnitude indeterminate

B. Benefits Accrue to home purchasers home developers Magnitude indeterminate

C. Broad Economic Effects on Free Enterprise System and Employment
More money in the housing market could benefit the construction industry. As long as the loans are equally available to all developers, no adverse effect on competition should ensue.

D. Net Benefits in Terms of Allocative Efficiency and Social Welfare
The creation of a state housing agency would involve less administrative overhead and serve as a more effective conduit for federal housing dollars.

FISCAL NOTE

In compliance with Rule 7.16, there is hereby submitted a fiscal note on the above listed bill relative to the effect on revenues, expenditures, or fiscal liability of the State, and of Local Governments as a whole.

I. DESCRIPTION OF BILL

- A. Fund or Tax Affected: None
- B. Principal Agency Affected: Counties
- C. Statement of Purpose: The purpose of this bill is to encourage investment in housing by private enterprises and to stimulate the construction and rehabilitation of housing through the use of public financing. This will hopefully aid in the recovery of the housing industry and help provide more adequate housing supplies.
- D. Narrative Summary: The bill authorizes the creation of a county housing finance authority upon adoption of an ordinance and with a declaration of need. A five member board, appointed by the county commission, is empowered to issue bonds, the proceeds from the sale of which may be used to purchase mortgages and make loans to any lending institutions. Such monies would be used by lending institutions to make housing loans. Provisions of the State Bond Act must be followed unless waived by the State Board of Administration, provided it acts within 30 days of such request.

II. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS

- A. Non-Recurring or First Year Start-up Effects
None
- B. Recurring or Annualized Continuation Effects
None
- C. Long Run Effects other than Normal Growth
None
- D. Appropriations Consequences/Source of Funds
None

III. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE

- A. Non-Recurring or First Year Start-up Effects
Administrative costs are underwritten by fees charged by the local housing finance authority.
- B. Recurring or Annualized Continuation Effects
Same as (A).
- C. Long Run Effects other than Normal Growth
N/A

IV. COMMENTS:

None

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Series 18 Carton 0661

James L. Carpent
Staff Director

DATE: April 10, 1978

COMMITTEE ACTION: 1. _____

ANALYST STAFF DIRECTOR

2. _____

1. Branning Martin 

SENATE

3. _____

2. _____

STAFF ANALYSIS AND ECONOMIC STATEMENT

AMEND. OR CS ATTACHED _____

3. _____

COMMERCE COMMITTEE

BILL NO. AND SPONSOR:
HB 54 Ready

SUBJECT:
Public Financing for
Housing

REFERENCES: Commerce, F&T

I. SUMMARY:

The bill provides for the creation of a housing finance authority within each county to aid in the financing of housing through the issuance of revenue bonds.

II. PURPOSE:

A. Present Situation:

The Florida Housing Development Corporation, composed of savings and loan associations, banks, and insurance companies, was created in 1972 to mobilize capital for financing new or rehabilitated housing for low or moderate income individuals. It was thought that this private enterprise mechanism would achieve the state's housing goals. However, the corporation's efforts were stymied by the economic downturn and record interest rates. The inability to provide adequate housing caused renewed interest in allowing some public involvement in home financing.

B. Effect on Present Situation:

This bill authorizes each county in Florida to create a 5-member local housing finance authority if a shortage of housing or housing capital exists in the county. Attempting to take advantage of the federal tax exemption for interest on revenue bonds issued to provide residential opportunities for family units, the bill authorizes the county authorities to issue revenue bonds and use the proceeds to make loans to financial institutions or developers, or to buy and sell mortgages to provide housing.

The revenue bonds would be payable solely from the repayment of the loan or sale of the mortgages. A county which creates an authority would have the power to alter the structure, programs or activities of the authority at any time. Housing developments for moderate, middle, or lesser income groups could be financed under the bill.

III. ECONOMIC CONSIDERATIONS:

A. Economic Impact on the Public: YES X NO

Administrative costs would be underwritten by fees charged by the authority; no debt would be incurred by the county. It was expected that the revenue bonds would be saleable at 1 to 2 percentage points lower than the prevailing mortgage interest rate, allowing the home buyer better mortgage terms.

This bill would create a mechanism for dealing with recession-related housing problems. The 7.5% interest cap in s. 215.685, F.S., would apply to the bonds, although the State Board of Administration would have the authority to waive this rule.

Since the bonds would be revenue bonds, no pledge of any tax source would be involved.

SENATE
STAFF ANALYSIS AND ECONOMIC STATEMENT
Commerce Committee (Branning

B. Economic Impact on the State or Local Government: YES NO X

IV. COMMENTS:

A similar bill, CS/HB 1787, passed the Legislature last year and subsequently was vetoed by the Governor. The Governor in his veto message stated that the act was "not restricted to the public purpose of providing low and moderate-income housing." He further stated that act contained no "protections against misuse of the bond power contained in the State Bond Act."

This bill attempts to answer these objections by: 1) limiting the kinds of housing to "moderate, middle or lesser income"; 2) providing a definition of eligible persons; and 3) providing language that states that the State Board of Administration has 30 days in which to take action exempting an authority's bond sale from compliance with the State Bond Act. Failure to act would automatically grant the requested exemption.

DATE: May 31, 1978 (FINAL UPDATE)

COMMITTEE ACTION: 1. FAV.; 5/3/78

ANALYST STAFF DIRECTOR

2. _____

1. Branning Martin

SENATE

3. _____

2. _____ STAFF ANALYSIS AND ECONOMIC STATEMENT

AMEND. OR CS ATTACHED _____

3. _____ COMMERCE COMMITTEE

BILL No. AND SPONSOR:

SUBJECT:

HB 54 Representative Ready
Chapter 78-89

Public Financing for
Housing

REFERENCES: Commerce, F&T,

I. SUMMARY:

The bill provides for the creation of a housing finance authority within each county to aid in the financing of housing through the issuance of revenue bonds.

II. PURPOSE:

A. Present Situation:

The Florida Housing Development Corporation, composed of savings and loan associations, banks, and insurance companies, was created in 1972 to mobilize capital for financing new or rehabilitated housing for low or moderate income individuals. It was thought that this private enterprise mechanism would achieve the state's housing goals. However, the corporation's efforts were stymied by the economic downturn and record interest rates. The inability to provide adequate housing caused renewed interest in allowing some public involvement in home financing.

B. Effect on Present Situation:

This bill authorizes each county in Florida to create a 5-member local housing finance authority if a shortage of housing or housing capital exists in the county. Attempting to take advantage of the federal tax exemption for interest on revenue bonds issued to provide residential opportunities for family units, the bill authorizes the county authorities to issue revenue bonds and use the proceeds to make loans to financial institutions or developers, or to buy and sell mortgages to provide housing.

The revenue bonds would be payable solely from the repayment of the loan or sale of the mortgages. A county which creates an authority would have the power to alter the structure, programs or activities of the authority at any time. Housing developments for moderate, middle, or lesser income groups could be financed under the bill.

III. ECONOMIC CONSIDERATIONS:

A. Economic Impact on the Public: YES X NO _____

Administrative costs would be underwritten by fees charged by the authority; no debt would be incurred by the county. It was expected that the revenue bonds would be saleable at 1 to 2 percentage points lower than the prevailing mortgage interest rate, allowing the home buyer better mortgage terms.

This bill would create a mechanism for dealing with recession-related housing problems. The 7.5% interest cap in s. 215.685, F.S., would apply to the bonds, although the State Board of Administration would have the authority to waive this rule.

Since the bonds would be revenue bonds, no pledge of any tax source would be involved.

SENATE
STAFF ANALYSIS AND ECONOMIC STATEMENT
Commerce Committee (Branning

B. Economic Impact on the State or Local Government: YES NO X

IV. COMMENTS:

A similar bill, CS/HB 1787, passed the Legislature last year and subsequently was vetoed by the Governor. The Governor in his veto message stated that the act was "not restricted to the public purpose of providing low and moderate-income housing." He further stated that act contained no "protections against misuse of the bond power contained in the State Bond Act."

This bill attempts to answer these objections by: 1) limiting the kinds of housing to "moderate, middle or lesser income"; 2) providing a definition of eligible persons; and 3) providing language that states that the State Board of Administration has 30 days in which to take action exempting an authority's bond sale from compliance with the State Bond Act. If the Board fails to act within this time or the bonds meet other specified criteria as described in section 13 of the bill, then the public's sale requirement is waived.

This bill has passed the Legislature and is now Chapter 78-89, Laws of Florida.

DOCUMENTATION LIST
Ch. 78-89, *Laws of Florida, 1979*

1. Joint Legislative Management Committee. *Bill Histories, 1977*. [SB 1244 and HB 1787].
2. Proposed committee substitute for SB 1244 (1977).
3. Senate Committee on Commerce. Staff analysis on CS/SB 1244, revised May 11, 1977, prepared by Livingston.
4. Senate Committee on Economic, Community and Consumer Affairs. Staff analysis of CS/SB 1244, dated May 13, amended May 17, 1977, prepared by Gilmore.
5. Proposed committee substitute for HB 1787 (1977).
6. [House Committee on Community Affairs?] Unsigned staff summary of PCB/HB 1787, dated May 2, 1977.
7. *Journal of the Florida House of Representatives*, May 30, 1977 (amendments 1-3 to CS/CS/HB 1787) and June 24, 1977 (Governor's veto message on CS/CS/HB 1787).
8. CS/HB 1787 (1977), enrolled.
9. Joint Legislative Management Committee. *Bill Histories, 1978*. [SB 457 and HB 54].
10. Senate Bill 457 (1978).
11. House Bill 54 (1978).
12. [House Committee on Governmental Affairs?] Unsigned staff summary of HB 54, dated November 2, 1977.
13. [House Committee on Governmental Affairs?] Undated, unsigned staff summary of HB 54 (end of session summary).
14. House Committee on Finance & Taxation. Fiscal note on HB 54, dated December 10, 1977.
15. House Committee on Community Affairs. Fiscal note/economic impact statement on HB 54, dated January 31, 1978.
16. [House Committee on Governmental Affairs?] Fiscal note on HB 54, dated April 3, 1978.
17. Senate Committee on Commerce. Staff analysis of HB 54, dated April 10, 1978, prepared by Martin.
18. Senate Committee on Commerce. Staff analysis of HB 54, dated May 31, 1978 (final report), prepared by Martin.

04/10/78 HOUSE WITHDRAWN FROM APPROPRIATIONS -HJ 00152; PLACED ON CALENDAR
04/26/78 HOUSE PLACED ON SPECIAL ORDER CALENDAR
06/02/78 HOUSE DIED ON CALENDAR, IOEN./SIM./COMPARE BILL PASSED, REFER TO SB 147 (CH. 78-27)

04/04/78 HOUSE INTRODUCED, REFERRED TO HEALTH & REHABILITATIVE SERVICES -HJ 00017; SUBREFERRED TO SUBCOMMITTEE ON SOCIAL & REHABILITATIVE SERVICES
06/02/78 HOUSE DIED IN COMMITTEE ON HEALTH & REHABILITATIVE SERVICES

H 0049 GENERAL BILL/SF BY YOUNG
PROPERTY RIGHTS/SOLAR ENERGY; PROPOSES A HOUSE COMMITTEE SHOULD BE ASSIGNED RESPONSIBILITY OF ANALYZING RIGHTS OF ADJOINING LANDOWNERS RE ACCESS TO SOLAR ENERGY.
09/08/77 HOUSE PREFILED, REFERRED TO NATURAL RESOURCES
10/11/77 HOUSE SUBREFERRED TO SUBCOMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
04/04/78 HOUSE PROPOSED, REFERRED TO NATURAL RESOURCES -HJ 00017; SUBREFERRED TO SUBCOMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
06/02/78 HOUSE DIED IN COMMITTEE ON NATURAL RESOURCES

