

1987

Session Law 87-106

Florida Senate & House of Representatives

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Journals
of the
Florida
House of Representatives



Sessions commencing on
November 18, 1986 Organization
February 4, 1987 Special "A"
April 7, 1987 Regular

[Special Sessions are lettered from Organization Session
for two-year term of House of Representatives.]

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| Irvine | Martin | Rudd | Upchurch |
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| Jennings | McEwan | Sample | Webster |
| Johnson, B L | Meffert | Sanderson | Wetherell |
| Johnson, R C | Messersmith | Sansom | Woodruff |
| Jones, C F | Metcalfe | Saunders | Young |
| Jones, D L | Mitchell | Shelley | |

Nays—1

Simone

Votes after roll call:

Yeas—Langton

So the bill passed, as amended. Subsequently, on motion by Rep Silver, the rules were waived and the bill was immediately certified to the Senate after engrossment.

Rep Jamerson expressed his appreciation to Lucretia Shaw Collins, Staff Director, Carol Schwarz, Analyst, Marci Vasilinda, Secretary, and Alma Baxter, Intern, all of the Committee on Housing, for their work on the bill.

HB 1307—A bill to be entitled An act relating to housing, amending s. 420 503, F.S., relating to the Florida Housing Finance Agency, modifying definitions of "eligible persons" and "project"; creating s. 420 5099, F.S., designating said agency as the state housing credit agency with responsibility for allocation of federal low-income housing tax credits, amending ss. 420 604, 420 608 and 420 609, F.S., relating to the Florida Affordable Housing Act of 1986 extending the pilot program, expanding the inventory of publicly owned lands and buildings, extending the Affordable Housing Study Commission, providing an appropriation to the Florida Affordable Housing Trust Fund, repealing s. 420 5097, F.S., relating to certain limited federally tax-subsidized instruments providing allocations for housing finance, providing an effective date.

—was read the second time by title.

The Committee on Appropriations offered the following amendment:

Amendment 1—On page 3, line 22, strike "(4)" and insert (A).

Rep Jamerson moved the adoption of the amendment, which was adopted without objection.

The Committee on Appropriations offered the following amendment:

Amendment 2—On page 4 lines 15-31, on page 5, lines 1-30, on page 6 lines 1-31, on page 7, lines 1-30, on page 8, lines 1-31, and on page 9, lines 1-23, strike all of said lines and renumber subsequent sections.

Rep Jamerson moved the adoption of the amendment, which was adopted without objection.

Representative Jamerson offered the following amendment:

Amendment 3—On page 4, lines 15-31, on page 5 lines 1-30, on page 6, lines 1-31, on page 7, lines 1-30, on page 8, lines 1-31 on page 9, lines 1-27, strike all of said lines and insert new sections and renumber subsequent sections