H 0053

11/23/77 HOUSE WITHDRAWN -HJ 00017

H 0054

GENERAL BILL BY READY AND OTHERS (SIMILAR S 0497, COMPARE H 0388)
HOUSING FINANCE AUTHORITY LAW; AUTHORIZES CREATION OF A HOUSING FINANCE AUTHORITY BY ORDINANCE; PROVIDES FOR FUNCTIONING OF SUCH AUTHORITIES TO ALLEVIATE SHORTAGE OF HOUSING & CAPITAL FOR INVESTMENT IN HOUSING; AUTHORIZES COUNTY TO EXERCISE POWERS OF SUCH AUTHORITY UNTIL MEMBERS ARE APPOINTED, ETC. EFFECTIVE DATE: 07/01/78.
09/08/77 HOUSE PREFILED, REFERRED TO COMMUNITY AFFAIRS, FINANCE & TAXATION, APPROPRIATIONS
11/17/77 HOUSE COMM. REPORT: FAVORABLE BY COMMUNITY AFFAIRS; NOW IN FINANCE & TAXATION
02/02/78 HOUSE COMM. REPORT: FAVORABLE BY FINANCE & TAXATION; NOW IN APPROPRIATIONS
04/04/78 HOUSE INTRODUCED, REFERRED TO COMMUNITY AFFAIRS, FINANCE & TAXATION, APPROPRIATIONS -HJ 00017; COMM. REPORT: FAVORABLE BY COMMUNITY AFFAIRS -HJ 00098; NOW IN FINANCE & TAXATION; COMM. REPORT: FAVORABLE BY FINANCE & TAXATION -HJ 00097; NOW IN APPROPRIATIONS
04/05/78 HOUSE WITHDRAWN FROM APPROPRIATIONS -HJ 00103; PLACED ON CALENDAR
04/12/78 HOUSE PLACED ON SPECIAL ORDER CALENDAR
04/14/78 HOUSE READ SECOND TIME -HJ 00207
04/17/78 HOUSE READ THIRD TIME; PASSED; YEAS 96 NAYS 12 -HJ 00215
CONTINUED ON NEXT PAGE

H 0050 GENERAL BILL BY FOSTER AND OTHERS
TRAFFIC ACCIDENT CASUALTY ACT; PROVIDES DEFINITIONS; CREATES TRUST FUND CONSISTING OF DRIVERS' LICENSES FEES TO REIMBURSE QUALIFIED CLAIMANTS FOR ACTUAL LOSSES DUE TO CERTAIN TRAFFIC ACCIDENTS; PROVIDES FOR APPLICABILITY OF BENEFITS PAYABLE UNDER ACT, ETC. AMENDS CH. 322; REPEALS CH. 324. EFFECTIVE DATE: 01/01/79.
09/08/77 HOUSE PREFILED, REFERRED TO COMMERCE, FINANCE & TAXATION, APPROPRIATIONS
04/04/78 HOUSE INTRODUCED, REFERRED TO COMMERCE, FINANCE & TAXATION, APPROPRIATIONS -HJ 00017
05/04/78 HOUSE SUBREFERRED TO SUBCOMMITTEE ON INSURANCE
05/23/78 HOUSE COMM. REPORT: UNFAVORABLE, LAID ON TABLE UNDER RULE BY CONTINUED ON NEXT PAGE

07/19/78

HOUSE BILL ACTIONS REPORT

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HOUSE BILL ACTIONS REPORT

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04/21/78 SENATE RECEIVED, REFERRED TO COMMERCE, FINANCE, TAXATION AND CLAIMS, APPROPRIATIONS -SJ 00192
05/01/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE COMMERCE
05/03/78 SENATE COMM. REPORT: FAVORABLE BY COMMERCE -SJ 00313
05/04/78 SENATE NOW IN FINANCE, TAXATION AND CLAIMS -SJ 00314
05/09/78 SENATE WITHDRAWN FROM APPROPRIATIONS -SJ 00329
05/17/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE FINANCE, TAXATION AND CLAIMS
05/18/78 SENATE WITHDRAWN FROM FINANCE, TAXATION AND CLAIMS; PLACED ON CALENDAR; SUBSTITUTED FOR S 457; PASSED AS AMENDED; YEAS 29 NAYS 3 -SJ 00430
05/19/78 HOUSE CONCURRED; PASSED AS AMENDED; YEAS 93 NAYS -HJ 00654
05/22/78 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR -HJ 00682
05/29/78 HOUSE APPROVED BY GOVERNOR CHAPTER NO. 78-89 -HJ 00831

H 0055

12/20/77 HOUSE WITHDRAWN -HJ 00017

H 0056

GENERAL BILL BY NUCKOLLS
SALE OF WORKS OF FINE ART; REQUIRES THAT SELLER PAY 5% OF SALES PRICE TO FINE ARTS COUNCIL OF DEPT. OF STATE UNDER CERTAIN CONDITIONS; PROVIDES FOR USE OF SUCH FUNDS BY COUNCIL IF NOT CLAIMED BY ARTIST; PROVIDES EXEMPTIONS. EFFECTIVE DATE: 07/01/78.
09/08/77 HOUSE PREFILED, REFERRED TO GOVERNMENTAL OPERATIONS, FINANCE & TAXATION, APPROPRIATIONS
04/04/78 HOUSE INTRODUCED, REFERRED TO GOVERNMENTAL OPERATIONS, FINANCE & TAXATION, APPROPRIATIONS -HJ 00017
04/05/78 HOUSE SUBREFERRED TO SUBCOMMITTEE ON POLICY & PROCEDURE
06/02/78 HOUSE DIED IN COMMITTEE ON GOVERNMENTAL OPERATIONS

H 0057

GENERAL BILL BY NUCKOLLS (IDENTICAL S 0086)
TEACHER'S DAY; DESIGNATES THIRD FRIDAY IN MAY OF EACH YEAR AS DAY. CREATES 683.15. EFFECTIVE DATE: 06/14/79.
09/08/77 HOUSE PREFILED, REFERRED TO AGRICULTURE & GENERAL LEGISLATION
10/12/77 HOUSE COMM. REPORT: FAVORABLE, PLACED ON CALENDAR BY AGRICULTURE & GENERAL LEGISLATION
04/04/78 HOUSE INTRODUCED, REFERRED TO AGRICULTURE & GENERAL LEGISLATION -HJ 00018; PLACED ON CALENDAR
04/26/78 HOUSE
05/20/78 HOUSE
05/22/78 HOUSE

H 0060

GENERAL BILL BY FECHTEL
COUNTY PUBLIC HEALTH TRUSTS; AUTHORIZES BOARD OF TRUSTEES OF EACH PUBLIC HEALTH TRUST TO EMPLOY INDEPENDENT ACCOUNTANTS, RATHER THAN C.P.A.'S, TO ANALYZE RECORDS & PREPARE FINANCIAL OR REVENUE STATEMENTS OF BOARD; DELETES AUTHORITY OF BOARD TO EMPLOY C.P.A.'S TO AUDIT CERTAIN RECORDS. AMENDS 154.11. EFFECTIVE DATE: 07/01/78.
09/08/77 HOUSE PREFILED, REFERRED TO HEALTH & REHABILITATIVE SERVICES
12/12/77 HOUSE SUBREFERRED TO SUBCOMMITTEE ON MENTAL HEALTH & HEALTH
04/04/78 HOUSE INTRODUCED, REFERRED TO HEALTH & REHABILITATIVE SERVICES -HJ 00018; SUBREFERRED TO SUBCOMMITTEE ON MENTAL HEALTH & HEALTH
06/02/78 HOUSE DIED IN COMMITTEE ON HEALTH & REHABILITATIVE SERVICES

H 0061

GENERAL BILL BY STEINERS AND OTHERS (COMPARE ENG/S 0416)
ANCIENT MOTOR VEHICLES; PROVIDES THAT LICENSED ANCIENT MOTOR VEHICLES ARE EXEMPT FROM SAFETY EQUIPMENT INSPECTION REQUIREMENTS; REPEALS PROVISION CONCERNING SAFETY EQUIPMENT INSPECTION OF ANCIENT AUTOMOBILES. AMENDS 129.12; REPEALS 325.12. EFFECTIVE DATE: UPON BECOMING LAW.
09/08/77 HOUSE PREFILED, REFERRED TO TRANSPORTATION
03/26/78 HOUSE SUBREFERRED TO SUBCOMMITTEE 1
04/04/78 HOUSE INTRODUCED, REFERRED TO TRANSPORTATION -HJ 00018; SUBREFERRED TO SUBCOMMITTEE 1
4/13/78 HOUSE COMM. REPORT: FAVORABLE, PLACED ON CALENDAR BY TRANSPORTATION -HJ 00114
04/04/78 HOUSE PLACED ON SPECIAL ORDER CALENDAR
12/12/78 HOUSE AMENDS 129.12; REPEALS 325.12; COMPARE BILL PASSED, REFER TO SB 146 (CH. 78-26)

GENERAL BILL BY STEINERS AND OTHERS (COMPARE ENG/S 0416)
ANCIENT MOTOR VEHICLES; PROVIDES THAT LICENSED ANCIENT MOTOR VEHICLES ARE EXEMPT FROM SAFETY EQUIPMENT INSPECTION REQUIREMENTS; REPEALS PROVISION CONCERNING SAFETY EQUIPMENT INSPECTION OF ANCIENT AUTOMOBILES. AMENDS 129.12; REPEALS 325.12; COMPARE BILL PASSED, REFER TO SB 146 (CH. 78-26)

12/12/77

12/12/77

12/12/77

AT

S 0452 GENERAL BILL BY SAYLER (SIMILAR H 0557, COMPARE S 0686)
 (CS) RESOURCE RECOVERY & MGT.; PROHIBITS ANY REQUIREMENT FOR ANY COUNTY
 OR MUNICIPALITY TO PARTICIPATE IN ANY RESOURCE RECOVERY PROGRAM PRIOR TO
 FEASIBILITY DETERMINATION BY LOCAL GOVERNMENT; PROHIBITS REQUIREMENT FOR
 PERSON TO SUBSCRIBE TO PRIVATE SOLID WASTE COLLECTION SERVICE, ETC.
 AMENDS F.S. EFFECTIVE DATE: 07/01/78.

02/28/78 SENATE PREFILED
 03/15/78 SENATE REFERRED TO NATURAL RESOURCES AND CONSERVATION,
 FINANCE, TAXATION AND CLAIMS, APPROPRIATIONS
 04/04/78 SENATE INTRODUCED, REFERRED TO NATURAL RESOURCES AND
 CONSERVATION, FINANCE, TAXATION AND CLAIMS,
 APPROPRIATIONS -SJ 00050
 * 04/13/78 SENATE COMM. REPORT: FAVORABLE BY NATURAL RESOURCES AND
 CONSERVATION; NOW IN FINANCE, TAXATION AND CLAIMS
 -SJ 00119
 04/25/78 SENATE COMM. REPORT: FAVORABLE WITH AMEND. BY FINANCE,
 TAXATION AND CLAIMS -SJ 00217
 04/26/78 SENATE NOW IN APPROPRIATIONS -SJ 00217
 05/01/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE APPROPRIATIONS
 05/10/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE APPROPRIATIONS
 05/22/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE APPROPRIATIONS
 05/23/78 SENATE COMM. REPORT: C/S PLACED ON CALENDAR BY APPROPRIATIONS
 -SJ 00453
 05/30/78 SENATE PLACED ON SPECIAL ORDER CALENDAR; C/S READ FIRST TIME;
 C/S PASSED AS AMENDED; YEAS 29 NAYS 1 -SJ 00634
 05/31/78 HOUSE RECEIVED, REFERRED TO TOURISM & ECONOMIC DEVELOPMENT
 -HJ 00915; WITHDRAWN FROM TOURISM & ECONOMIC
 DEVELOPMENT -HJ 00932; PLACED ON CALENDAR
 06/02/78 HOUSE PLACED ON SPECIAL ORDER CALENDAR; TAKEN UP IN LIEU OF
 HB 557; READ SECOND TIME; READ THIRD TIME; PASSED; YEAS
 108 NAYS 0 -HJ 01099
 06/08/78 SENATE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR
 06/19/78 APPROVED BY GOVERNOR CHAPTER NO. 78-329

S 0453 GENERAL BILL BY GRAHAM AND OTHERS (IDENTICAL H 1395)
 COMMUNITY CARE FOR ELDERLY; PROVIDES APPROPRIATION TO H.P.S. TO BE USED
 FOR COMMUNITY CARE FOR THE ELDERLY. APPROPRIATION: \$7,312,437.
 EFFECTIVE DATE: UPON BECOMING LAW.

02/28/78 SENATE PREFILED
 03/15/78 SENATE REFERRED TO HEALTH AND REHABILITATIVE SERVICES,
 APPROPRIATIONS
 04/04/78 SENATE INTRODUCED, REFERRED TO HEALTH AND REHABILITATIVE
 SERVICES, APPROPRIATIONS -SJ 00050
 04/12/78 SENATE COMM. REPORT: FAVORABLE BY HEALTH AND REHABILITATIVE
 SERVICES -SJ 00119
 04/13/78 SENATE NOW IN APPROPRIATIONS -SJ 00119
 05/01/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE APPROPRIATIONS
 05/10/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE APPROPRIATIONS
 05/22/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE APPROPRIATIONS
 06/02/78 SENATE DIED IN COMMITTEE ON APPROPRIATIONS

S 0454 GENERAL BILL BY HAIR (SIMILAR H 1223)
 JUDICIAL ADMINISTRATIVE COMM.; ADDS A JUDGE OF COUNTY COURTS TO
 COMMISSION; PROVIDES FOR APPOINTMENT; PROVIDES FOR ADMINISTRATIVE
 SERVICES TO BE PROVIDED TO COUNTY COURTS; PROVIDES THAT COUNTY COURT
 BUDGETS WILL BE COMBINED WITH OTHER JUDICIARY BUDGETS. AMENDS 43-16.
 EFFECTIVE DATE: 06/08/78.

03/01/78 SENATE PREFILED
 03/15/78 SENATE REFERRED TO JUDICIARY-CIVIL
 04/04/78 SENATE INTRODUCED, REFERRED TO JUDICIARY-CIVIL -SJ 00051
 04/06/78 SENATE COMM. REPORT: FAVORABLE WITH AMEND., PLACED ON CALENDAR
 BY JUDICIARY-CIVIL -SJ 00102
 04/13/78 SENATE PLACED ON SPECIAL ORDER CALENDAR; PASSED AS AMENDED;
 YEAS 33 NAYS 0 -HJ 01012
 04/18/78 HOUSE RECEIVED, REFERRED TO JUDICIARY,
 -HJ 00241
 04/21/78 HOUSE COMM. REPORT: FAVORABLE WITH AMEND., PLACED ON
 APPROPRIATIONS
 05/02/78 HOUSE WITHDRAWN FROM SPECIAL ORDER CALENDAR
 05/25/78 HOUSE PLACED ON SPECIAL ORDER CALENDAR
 CONTINUED ON NEXT PAGE

05/25/78 -HJ 00788
 05/29/78 HOUSE READ THIRD TIME PASSED; YEAS 116 NAYS 0 -HJ 00820
 06/01/78 SENATE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR -SJ 00742
 06/08/78 APPROVED BY GOVERNOR CHAPTER NO. 78-174

S 0455 GENERAL BILL BY HAIR (SIMILAR ENG/H 0748)
 COUNTY COURT JUDGES; ESTABLISHES MEMBERSHIP IN FLORIDA BAR FOR CERTAIN
 PERIOD AS PREREQUISITE TO QUALIFYING OR BEING NOMINATED FOR SUCH OFFICE;
 PROVIDES EXCEPTION. AMENDS 34-021. EFFECTIVE DATE: UPON BECOMING LAW.
 03/01/78 SENATE PREFILED
 03/15/78 SENATE REFERRED TO JUDICIARY-CIVIL
 04/04/78 SENATE INTRODUCED, REFERRED TO JUDICIARY-CIVIL -SJ 00051
 04/06/78 SENATE COMM. REPORT: FAVORABLE WITH AMEND., PLACED ON CALENDAR
 BY JUDICIARY-CIVIL -SJ 00102
 06/01/78 SENATE PLACED ON SPECIAL ORDER CALENDAR; IDENT./SIM. HOUSE BILL
 SUBSTITUTED; LAID ON TABLE UNDER RULE,
 IDENT./SIM./COMPARE BILL PASSED, REFER TO HB 748 (CH.
 78-346) -SJ 00706

S 0456 GENERAL BILL BY THOMAS, P. (SIMILAR CS/H 0345, COMPARE H 0951, H 1787,
 H 1916, ENG/S 0681, S 0933)
 (CS) LAND SALES PRACTICES; DEFINES DUTIES & POWERS OF RECEIVERS;
 PROVIDES AUTHORITY TO FINGERPRINT SUBDIVIDERS & EXCHANGE INFO. WITH
 CERTAIN LAW ENFORCEMENT AGENCIES; PERMITS ONLY C.P.A.'S REGISTERED IN
 STATE TO AUDIT FINANCIAL STATEMENTS SUBMITTED TO LAND SALES & CONDO.
 DIV., ETC. AMENDS CH. 478. EFFECTIVE DATE: UPON BECOMING LAW.

03/01/78 SENATE PREFILED
 03/15/78 SENATE REFERRED TO ECONOMIC, COMMUNITY AND CONSUMER AFFAIRS,
 COMMERCE, APPROPRIATIONS
 04/04/78 SENATE INTRODUCED, REFERRED TO ECONOMIC, COMMUNITY AND
 CONSUMER AFFAIRS, COMMERCE, APPROPRIATIONS -SJ 00051
 04/14/78 SENATE COMM. REPORT: C/S BY ECONOMIC, COMMUNITY AND CONSUMER
 AFFAIRS -SJ 00145
 04/19/78 SENATE NOW IN COMMERCE -SJ 00145
 04/28/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE COMMERCE
 05/01/78 SENATE COMM. REPORT: FAVORABLE BY COMMERCE -SJ 00282
 05/02/78 SENATE NOW IN APPROPRIATIONS -SJ 00282
 05/10/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE APPROPRIATIONS
 05/16/78 SENATE COMM. REPORT: FAVORABLE WITH AMEND., PLACED ON CALENDAR
 BY APPROPRIATIONS -SJ 00384
 05/24/78 SENATE PLACED ON SPECIAL ORDER CALENDAR; C/S READ FIRST TIME
 -SJ 00471; C/S PASSED AS AMENDED; YEAS 34 NAYS 1
 -SJ 00472
 05/29/78 HOUSE RECEIVED, REFERRED TO REGULATED INDUSTRIES & LICENSING
 -HJ 00300
 06/02/78 HOUSE DIED IN COMMITTEE, IDENT./SIM./COMPARE BILL PASSED,
 REFER TO SB 631 (CH. 78-366)

S 0457 GENERAL BILL BY THOMAS, P. (SIMILAR ENG/H 0054, COMPARE H 0384)
 HOUSING FINANCE AUTHORITY LAW; AUTHORIZES CREATION OF A HOUSING FINANCE
 AUTHORITY BY ORDINANCE; PROVIDES FOR FUNCTIONING OF SUCH AUTHORITIES TO
 ALLEVIATE SHORTAGE OF HOUSING & CAPITAL FOR INVESTMENT IN HOUSING;
 AUTHORIZES COUNTY TO EXERCISE POWERS OF SUCH AUTHORITY UNTIL MEMBERS ARE
 APPOINTED, ETC. EFFECTIVE DATE: 10/01/78.

07/01/78 SENATE PREFILED
 07/15/78 SENATE REFERRED TO COMMERCE, FINANCE, TAXATION AND CLAIMS,
 APPROPRIATIONS
 04/04/78 SENATE INTRODUCED, REFERRED TO COMMERCE, FINANCE, TAXATION AND
 CLAIMS, APPROPRIATIONS -SJ 00051
 04/11/78 SENATE COMM. REPORT: FAVORABLE BY COMMERCE, FINANCE, TAXATION AND CLAIMS -HJ 0119
 04/17/78 SENATE NOW IN APPROPRIATIONS -SJ 0119
 04/21/78 SENATE COMM. REPORT: FAVORABLE BY FINANCE, TAXATION AND CLAIMS

04/27/78 SENATE RECEIVED, REFERRED TO COMMERCE, FINANCE, TAXATION AND CLAIMS
 05/01/78 SENATE COMM. REPORT: FAVORABLE BY COMMERCE, FINANCE, TAXATION AND CLAIMS
 05/02/78 SENATE NOW IN APPROPRIATIONS
 05/10/78 SENATE EXTENSION OF TIME GRANTED COMMITTEE APPROPRIATIONS
 05/16/78 SENATE COMM. REPORT: FAVORABLE WITH AMEND., PLACED ON CALENDAR
 BY APPROPRIATIONS -SJ 00384
 05/24/78 SENATE PLACED ON SPECIAL ORDER CALENDAR; C/S READ FIRST TIME
 -SJ 00471; C/S PASSED AS AMENDED; YEAS 34 NAYS 1
 -SJ 00472
 05/29/78 HOUSE RECEIVED, REFERRED TO REGULATED INDUSTRIES & LICENSING
 -HJ 00300
 06/02/78 HOUSE DIED IN COMMITTEE, IDENT./SIM./COMPARE BILL PASSED,
 REFER TO SB 631 (CH. 78-366)

SEE
 HB 54
 X

04/04/78 TAXATION -HJ 00043
 04/19/78 HOUSE SUBREFERRED TO SUBCOMMITTEE II
 06/02/78 HOUSE DIED IN COMMITTEE CN TRANSPORTATION

H 0381 GENERAL BILL BY VETERANS AFFAIRS AND OTHERS (IDENTICAL S 0451)
 MOTOR VEHICLE LICENSE TAXES; PROVIDES THAT NATIONALLY CHARTERED
 VETERANS' ORGANIZATIONS, RATHER THAN THE AMERICAN LEGION, SHALL BE
 ELIGIBLE FOR REDUCED RATE, SERIES "X" LICENSE PLATES. AMENDS 920.10.
 EFFECTIVE DATE: UPON BECOMING LAW.
 12/07/77 HOUSE PREFILED, REFERRED TO FINANCE & TAXATION
 01/19/78 HOUSE SUBREFERRED TO SUBCOMMITTEE CN GENERAL LEGISLATION
 02/01/78 HOUSE WITHDRAWN FROM FINANCE & TAXATION; REREFERRED TO
 TRANSPORTATION, FINANCE & TAXATION
 04/04/78 HOUSE INTRODUCED, REFERRED TO TRANSPORTATION, FINANCE &
 TAXATION -HJ 00043
 04/19/78 HOUSE SUBREFERRED TO SUBCOMMITTEE II
 06/02/78 HOUSE DIED IN COMMITTEE CN TRANSPORTATION

H 0382 GENERAL BILL BY GERSTEN AND OTHERS
 CAMPAIGN FINANCING; ENTITLES CANDIDATES FOR CABINET OFFICE TO PUBLIC
 FUNDS; PROVIDES LIMITATIONS ON EXPENDITURES FOR CANDIDATES WHO ACCEPT
 PUBLIC FUNDS; PROVIDES PROCEDURES TO QUALIFY FOR PUBLIC FUNDS ACCORDING
 TO EITHER A PETITION METHOD OR MATCHING CONTRIBUTIONS METHOD, ETC.
 CREATES 106.50-.55, APPROPRIATION: \$800,000. EFFECTIVE DATE: 01/01/79.
 12/07/77 HOUSE PREFILED, REFERRED TO ELECTIONS, FINANCE & TAXATION,
 APPROPRIATIONS
 12/22/77 HOUSE SUBREFERRED TO SUBCOMMITTEE CN CAMPAIGN PROCEDURES
 04/04/78 HOUSE INTRODUCED, REFERRED TO ELECTIONS, FINANCE & TAXATION,
 APPROPRIATIONS -HJ 00043; SUBREFERRED TO SUBCOMMITTEE
 CN CAMPAIGN PROCEDURES
 06/02/78 HOUSE DIED IN COMMITTEE CN ELECTIONS

H 0383 GENERAL BILL BY BLOOM (COMPARE H 0210)
 CORPORATE INCOME TAX; EXEMPTS FROM TAX INCOME DERIVED BY TAXPAYER FROM
 MANUFACTURE, SALE & INSTALLATION OF SOLAR HEATING & COOLING UNITS,
 INSULATION MATERIALS, HEAT REDUCING & REFLECTIVE MATERIALS & OTHER ITEMS
 WHICH EFFECT DECREASE IN USAGE OF GENERATED ENERGY, ETC. AMENDS 220.1;
 CREATES 220.145. EFFECTIVE DATE: 10/01/78.
 12/07/77 HOUSE PREFILED, REFERRED TO NATURAL RESOURCES, FINANCE &
 TAXATION
 12/22/77 HOUSE SUBREFERRED TO SUBCOMMITTEE CN ENERGY AND ENVIRONMENTAL
 PROTECTION
 04/04/78 HOUSE INTRODUCED, REFERRED TO NATURAL RESOURCES, FINANCE &
 TAXATION -HJ 00043; SUBREFERRED TO SUBCOMMITTEE CN
 ENERGY AND ENVIRONMENTAL PROTECTION
 05/11/78 HOUSE COMM. REPORT: C/S BY NATURAL RESOURCES -HJ 00520; C/S
 COMBINES THIS BILL AND HB 210; NOW IN FINANCE &
 TAXATION
 06/02/78 HOUSE DIED IN COMMITTEE CN FINANCE & TAXATION

H 0384 GENERAL BILL BY BLOOM (COMPARE CS/H 0167, CS/H 0210, H 248, S 0073)
 SALES TAX; EXEMPTS FROM TAX PURCHASE OF SOLAR HEATING & COOLING UNITS,
 INSULATION MATERIALS, HEAT REDUCING & REFLECTIVE MATERIALS & CERTAIN
 OTHER ITEMS WHICH EFFECT DECREASE IN USAGE OF ELECTRICAL & OTHER FORMS
 OF GENERATED ENERGY; SPECIFIES CERTAIN DUTIES FOR P.L.C. AMENDS 212.08.
 EFFECTIVE DATE: 10/01/78.
 12/07/77 HOUSE PREFILED, REFERRED TO NATURAL RESOURCES, FINANCE &
 TAXATION, APPROPRIATIONS
 12/22/77 HOUSE SUBREFERRED TO SUBCOMMITTEE CN ENERGY AND ENVIRONMENTAL
 PROTECTION
 04/04/78 HOUSE INTRODUCED, REFERRED TO NATURAL RESOURCES, FINANCE &
 TAXATION, APPROPRIATIONS -HJ 00043; SUBREFERRED TO
 SUBCOMMITTEE CN ENERGY AND ENVIRONMENTAL PROTECTION
 06/02/78 HOUSE DIED IN COMMITTEE CN NATURAL RESOURCES

H 0385 GENERAL BILL BY COX AND OTHERS (COMPARE H 0458)
 EXAMINING & LICENSING BOARDS; PROVIDES THAT GOVERNORS MAY REMOVE FROM OFFICE
 CAUSE MEMBERS OF VARIOUS STATE EXAMINING & LICENSING BOARDS. AMENDS
 F.S. EFFECTIVE DATE: UPON BECOMING LAW.
 12/07/77 HOUSE PREFILED, REFERRED TO REGULATED INDUSTRIES & LICENSING
 12/13/77 HOUSE SUBREFERRED TO SUBCOMMITTEE CN PROFESSIONAL



12/13/77 OCCUPATIONAL LICENSING
 04/04/78 HOUSE INTRODUCED, REFERRED TO REGULATED INDUSTRIES &
 LICENSING -HJ 00044; SUBREFERRED TO SUBCOMMITTEE CN
 PROFESSIONAL & OCCUPATIONAL LICENSING
 04/06/78 HOUSE COMM. REPORT: FAVORABLE WITH AMEND., PLACED ON CALENDAR
 BY REGULATED INDUSTRIES & LICENSING -HJ 00144
 06/02/78 HOUSE DIED ON CALENDAR

H 0386 GENERAL BILL BY CGDEN (IDENTICAL S 0951)
 (CS) ENGINEERS & LAND SURVEYORS; PROVIDES FOR 2 ADDITIONAL MEMBERS OF
 STATE AD. OF PROFESSIONAL ENGINEERS & LAND SURVEYORS, INCLUDING A PUBLIC
 MEMBER; ESTABLISHES ENGINEERING & LAND SURVEYING COMMITTEES, ETC.
 AMENDS CHS. 471, 472. EFFECTIVE DATE: 07/01/78.
 12/07/77 HOUSE PREFILED, REFERRED TO REGULATED INDUSTRIES & LICENSING
 02/28/78 HOUSE SUBREFERRED TO SUBCOMMITTEE CN PROFESSIONAL &
 OCCUPATIONAL LICENSING
 04/04/78 HOUSE INTRODUCED, REFERRED TO REGULATED INDUSTRIES &
 LICENSING -HJ 00044; SUBREFERRED TO SUBCOMMITTEE CN
 PROFESSIONAL & OCCUPATIONAL LICENSING
 04/13/78 HOUSE COMM. REPORT: C/S PLACED ON CALENDAR BY REGULATED
 INDUSTRIES & LICENSING -HJ 00199
 04/17/78 HOUSE PLACED ON SPECIAL ORDER CALENDAR; C/S READ FIRST AND
 SECOND TIME -HJ 00219
 04/18/78 HOUSE READ THIRD TIME; C/S PASSED; YEAS 114 NAYS 0
 -HJ 00246
 04/21/78 SENATE RECEIVED, REFERRED TO GOVERNMENTAL OPERATIONS
 -SJ 00193
 05/02/78 SENATE COMM. REPORT: FAVORABLE, PLACED ON CALENDAR BY
 GOVERNMENTAL OPERATIONS -SJ 00300
 05/18/78 SENATE PLACED ON SPECIAL ORDER CALENDAR
 05/19/78 SENATE RETAINED ON REGULAR CALENDAR
 05/25/78 SENATE PASSED; YEAS 35 NAYS 0 -SJ 00527
 06/02/78 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR -HJ 01196
 06/15/78 APPROVED BY GOVERNOR CHAPTER NO. 78-272

H 0387 GENERAL BILL BY CGDEN
 ENGINEERS & LAND SURVEYORS; PROVIDES FOR A RESTRUCTURING OF THE BOARD OF
 PROFESSIONAL ENGINEERS & LAND SURVEYORS. AMENDS 471.09.
 EFFECTIVE DATE: 07/01/78.
 12/07/77 HOUSE PREFILED, REFERRED TO REGULATED INDUSTRIES & LICENSING
 04/04/78 HOUSE INTRODUCED, REFERRED TO REGULATED INDUSTRIES &
 LICENSING -HJ 00044
 06/02/78 HOUSE DIED IN COMMITTEE CN REGULATED INDUSTRIES & LICENSING

H 0388 GENERAL BILL BY COMMUNITY AFFAIRS (COMPARE ENG/H 0054, S 0457)
 HOUSING ESTABLISHES HOUSING FINANCE AGENCY; PROVIDES LEGISLATIVE
 FINANCING MEMBERSHIP, POWERS & DUTIES; PROVIDES SPECIAL POWERS RE
 MORTGAGE S & LOANS TO QUALIFIED LENDING INSTITUTIONS FOR AUTHORIZED
 PURPOSES; REVISES POWERS & ADVANCES FROM FUND ESTABLISHED FOR SUCH
 PURPOSE, ETC. AMENDS CH. 420. EFFECTIVE DATE: CONTINGENT.
 12/07/77 HOUSE PREFILED, REFERRED TO FINANCE & TAXATION,
 APPROPRIATIONS
 01/19/78 HOUSE SUBREFERRED TO SUBCOMMITTEE CN FINANCIAL INSTITUTIONS
 04/04/78 HOUSE INTRODUCED, REFERRED TO FINANCE & TAXATION,
 APPROPRIATIONS -HJ 00044; SUBREFERRED TO SUBCOMMITTEE
 CN FINANCIAL INSTITUTIONS
 04/02/78 HOUSE DIED IN COMMITTEE. IDENTICAL TO COMPARE BILL PASSED.
 REFER TO HB 54 (CH. 73-89)

H 0389 GENERAL BILL BY MOORE, R. (COMPARE H 0436, H 1994, S 0144, ENG/ 0676)
 SALES TAX; ALLOWS CERTAIN DEALERS TO FILE REPORTS & PAY TAXES ON
 QUARTERLY OR SEMIANNUAL BASIS; PROVIDES MINIMUM PENALTY FOR FAILURE TO
 FILE RETURN OR REPORT FOR TAX SHALL BE \$5 (INCREASES FROM \$ 15
 APPLICATIONS PREVIOUSLY COLLECTED BY REVENUE DEPT. OR REGISTRATION)
 AMENDS 212.11, 12, 13. EFFECTIVE DATE: UPON BECOMING LAW.
 12/07/77 HOUSE PREFILED, REFERRED TO FINANCE & TAXATION
 01/11/78 HOUSE SUBREFERRED TO COMMITTEE CN GENERAL LEGISLATION
 04/04/78 HOUSE INTRODUCED, REFERRED TO FINANCE & TAXATION, APPROPRIATIONS
 04/02/78 HOUSE DIED IN COMMITTEE. IDENTICAL TO COMPARE BILL PASSED.
 REFER TO HB 676 (CH. 78-171)

05/31/77 COMM. REPORT: FAVORABLE, PLACED ON CALENDAR BY RULES AND CALENDAR -SJ 00621; PASSED; YEAS 39 NAYS 0 -SJ 00668

06/17/77 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR
07/03/77 BECAME LAW WITHOUT GOVERNOR'S SIGNATURE CHAPTER NO. 77-522

H 1785 GENERAL BILL BY MIXSON (SIMILAR CS/S 0653, H 1147)
STATE AIRCRAFT & M. V.; PROVIDES MOTOR POOL DIV. MAY NOT REQUIRE STATE AGENCY TO TRANSFER TO GENERAL SERVICES DEPT. OWNERSHIP/CUSTODY/CONTROL OF AIRCRAFT & MOTOR VEHICLES & ASSOCIATED MAINTENANCE FACILITIES & EQUIPMENT USED PRINCIPALLY FOR LAW ENFORCEMENT OR FIRE CONTROL PURPOSES. AMENDS 287.16. EFFECTIVE DATE: UPON BECOMING LAW.
04/18/77 HOUSE INTRODUCED, REFERRED TO GOVERNMENTAL OPERATIONS -HJ 00273
05/05/77 HOUSE COMM. REPORT: FAVORABLE, PLACED ON CALENDAR BY GOVERNMENTAL OPERATIONS -HJ 00454
06/03/77 HOUSE DIED ON CALENDAR, IDEN./SIM./COMPARE BILL PASSED, REFER TO S 653 (CH. 77-396)

H 1786 GENERAL BILL BY OGDEN
ESTATE TAXES; PROVIDES FOR TAX UPON ESTATES OF RESIDENT DECEDENTS BEYOND AMOUNT ALLOWED AS CREDIT UNDER FED. REVENUE ACT; PROVIDES FORMULA FOR COMPUTING FLA. TAXES UPON ESTATES OF NONRESIDENT DECEDENTS & UPON ESTATES OF ALIEN DECEDENTS, ETC. AMENDS 198.02-.04, & .43; REPEALS 198.41. EFFECTIVE DATE: 01/01/79.
04/18/77 HOUSE INTRODUCED, REFERRED TO FINANCE AND TAXATION, APPROPRIATIONS -HJ 00273
06/03/77 HOUSE DIED IN COMMITTEE ON FINANCE AND TAXATION

H 1787 GENERAL BILL BY READY (SIMILAR CS/S 1244)
(CS) PUBLIC FINANCING/HOUSING; CREATES FLA. HOUSING FINANCE AUTHORITY LAW; AUTHORIZES CREATION OF HOUSING FINANCE AUTHORITIES BY ORDINANCE; PROVIDES FOR FUNCTIONS OF SUCH AUTHORITIES TO ALLEVIATE SHORTAGE OF HOUSING & CAPITAL FOR INVESTMENT IN HOUSING, ETC. EFFECTIVE DATE: 10/01/77.
04/18/77 HOUSE INTRODUCED, REFERRED TO COMMUNITY AFFAIRS, FINANCE AND TAXATION -HJ 00273
05/05/77 HOUSE COMM. REPORT: C/S BY COMMUNITY AFFAIRS -HJ 00455; NOW REFERRED TO FINANCE AND TAXATION
05/24/77 HOUSE COMM. REPORT: C/S FOR C/S PLACED ON CALENDAR BY FINANCE AND TAXATION -HJ 00714
05/30/77 HOUSE C/S READ FIRST AND SECOND TIME; AMENDMENT ADOPTED -HJ 00864
05/31/77 HOUSE READ THIRD TIME; AMENDMENTS ADOPTED; C/S PASSED AS AMENDED; YEAS 109 NAYS 5 -HJ 00889
05/31/77 SENATE RECEIVED, PLACED ON CALENDAR; SUBSTITUTED FOR S 1244; PASSED; YEAS 27 NAYS 2 -SJ 00672
06/03/77 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR
06/18/77 VETOED BY GOVERNOR
06/24/77 HOUSE VETO MESSAGE RECEIVED -HJ 00030; VETO SUSTAINED; YEAS 63 NAYS 43 -HJ 00030

H 1788 GENERAL BILL BY FECHTEL (IDENTICAL S 1113)
CONTINUED ON NEXT PAGE

GAME & FRESHWATER FISH; INCREASES TO FELONY OF THIRD DEGREE PENALTY FOR POSSESSION OR TRANSPORTATION OF COMMERCIAL QUANTITIES OF FRESHWATER GAME FISH. AMENDS 372.9903. EFFECTIVE DATE: 10/01/77.
04/18/77 HOUSE INTRODUCED, REFERRED TO NATURAL RESOURCES -HJ 00273
05/11/77 HOUSE COMM. REPORT: FAVORABLE, PLACED ON CALENDAR BY NATURAL RESOURCES -HJ 00521
06/02/77 HOUSE READ SECOND TIME; READ THIRD TIME; PASSED; YEAS 108 NAYS 4 -HJ 01140
06/02/77 SENATE IN HOUSE MESSAGES
06/03/77 SENATE DIED IN MESSAGES

H 1789 LOCAL BILL BY THOMPSON
RELIEF/WAKULLA CO./JESSIE PORTER; AUTHORIZES & DIRECTS COUNTY TO COMPENSATE JESSIE PORTER FOR INJURIES SUSTAINED AS RESULT OF PURCHASING PROPERTY FROM STATE AT TAX SALE. CLAIM: \$290. EFFECTIVE DATE: 07/01/77.
04/18/77 HOUSE INTRODUCED, REFERRED TO CLAIMS -HJ 00273
05/05/77 HOUSE COMM. REPORT: FAVORABLE, PLACED ON CALENDAR BY CLAIMS -HJ 00454
05/18/77 HOUSE READ SECOND TIME -HJ 00617
05/19/77 HOUSE READ THIRD TIME; PASSED; YEAS 100 NAYS 10 -HJ 00633
05/20/77 SENATE RECEIVED, REFERRED TO THE SPECIAL MASTER FOR CLAIM BILLS, FINANCE, TAXATION AND CLAIMS -SJ 00461
05/24/77 SENATE COMM. REPORT: FAVORABLE BY THE SPECIAL MASTER FOR CLAIM BILLS; NOW REFERRED TO FINANCE, TAXATION AND CLAIMS -SJ 00499
05/26/77 SENATE WITHDRAWN FROM FINANCE, TAXATION AND CLAIMS; PLACED ON CALENDAR; PASSED; YEAS 30 NAYS 0 -SJ 00542
05/31/77 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR -HJ 00939
06/06/77 APPROVED BY GOVERNOR CHAPTER NO. 77-663

H 1790 GENERAL BILL BY THOMPSON
RELIEF/MILORED V. RIVERS; COMPENSATES HER FOR EMPLOYMENT WITH STATE FOR WHICH SHE HAS NOT BEEN PAID. CLAIM WITH APPROPRIATION: \$5,990. EFFECTIVE DATE: 07/01/77.
04/18/77 HOUSE INTRODUCED, REFERRED TO CLAIMS -HJ 00273
05/17/77 HOUSE COMM. REPORT: FAVORABLE WITH AMEND., PLACED ON CALENDAR BY CLAIMS -HJ 00605
05/19/77 HOUSE READ SECOND TIME; AMENDMENT ADOPTED; AMENDMENT ADOPTED TO STRIKE ENACTING CLAUSE -HJ 00618

H 1791 GENERAL BILL BY CRAWFORD
FLA. CORRECTIONS CODE; PROHIBITS INSTALLATION OF TELEVISION SETS IN CERTAIN INDIVIDUAL CELLS. CREATES 944.0901. EFFECTIVE DATE: 07/01/77.
04/18/77 HOUSE INTRODUCED, REFERRED TO CORRECTIONS, PROBATION AND PAROLE -HJ 00273
06/03/77 HOUSE DIED IN COMMITTEE ON CORRECTIONS, PROBATION AND PAROLE

H 1792 MEMORIAL BY GARRETT
SERVICE CONTRACT ACT; REQUESTS CONGRESS TO GIVE ITS FULL SUPPORT TO PROPOSED LEGISLATION AMENDING SAID ACT, WHICH WILL EXTEND WAGE PROTECTION TO CERTAIN PROFESSIONALS WORKING AT U.S. GOVERNMENT INSTALLATIONS.
04/18/77 HOUSE INTRODUCED, REFERRED TO AGRICULTURE AND GENERAL LEGISLATION -HJ 00273
CONTINUED ON NEXT PAGE

05/31/77 HOUSE RECEIVED, PLACED ON CALENDAR; READ SECOND TIME; AMENDMENTS ADOPTED -HJ 00897

06/01/77 HOUSE READ THIRD TIME; PASSED AS AMENDED; YEAS 117 NAYS 0 -HJ 00958

06/02/77 SENATE AMENDMENT TO HOUSE AMENDMENT ADOPTED; CONCURRED IN HOUSE AMENDMENTS AS AMENDED; REQUESTED HOUSE TO CONCUR; PASSED AS FURTHER AMENDED; YEAS 31 NAYS 0 -SJ 00740

06/02/77 HOUSE CONCURRED IN SENATE AMENDMENT TO HOUSE AMENDMENT; PASSED AS FURTHER AMENDED; YEAS 104 NAYS 4 -HJ 01101

06/16/77 SENATE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR

06/30/77 APPROVED BY GOVERNOR CHAPTER NO. 77-457

S 1239 GENERAL BILL BY FIRESTONE (COMPARE H 1636) TURNPIKE PROJECTS; PROVIDES THAT TOLL PER MILE SHALL BE UNIFORM THROUGHOUT LENGTH OF PROJECT. AMENDS 340.12. EFFECTIVE DATE: 07/01/77.

05/02/77 SENATE INTRODUCED, REFERRED TO TRANSPORTATION -SJ 00287

05/10/77 SENATE COMM. REPORT: FAVORABLE WITH AMEND., PLACED ON CALENDAR BY TRANSPORTATION -SJ 00366

05/20/77 SENATE PASSED AS AMENDED; YEAS 31 NAYS 0 -SJ 00469

05/24/77 HOUSE RECEIVED, REFERRED TO TRANSPORTATION -HJ 00692

06/01/77 HOUSE COMM. REPORT: FAVORABLE WITH AMEND., PLACED ON CALENDAR BY TRANSPORTATION -HJ 01044

06/03/77 HOUSE DIED ON CALENDAR

S 1240 GENERAL BILL BY GALLEN STATE RETIREMENT SYSTEMS; REQUIRES EMPLOYER & MEMBER CONTRIBUTIONS RE ADDITIONAL COMPENSATION PAID TO CO. COURT JUDGES FOR TEMPORARY ASSIGNMENT TO OTHER COURTS; REQUIRES MEMBER OF SUCH SYSTEM PAY ANY UNPAID MEMBER CONTRIBUTIONS RE SUCH ADDITIONAL COMPENSATION BEFORE RECEIVING BENEFITS, ETC. APPROPRIATION. EFFECTIVE DATE: 07/01/77.

05/02/77 SENATE INTRODUCED, REFERRED TO PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING, APPROPRIATIONS -SJ 00287

05/11/77 SENATE EXTENSION OF TIME GRANTED COMMITTEE PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING -SJ 00367

05/23/77 SENATE EXTENSION OF TIME GRANTED COMMITTEE PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING -SJ 00503

06/03/77 SENATE DIED IN COMMITTEE ON PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING

S 1241 LOCAL BILL BY WILSON AND OTHERS (SIMILAR H 2008) SEMINOLE COUNTY; AUTHORIZES BO. OF CO. COMMISSIONERS OF SEMINOLE CO. TO ISSUE OR GRANT NON-EXCLUSIVE FRANCHISE TO ANY PERSON/MUNICIPALITY/PRIVATE CORPORATION TO CONSTRUCT/MAINTAIN/REPAIR/OPERATE/REMOVE LINES, POLES & FACILITIES IN UNINCORPORATED AREAS OF CO. FOR TRANSMISSION OF UTILITIES, ETC. EFFECTIVE DATE: UPON BECOMING LAW.

05/02/77 SENATE INTRODUCED, REFERRED TO RULES AND CALENDAR -SJ 00287

05/06/77 SENATE CONSIDERED, PLACED ON LOCAL CALENDAR BY RULES AND CALENDAR -SJ 00349

05/20/77 SENATE INDEFINITELY POSTPONED -SJ 00488

S 1242 GENERAL BILL BY GORDON (IDENTICAL H 1941) HEALTH CARE FACILITIES/SERVICES; REQUIRES PHYSICIANS/CSTEOPATHIC PHYSICIANS/DENTISTS HAVING INTEREST IN, OR WHO ARE EMPLOYEES/PARTNERS/DIRECTORS/OWNERS/STOCKHOLDERS/OFFICERS OF SAID FACILITIES, TO FILE CONTINUED ON NEXT PAGE

ANNUAL REPORT WITH H.R.S. DEPT. DISCLOSING CERTAIN FINANCIAL TRANSACTIONS, ETC. AMENDS 395.12. EFFECTIVE DATE: UPON BECOMING LAW.

05/02/77 SENATE INTRODUCED, REFERRED TO HEALTH AND REHABILITATIVE SERVICES, COMMERCE -SJ 00288

05/09/77 SENATE COMM. REPORT: FAVORABLE WITH AMEND. BY HEALTH AND REHABILITATIVE SERVICES

05/11/77 SENATE NOW REFERRED TO COMMERCE -SJ 00364

05/25/77 SENATE EXTENSION OF TIME GRANTED COMMITTEE COMMERCE -SJ 00502

06/03/77 SENATE DIED IN COMMITTEE ON COMMERCE

S 1243 GENERAL BILL BY TRASK (IDENTICAL H 2119) AGRI. & CONSUMER SERVICES DEPT.; PROVIDES CORRECT NUMBER OF DIVISIONS; PERMITS PUBLICATION OF BULLETINS BY ADMINISTRATION DIV.; INCLUDES CONSUMER SERVICES DIV. & FORESTRY DIV. WITHIN DEPT.; CREATES MGT. SYSTEMS BUREAU & PUBLIC FAIRS & EXPOSITIONS BUREAU IN ADMINISTRATION DIV. AMENDS CH. 570. EFFECTIVE DATE: 06/20/77.

05/02/77 SENATE INTRODUCED, REFERRED TO AGRICULTURE, GOVERNMENTAL OPERATIONS -SJ 00288

05/09/77 SENATE COMM. REPORT: FAVORABLE BY AGRICULTURE

05/10/77 SENATE NOW REFERRED TO GOVERNMENTAL OPERATIONS -SJ 00365

05/23/77 SENATE COMM. REPORT: FAVORABLE, PLACED ON CALENDAR BY GOVERNMENTAL OPERATIONS -SJ 00500

05/31/77 SENATE PASSED; YEAS 35 NAYS 0 -SJ 00649

06/01/77 HOUSE RECEIVED, PLACED ON CALENDAR -HJ 00946

06/02/77 HOUSE SUBSTITUTED FOR H 2119; READ SECOND TIME; READ THIRD TIME; PASSED; YEAS 105 NAYS 1 -HJ 01149

06/13/77 SENATE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR

06/20/77 APPROVED BY GOVERNOR CHAPTER NO. 77-289

S 1244 GENERAL BILL BY THOMAS, P. AND OTHERS (SIMILAR CS/H 1787) (CS) PUBLIC FINANCING/HOUSING; CREATES FLA. HOUSING FINANCE AUTHORITY LAW; AUTHORIZES CREATION OF HOUSING FINANCE AUTHORITIES BY ORDINANCE; PROVIDES FOR FUNCTIONS OF SUCH AUTHORITIES TO ALLEVIATE SHORTAGE OF HOUSING & CAPITAL FOR INVESTMENT IN HOUSING, ETC. EFFECTIVE DATE: 10/01/77.

05/02/77 SENATE INTRODUCED, REFERRED TO COMMERCE, ECONOMIC, COMMUNITY AND CONSUMER AFFAIRS, FINANCE, TAXATION AND CLAIMS -SJ 00288

05/11/77 SENATE COMM. REPORT: C/S BY COMMERCE; NOW REFERRED TO ECONOMIC, COMMUNITY AND CONSUMER AFFAIRS -SJ 00366

05/16/77 SENATE COMM. REPORT: FAVORABLE WITH AMEND. BY ECONOMIC, COMMUNITY AND CONSUMER AFFAIRS

05/17/77 SENATE NOW REFERRED TO FINANCE, TAXATION AND CLAIMS -SJ 00403

05/20/77 SENATE WITHDRAWN FROM FINANCE, TAXATION AND CLAIMS -SJ 00462; PLACED ON CALENDAR

05/31/77 SENATE PLACED ON SPECIAL ORDER CALENDAR -SJ 00621; C/S READ FIRST TIME; IDEN./SIM. HOUSE BILL SUBSTITUTED; LAID ON TABLE UNDER RULE, IDEN./SIM./COMPARE BILL PASSED, REFER TO H 1797 (VETOED BY GOVERNOR-06/18/77) -SJ 00672

S 1245 GENERAL BILL BY THOMAS, J. PUBLIC OFFICERS & EMPLOYEES; RE GROUP INSURANCE; AUTHORIZES STATE GOVERNMENT UNITS TO PROVIDE GROUP INSURANCE FOR THEIR OFFICERS & EMPLOYEES. AMENDS 112.08. EFFECTIVE DATE: UPON BECOMING LAW. CONTINUED ON NEXT PAGE

ORIGINAL

HB 54

BILL relating to:
(of statement of subject)

public financing for housing;

FORM APPROVED
BY H.B.D.

[If by committee:

(Chairman's Signature)

Gene Rusk
John Hill
Wayne Wilson

EXAMINED
HOUSE ENGROSSING

HOUSE ACTION Prefiled
AUG 1977

Read 1st Time *Copied 4, 1978*

Referred to Committees on:

<i>Comm Off</i>
Fav. Unfav. With Amend. Com. Sub. <i>11-17-77</i>
<i>Fin + Inf</i>
Fav. Unfav. With Amend. Com. Sub. <i>2-2-78</i>
<i>Approp H/S W/D</i>
Fav. Unfav. With Amend. Com. Sub.

Read 2nd Time *APR 14 1978*

Read 3rd Time *APR 17 1978*

and *passed* *APR 17 1978*

Allen Harris
Clerk, House of Representatives

- Immediately Certified to Senate
- Laid on Table under Rule
- Motion to Reconsider Laid on Table
- Motion to Reconsider pending

SENATE ACTION

Read 1st Time *APR 21 1978*

Referred to Committees on:

COMMERCE
Fav. Unfav. With Amend. Com. Sub.
FINANCE, TAXATION AND CLAIMS
Fav. Unfav. With Amend. Com. Sub.
APPROPRIATIONS
Fav. Unfav. With Amend. Com. Sub.

Read 2nd Time

Read 3rd Time

and

Secretary of Senate

- Immediately Certified to House



ABSTRACT OF LEGISLATIVE HISTORY DOCUMENTATION

Session Law: 78-⁸⁹79 Affected Statute: 159, Part IV
Prime Bill No.: HB 54 Sponsor: Gene Ready, Lakeland, FL.
Other Bill Nos.: SB 457 (similar bill); HB 388 (comparable)

The following is a checklist of documentation located pertaining to the above referenced legislation. Copies reproduced and supplemental to this report are indicated by * for items copied in whole and ** for copies of selected pages only. A more detailed report of findings is available upon request.

- () Original Session Law: _____
- () Florida Statutes: _____
- (1) Bill Histories: HB 54*, SB 457*, HB 388*
- (2) Prime Bill Versions: HB 54
- _____
- () Similar/Companion Bills: _____
- _____
- (3) Journal Pages: Senate Journal, May 18, 1978, p. 430*: text of Senate amendments to HB 54
- (4) Committee Staff Summaries and Analyses: (a) House Community Affairs, staff summaries to HB 54, 11/2/77; (b) House Finance & Tax, fiscal note to HB 54, no date; (c) Senate Commerce staff analysis to HB 54, 4/10/78; (d) Senate Finance & Tax, staff analysis to SB 457, 4/20/78. (copies all items attached)
- (5) Committee Meeting Records: Committee voting record to HB 54, by House Community Affairs, 11/15/77.
- _____
- _____

CITES:

(2) RG 920 / 5.19 / 470

(4)(a) 5.19 / 470

(b) 1810

(c) RG 900 / 5.157 / 35

(d) RG 900 / 5.157 / 32

(5) RG 920 / 5.19 / 470

(6)(B) 5.19 / 940 "5/17/77"

(c) 5.19 / 47

(d) 5.19 / 940 "5/17/77"

TAPES

HCAF, 5/3/77 (HB 1787) 2 tapes RG 920 / 5.414 / 42

" 11/15/77 (HB 54) 2 tapes 1810

HFTX 5/17/78 (HB 54) 5 tapes RG 920 / 5.414 / 397-398

SCMR, 5/3/78 (?) - check

Florida Information Associates
Abstract of Legislative History

Session Law: 78-89

- (6) Other Committee Documentation: Materials relating to 1977 HB 1787 and
SB 1244: (a) bill histories, (b) copy of CS/HB 1787 (House Community Affairs);
(c) Voting record & attached staff summary to HB 1787, House Community Affairs,
5/3/77; (d) House Finance & Tax fiscal note with amendments to CS/HB 1787, no date
- () Floor Debate Recordings: _____


- (7) Miscellaneous Documentation: Biographical data on Rep. Gene Ready from
1978-1980 Clerk's Manual*.

RECOMMENDATIONS FOR FURTHER RESEARCH

As this law was a result of a previous session bill, most debate would most likely be
from the 1977 session. There are some 7 tapes from the involved committees. FROM
the 1978 session there are some 4 tapes. An additional 3 to 5 hours of research time
would be required to review and copy the pertinent sections of the tapes. At the client's
request, copies of the tapes in entirety could be made.

COMMENTS

Also part of this documentation package is a copy of Governor Askew's veto message
to CS/HB 1787. See 4(a) on reverse.



FIA Researcher

March 5, 1986
Date

78-89 (HB 54)



From 77 session passed as CS/CS/HB 1787

HCAF

S. 19/47 = S/3/77
BF

TAPES RG 920
(2) S. 414/42

CS in HCAF

HFTX

S. 19/940-41 CMT MTR, FILES
CS/CS HFTX 5/9 - 5/19

Full cmt. 5/17 → TAPES

(5) RG 920/S. 414/347-348

1978 - TAPES

HCAF 11/15/77 (2) S. 414/42

SCMR 5/3/78(?)

~~no tapes in FSA?~~

subject: Florida Housing Finance Authority Law	House bill no. 54 (sim SB 457)	session 1978
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BILL HISTORY

senate date	action	house date	action
5/3/78	Com Rpt Commerce	11/17/77	Com Rpt Community Affairs
5/9/78	withdrawn Fin, Tax. & Claims	2/2/78	Com Rpt Finance & Taxation
4/11/78	sub for SB 457 Com Rpt Commerce	4/4/78	Com Rpts Comm. Aff. + Finance Tax
4/21/78	Com Rpt Fin, Tax, Claims	4/5/78	withdrawn Appro.
4/26/78	withdrawn Appro.		

3457

RECORDS AVAILABLE		no. pages	R.G./series	box no.	length of tape
SENATE	HB - Commerce SA	2	157	35	
Bill Files					
Sen. Pres.	SB - Fiscal notes Wim	2	157	32	
Commerce	5/31 HB Final SA	2	18	661	6 pp
Commerce	SB 457 4/10 SB SA	2	18	659	
Meeting Files					
Commerce			18	657	
Commerce	5/9 ?	2 TAPES	625	20	
HOUSE					
Bill Files			* 19	339	11 pp. org analysis
Community Affairs		11	19	470	
Appro.	Fiscal notes		* 19	598	
Meeting Files	CA, 11/17/77				
Community Affairs			* 19	339	
SENATE files					
Ways; Means - withdrawn HB			18	739	
Ways; Means SB			18	738	

* Some material as found in 19/470

BILL ACTION REPORT

(C3-75: File with Secretary of Senate)

(S) ~~(H)~~ BILL NO. 1244

COMMITTEE ON COMMERCE

DATE May 10, 1977

Date Reported 5/11/77

TIME 2:00 pm - 5:00 pm

FINAL ACTION:

PLACE Committee Room "A"

 Favorably with amendments

OTHER COMMITTEE REFERENCES:
(In order shown)

XX Favorably with Committee Substitute

 Unfavorably

Economic, Community, & Cons. Affairs

OTHER: Temporarily Passed

Finance, Taxation, & Claims

 Reconsidered

THE VOTE WAS:

 Not Considered

FINAL BILL VOTE		SENATORS	Motion for CS Winn										
Aye	Nay		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	
X		SENATOR BARRON	WITHOUT OBJECTION										
X		SENATOR GALLEN											
		SENATOR HENDERSON											
X		SENATOR MACKAY											
X		SENATOR PLANTE											
X		SENATOR J. THOMAS											
X		SENATOR WARE											
X		SENATOR WINN											
X		SENATOR CHILDERS (C)											
8	0	TOTAL											
Aye	Nay		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	

(Attach additional page if necessary)

Please Complete: The key sponsor appeared (XX)
 A Senator appeared ()
 Sponsor's aide appeared ()
 Other appearance ()

Date of meeting May 3, 1977

Time 10:00 a.m.

Place 415 HOB

FINAL ACTION: FAVORABLE
 FAVORABLE WITH AMENDMENTS
 FAVORABLE WITH SUBSTITUTE
 UNFAVORABLE

VOTE:

YEA	MEMBER	NAY
X	BLACK, HUGO	
X	CHERRY, GWEN	
X	DANSON, TOM	
X	GUSTAFSON, TOM	
X	KUTUN, BARRY	
X	MCDONALD, DENNIS	
X	MICA, JOHN	
X	MOORE, TOM	
X	ROBINSON, GROVER	
X	TAYLOR, BILL	
X	WARD, JAMES	
X	MCPHERSON, TOM	

YEA	MEMBER	NAY

Total Yeas 12

Total Nays 0


Chairman
Tom McPherson

COMMITTEE APPEARANCE RECORD

The following persons (other than legislators) appeared before the committee during the consideration of this bill:

Name	Representing	Address
John L. Wagner	E. F. Hutton	600 Woodmen Tower, Omaha, Neb.
Kinney Harley	Fla. Home Builders Assoc.	P.O. Box 1259, Tallahassee
John LaCapra	Fla. Savings & Loan League	225 S. Calhoun, Tallahassee

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NOTE: Please indicate by an "X" any State employee appearing at the request of Committee Chairman.

(If additional persons, enter on reverse side and check here)

**FLORIDA
INFORMATION
ASSOCIATES**

P.O. BOX 11144
TALLAHASSEE, FLORIDA 32302
(904) 878-0188

TAPE LISTING (Research Report L86-011)

Tapes are listed 1-10, circled in red on the "B" side. reviewed tapes are stopped at the point where pertinent discussion took place.

Tape Reference (1)

House Community Affairs, sub-committee on Fiscal Impact on Local Government, 5/3/77. Discussion on HB 1787. Beginning of side A has discussion already in progress.

Tape Reference (2)

Same as above, but full committee, same date. Most discussion centered on bond financing; some discussion on the over-all intent which is to keep the government out of the housing business, but to provide a vehicle for financing when local lending institutions don't have the ability to fill in. All discussion on side B, midway through. Tape stopped at beginning of discussion.

Tape Reference (3)

House Finance and Taxation Committee, 5/17/77. Tape 2 only copied as tape 1 is blank. Tape 2 starts in the middle of discussion on HB 770, also dealing with housing. No pertinent discussion of HB 1787 located.

Tape Reference (4)

Senate Commerce Committee, 5/10/77, Testimony of Rep. Ready, very little discussion. Tape stopped at beginning of discussion. Discussion centered on SB 1244, Senate Companion Bill to HB 1787.

Tape Reference (5)

Second tape of previously cited meeting. Not reviewed as all discussion of subject bill on tape 1.

Tape Reference (6)

House Community Affairs, 11/15/77. HB 54. More testimony by Rep. Ready. Makes some definitions on Moderate, middle or lesser income levels to essentially be those of FHA. Local control of Housing authorities stressed. Questions over direct state and local financial obligations. Tape stopped at beginning of discussion;

Tape Reference (7)

Tape 2 of previously cited meeting. No review made as all discussion of subject bill was made on tape 1.

continued

Florida Information Associates
Tape Listing for Research Report L86-011
page two

Tape Reference (8)

Senate Commerce Committee, 5/3/78. Subject bill (HB 54) not discussed on this tape. Note: tape is recorded on a 4-track machine, therefore side B is garbled.

Tape Reference (9)

Tape 2 of previously cited meeting. HB 54 brought up, but no discussion as this committee had already approved the similar bill 457. Passed without objection. Tape stopped where pertinent discussion begins.

Tape Reference (10)

Tape 3 of previously cited meeting. Not reviewed as subject bill was considered on tape 2.

Additional Note: On Tape reference (2) Committee Chairman, Tom McPherson, made statement that this Public Housing Finance Authority Bill has been introduced for the past 3-4 years.

FS RG 920/5.19/77

Notice of
COMMITTEE MEETING
House of Representatives

To Clerk's Office & Sergeant-at-Arms

- Committee Member
- Sponsor
- Co-sponsor
- Other

April 29, 1977

Fiscal Impact on Local Government subcommittee of
(strike if not applicable)

the Committee on Community Affairs

will meet in Committee Room 415 HOB, at 8:30 ~~P.M.~~ ^{a.m.}

on May 3, 1977 to consider:
(date)

DISCUSS IN ORDER

A G E N D A

Passed to full
w/11/2
Passed to full
final

1. Proposed Committee Bill creating an Advisory Council on Intergovernmental Relations. (2)
2. Proposed Committee Substitute for HB 1787 by Rep. Ready relating to Local Housing Finance Authority. (1)
- Proposed Committee Resolution to the Constitution Revision Commission. (3)

Grover Robinson
Grover Robinson Chairman

I certify this notice was filed by me in the Office of the Sergeant at Arms and the Office of the Clerk at 11:22 o'clock, on April 29, 1977.

White—To be posted
Canary—Calendar
Pink — Computer
Goldendred—For your files
R-14(1/73)

Frances Rhodes
Committee Secretary
Frances Rhodes

Notice of

COMMITTEE MEETING

House of Representatives

To Clerk's Office & Sergeant-at-Arms

- Committee Member
- Sponsor
- Co-sponsor
- Other

April 29, 1977

XXXXXXXXXXXXX
(strike if not applicable)

the Committee on Community Affairs

will meet in Committee Room 415 HOB at 10:00 a.m. PHIX

on May 3, 1977 (date) to consider :

A G E N D A

1. Report from Subcommittee on Community Development on Proposed Committee Substitute for HB 833 by Rep. Moffitt relating to local government rezoning. *passed w/2R*
2. HB 1832 by Rep. Young relating to Disaster Preparedness. *passed (passed)*
3. Report from Subcommittee on Fiscal Impact on Local Government on the following 4 items:
 - a. Proposed Committee Bill creating an Advisory Council on Inter-governmental Relations. *passed w/1A*
 - b. Proposed Committee Substitute for HB 1787 by Rep. Ready relating to Local Housing Finance Authority. *passed w/3A*
 - c. Proposed Committee Resolution to the Constitution Revision Comm. *T.P. delete*
 - d. HB 1514 by Rep. Mica relating to County Tax Collectors. *T.P. delete*
4. HB 1282 by Rep. Thompson relating to Hospital Board Appointments. *passed w/4D*
5. ~~Proposed Committee Substitute for HB 770 by Rep. Gersten relating to Local Discretionary Documentary Surtax.~~ *passed (delete)*
6. HB 1824 by Rep. Maxwell relating to Bond Financing. *passed*
7. Proposed Committee Bill relating to Annexation. *passed*
8. Proposed Committee Bill relating to vacating of county parks. *passed*
9. HB 1415 by Rep. Black relating to Land Boundaries and Platting. *Phys. removed*
10. HB 1854 by Rep. Redman relating to Waterways Development District. *passed*

Tom McPherson
Tom McPherson Chairman

I certify this notice was filed by me in the Office of the Sergeant at Arms and the Office of the Clerk at 11:22 o'clock, on 4/29, 1977.

Frances Rhodes
Committee Secretary
Frances Rhodes

White—To be posted
Canary—Calendar
Pink—Computer
Goldendrod—For your files
N-14(1/73)

FSA, KG 920/5, 9/77

COMMITTEE MEETING

House of Representatives

May 10, 1977

To _____

- Committee Member
- Sponsor
- Co-Sponsor
- Other

COMMITTEE MEETING

House of Representatives

_____, 19__

_____ subcommittee of _____
(describe if not applicable)
the Committee on Finance & Taxation

will meet in Committee Room 16 HOB at 10:30 a.m. XXXX

on May 17, 1977 to consider:

Roll Call

Consideration of the following bills:

- PASSED W/ AMEND. 1. CS/HB 200 & 237 (Committee on Natural Resources, Neal, Maxwell and others): relating to the canal authority
- PASSED 2. HB 252 (Melvin): authorizing local governments to purchase sewer and water facilities (Note: SB 83 is similar and in committee)
- PASSED 3. HB 770 (Gersten): relating to documentary stamp tax - discretionary levy by counties
- T.P. 4. CS/HB 1787 (Committee on Community Affairs and Ready): relating to county housing finance authority
- PASSED W/2 AMEND. 5. HB 251 (Steinberg): partial sales tax exemption - subleasing convention hall space
- PASSED W/1 AMEND. 6. HB 166 (Melvin): provides for a 3-month beverage license fee
- NO ACTION 7. HB 442 (Mixon): provides that persons who offer free cosmetology services to certain persons do not have to be licensed
- PASSED W/2 AMEND. 8. HB 364 (Sheldon): creates the State Finance and Taxation Study Commission
- T.P. 9. Proposed CS/HB's 1141 and 1732 (Batchelor and Mixson): amends the exemption granted to out-of-state residents who purchase autos and boats

CONTINUED:

** Prior to adjournment, Rep. Allen made motion to reconsider and leave pending

Chairman

I certify this notice was filed by me in the Office of the Sergeant at Arms and the Office of the Clerk at _____ o'clock, on _____, 19__.

Committee Secretary

_____ subcommittee of _____
(describe if not applicable)
the Committee on _____

will meet in Committee Room _____ at _____ a.m. _____

on _____ to consider:

PAGE 2:

- PASSED 10. HB 2125 (Committee on Natural Resources): increases fees for hunting and fishing licenses
- PASSED 11. HB 2142 (Committee on Transportation): provides changes concerning the regulation and licensing of professional driver training schools
- NO ACTION 12. Proposed committee bill: relating to authorizing the Comptroller to delegate authority to accept applications for refunds
- NO ACTION 13. Proposed committee bill: relating to sales tax exemptions on hospitals.

Motion to refer the bills listed below to subcommittee's as shown:

O.K. Subcommittee I: General Legislation
Rep. Dyer, Subcommittee Chairman

HB 2172 (Comm. on Ag. & Gen. Leg.)
HB 2197 (Comm. Veterans Affairs)

Subcommittee II: Ad Valorem Tax
Rep. Margolis, Chairperson

HB 1718 (Hawkins)

Subcommittee III: Financial Institutions
Rep. Hacouri, Chairman

HB 1110 (Considine)

Sergeant at Arms

I certify this notice was filed by me in the Office of the Sergeant at Arms and the Office of the Clerk at _____ o'clock, on May 10, 19__.

2:00 o'clock, on May 10, 1977

Sergeant at Arms



**Florida
Information
Associates**

P.O. Box 11144
Tallahassee, Florida 32302
(904) 878-0188

March 6, 1986

Mr. Jay Rose
Greater Orlando Legal Services
1036 West Amelia
Orlando, FL 32805

RE: Review of Legislative Committee Tapes
(FIA research report no. L86-011)

Dear Mr. Rose,

At your request I had the Archives make copies of tapes we discussed on the phone yesterday. Additionally they prepared certifications to go along with the tapes.

I was able to make a quick review of the some 10 tapes involved, prior to getting this off to you. I did not locate much that had relevancy to your questions. Pertinent tapes you should review are tape references (2), (4) and (6), marked in red on the "B" side of each tape. Also enclosed is a quick tape listing I prepared and copies of the meeting agendaes.

The major difficulty I had with these tapes, is that most of the meetings did not follow the agendaes, therefore some of the tapes are superflous.

One remark I did notice was on tape reference (2) by House Community Affairs Chairman, Tom McPherson. He stated that this bill had been around for the past 3 or 4 years. Since most of the discussions on these tapes centered around the financial aspects of the bills, I would conjecture that discussions on what you are interested in, would probably have been done in previous sessions.

If you want me to persue the matter further, please give me a call. A previous commitment will make me unavailable on Friday afternoon and Monday morning. If you want to discuss this with me over the weekend, I will be at (904)734-2015.

Sincerely,

Edward J. Tribble

COMMITTEE MEETING AGENDA

REF. TAPES (4) + (5)

COMMITTEE: Commerce

MEMBERS:

W. D. Childers (D-Pensacola) Chairman
 Dempsey J. Barron (D-Panama City)
 Tom Gallen (D-Bradenton)
 Warren S. Henderson (R-Sarasota)
 Kenneth H. MacKay (D-Ocala) Vice Chairman
 Kenneth A. Plante (R-Winter Park)
 Jon Thomas (D-Ft. Lauderdale)
 John T. Ware (R-St. Petersburg)
 Sherman S. Winn (D-Miami)

TIME AND PLACE: May 10, 1977; 2:00 pm - 5:00 pm; Room "A"

LL NO. & INTRODUCER	RELATING TO:	BILL HISTORY	COMMITTEE ACTION
SB 493 Lewis (TAB 1)	Applications for licenses to manufacture, bottle, distribute, sell, or deal in alcoholic beverages.	No other references. Unfavorable on 5/9/77 with a motion to reconsider.	TP (1)
SB 409 Tobiassen (TAB 2)	Insurance; requiring security to be maintained for motor vehicle upon finding that owner, registrant, or individual driving with consent of owner or registrant committed a violation of ch. 316 resulting in an accident.	No other references. Unfavorable on 5/9/77 with a motion to reconsider.	TP (2)
SB 871 MacKay, Linkil (TAB 3)	Motor vehicle insurance; providing that stocks and bonds held by insurers applying for initial certification shall be appraised at market value; providing that personal injury protection coverage is mandatory; providing that motor vehicle liability coverage is optional.	TP'd on 4/28. Voted unfavorably on 5/5 with a motion to reconsider. Reconsidered on 5/9 and TP'd. No other references.	
SB 142 Henderson (TAB 4) TP	Cruelty to animals; prohibits the use of any live animal to train greyhounds, or any dead animal killed for any purpose which included training greyhounds.	Favorable by Jud-Crim on 4/15. Commerce is the last reference.	TP
SB 722 Linkil (TAB 5)	Consumer protection; requiring statements of satisfaction as to the operation or condition of certain goods delivered to be in writing and to contain certain information.	Also referred to Econ., Comm. and Cons. Affairs.	TP
SB 928 Frask, Barron (TAB 6)	Livestock sales; requiring a draft given as payment for a livestock purchase to be deposited as a cash item.	Also referred to Jud.-Crim.	TP J. Ware E. Winn

SENATE COMMITTEE MEETINGCOMMITTEE: COMMERCETIME AND PLACE: May 10, 1977; 2:00 pm - 5:00 pm; Room "A"

BILL NO. & INTRODUCER	RELATING TO:	BILL HISTORY	COMMITTEE ACTION
SB 934 Scott (TAB 7)	Patient records of hospitals and nursing homes; requiring hospitals and nursing homes to furnish patients copies of records upon payment of a reasonable charge therefor.	No other references.	Jaw.
SB 957 Williamson (TAB 8)	Construction industry; requiring applicants for registration or certification by the Fla. Construction Industry Licensing Board to furnish payment bonds against certain claims.	No other references.	
SB 962 Chamberlin (TAB 9)	Alcoholic beverage licenses; providing that discrimination by a licensee in favor of or against any person on the basis of race, color, creed, or sex shall be grounds for suspension or revocation of license.	No other references.	Unfav.
SB 965 Chamberlin (TAB 10)	Civil actions for unpaid wages; authorizing the award of costs and a reasonable attorney's fee to a successful litigant in an action for unpaid wages.	Also referred to Jud.-Civil.	Jaw.
SB 1007 Togt (TAB 11)	Musical compositions; removing provisions relating to combinations restricting the use of musical compositions.	Also referred to Jud.-Civil.	Jaw w/3amend
SB 620 Lewis, et al (TAB 12)	Mobile home parks, travel trailer parks, & recreational parks; defining such parks and prescribing regulations for the same.	Favorable by HRS with 9 amendments on 4/19. Commerce is the last reference.	
SB 1244 Thomas, Boston, et al (TAB 13)	Public financing for housing; creating the "Fla. Housing Finance Authority Law".	Also referred to Econ., Comm. & Cons. Affairs and Finance, Taxation, & Claims.	Jaw (3) CS
SB 734 Lewis, et al (TAB 14)	Practice of massage; creating the Fla. Board of Massage.	Also referred to Appropriations.	Jaw
SB 1181 Barron (TAB 15)	Casualty insurance; deleting the reference to personal injury protection insurance with respect to the rental or leasing driver of a rented or leased car; removing reference to PIP benefits.	No other references.	Jaw. CS

SENATE COMMITTEE MEETING

COMMITTEE: _____ COMMERCE _____

TIME AND PLACE: May 10, 1977; 2:00 p.m.-5:00 p.m.; Committee Room "A"

BILL NO. & PRODUCER	RELATING TO:	BILL HISTORY	COMMITTEE ACTION
B 1165 Gordon, et al (TAB 16)	Fla. Human Relations Act; renaming the act the Fla. Human Rights Act.	Favorable by Econ., Comm., and Cons. Affairs.	<i>Fav.</i>

Notice of COMMITTEE MEETING House of Representatives

To _____

October 31, 1977

~~XXXXXXXXXXXX~~
(strike if not applicable)

the Committee on Community Affairs

will meet in Committee Room 415 HOB at 1:30 ~~4:30~~ p.m.

on November 15, 1977 to consider:
(date)

- I. Call to Order by Chairman
- II. Roll Call
- III. The following items will be taken up for consideration:

- Unf. 1. Proposed Committee Bill relating to the duties of the clerk of the circuit court in county administrator counties. 3-6
- F 2. Proposed Committee Bill relating to repealing an unconstitutional provision with respect to the Pinellas County Housing Authority. 9-0
- TIP 3. Proposed Committee Bill relating to local charter amendments. 9-0
- F 4. Proposed Committee Bill relating to the county budgets and accounting. 7-0
- F 5. Proposed Committee Bill authorizing creation of county budget officers. 7-0
- F 6. Proposed Committee Bill relating to submission of county budgets. 7-0
- F [7. Proposed Committee Bill to create a State Housing Finance Agency. 8-0
- F 8. HB 54 - Ready - Public Financing for Housing. 8-1
- 9. Open discussion on items relating to committee's purview-- items may be brought up by members or other interested parties at the meeting.

Tape 2

ON TAPE 1 side B →

[Items 7 & 8 discussed together]

Tom McPherson
Chairman

I certify this notice was received in the Office of the Sergeant at Arms at 10:40 o'clock, on Oct. 31, 19 77.

Linda Keys
Sergeant at Arms

I certify this notice was filed by me in the Office of the Sergeant at Arms and the Office of the Clerk on Oct. 31, 19 77 and copies have been sent to the introducers of the bills listed thereon as required by House Rules 6.2 and 6.4.

Eva J. Kyriakos
Committee Secretary

White--To be posted
Green--Calendar
Pink -- Computer
Goldend--for your files

COMMITTEE MEETING AGENDA

COMMITTEE: COMMERCE

MEMBERS:

- Dan I. Scarborough (D-Jacksonville) Chairman
- Dempsey J. Barron (D-Panama City)
- W. D. Childers (D-Pensacola) Vice Chairman
- Tom Gallen (D-Bradenton)
- Warren S. Henderson (R-Sarasota)
- Kenneth A. Plante (R-Winter Park)
- Jon Thomas (D-Ft. Lauderdale)
- John T. Ware (R-St. Petersburg)
- Sherman S. Winn (D-Miami)

TIME AND PLACE: 3:30 p.m. - 6:30 p.m.; May 3, 1978; Room "A"



BILL NO. & PRODUCER	RELATING TO:	BILL HISTORY	COMMITTEE ACTION
118 54 (ep. Ready) B 1	Creates the "Florida Housing Finance Authority Law." Authorizes each county to establish a housing finance authority for the purpose of alleviating any shortage of housing of a type and price that can be afforded by many persons and families of moderate, middle, or lesser income residing in such county.	Also referred to Finance, Taxation and Claims	
169 (1) (ep. Cherry) B 2	Sickle Cell Trait; Prohibits denial of or discharge from employment based on possession of such trait; prohibits certain mandatory screening for trait.	No Other References	
192 (ep. Mica) B 3	School Depositories; authorizes district school boards to establish form of warrants for payment or disbursement of moneys out of school depository. Authorizes direct deposit of funds under certain circumstances. Amends 237.211.	Withdrawn from Committee	
718 (2) (urism & onomic velopment Others) B 4	Requires certain reports be made annually to Governor and Legislature. Requires annual preparation of list of companies locating, expanding, moving or halting operations in state and of companies laying off employees.	No Other References	
681 (4) (lisson) B 5	Real Estate License Law. Provides that certain terms re employment relationship include independent contractor relationship under certain circumstances. Provides for renewal fees for certificates of certain non-active salesmen and brokers, etc.	No Other References	
1067 (5) (ommittee on mmerce) B 6	Provides tax exemption for sales of alcoholic beverages to military bases. Provides that sales to military bases are considered and reported as export.	Subcommittee - Favorable 4/3/78 -- Vote as Committee Bill on 4-19-78. No Other References	

COMMITTEE MEETING AGENDACOMMITTEE: COMMERCETIME AND PLACE: 3:30 p.m. - 6:30 p.m.; May 3, 1978; Room "A"

BILL NO. & INTRODUCER	RELATING TO:	BILL HISTORY	COMMITTEE ACTION
SB 1068 (Commerce Committee) TAB 7	Prohibits certain enumerated sexual acts be performed or simulated while in or upon licensed premises. Prohibits exposure of specified parts of body & prohibits performance of host or hostess services by licensee, his agent or entertainer unless properly clothed.	Subcommittee - Favorable 4/3/78 -- Vote as Committee Bill on 4-19-78. No Other References.	
SB 1069 (10) (Commerce Committee) TAB 8	Defines term "Bottle Club". Prohibits any person from establishing, keeping, maintaining or operating an unlicensed bottle club.	Subcommittee - Favorable 4/3/78 -- Vote as Committee Bill on 4-19-78. No Other References.	
SB 1070 (6) (Commerce Committee) TAB 9	Provides complete defense in civil suit or suspension or revocation proceeding to licensee who dispenses any alcoholic beverage to minor if certain requirements are met.	Subcommittee -- Favorable 4/3/78 -- Vote as Committee Bill 4-19-78. No Other References.	
SB 1071 (7) (Commerce Committee) TAB 10	Includes alcoholic beverage merchandise discounts in definition of "discount in the usual course of business".	Subcommittee -- Favorable 4/3/78 -- Vote as Committee Bill 4-19-78. No Other References.	[Discussion carried over to TAPE 2]
SB 1072 (8) (Commerce Committee) TAB 11	Deletes language authorizing sheriffs, deputy sheriffs and police officers to search licensed premises without search warrants.	Subcommittee -- Favorable 4/3/78 -- Vote as Committee Bill 4-19-78. No Other References.	
SB 1073 (9) (Commerce Committee) TAB 12	Permits operation of bonded warehouses by certain vendors which warehouses have been approved by U.S. as to payment of Federal excise taxes; requires all taxes imposed under beverage law on beverages stored in such warehouses be paid.	Subcommittee -- Favorable 4/3/78 -- Vote as Committee Bill 4-19-78. No Other References.	
SB 467 (Myers) TAB 13	Requires inclusion of agreement to participate in medicaid program in certain applications for licensing as hospital or ambulatory surgical center. Requires HRS to adopt certain rules; provides for limited public disclosure of certain information.	Favorable with amendment by HRS on 4/25/78. Commerce is the last reference.	
SB 758 (Gallen) TAB 14	Provides that Manufacturer of malt beverages or wine not be prohibited from obtaining up to two vendor's licenses for sale of alcoholic beverages.	No Other References.	
SB 814 (Dunn) TAB 15	Provides standards for granting of license to operate cemetery; provides circumstances for revocation or suspension of license; authorizes circuit court to appoint administrator for property and operation of cemetery; provides for personal liability of cemetery owners, etc.	Referred to ECCA and Judiciary-Criminal.	

COMMITTEE MEETING AGENDACOMMITTEE: COMMERCETIME AND PLACE: 3:30 p.m. - 6:30 p.m.; May 3, 1978; Room "A"

BILL NO. & INTRODUCER	RELATING TO:	BILL HISTORY	COMMITTEE ACTION
B 827 Gallen) AB 16	Prohibits certain local price controls on rents charged for dwelling units in luxury apartment buildings.	No Other References.	
B 851 Dunn) AB 17	Increases filing fee for establishment of any cemetery & for change of control of cemetery company; increases fee for examination of affairs of any cemetery company & requires annual fixed license fee for company, broker, sales/management organization, etc.	Also referred to Appropriations.	
B 871 Fair) AB 18	Provides that if trust company establishes trust service office at location of bank that has trust powers, the bank shall retain its trust powers unless otherwise provided in application to establish such office, etc.	No Other References.	
B 873 Firestone) AB 19 (11)	Repeals exemption from employment agency licensing requirement for agencies placing persons in positions for which starting salary is \$20,000 per year or greater. Repeals 449.015	No Other References.	
B 901 Plante) AB 20	Requires clerk of circuit court to keep a gas pipeline file; requires excavators who seek permit to excavate on land which contains a buried gas pipeline to provide owner with described notice.	No Other References.	
B 963 Ware) AB 21	Prescribes time period for which banks or trust companies are required to preserve or keep their records or files or copies thereof; provides that liability not accrue against bank/trust company which destroy such records/files/copies after specified time, etc.	No Other References.	
B 1020 Holloway) AB 22	Adopts current versions of certain electrical standards; deletes certain regulations re emergency lighting from list of adopted standards; provides for applicability.	Withdrawn from Committee.	
B 955 D. Childers) AB 23	Changes name of fraudulent claims Div. of Ins. Dept. to Insurance fraud Div.; provides Div. investigators not be subject to subpoena in certain civil actions & provides limited arrest powers for Div. investigators.	Also referred to Governmental Operations & Appropriations.	
B 1308 Barron and others) TAB 24 (3) NO + (considered) TP	Provides that uninsured motorist coverage shall not include damages for pain and suffering except specified injuries or death; Provides definitions of certain types of M.V.'s. Provides limitations on rights to damages for pain/suffering/mental anguish, etc.	No Other References	



FLORIDA DEPARTMENT OF STATE
George Firestone
Secretary of State

THIS is to certify that this is a true and correct
copy of the record in the FLORIDA STATE ARCHIVES, the
original of which may be found in Series 625; Box 18 .
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History Public, State of Florida
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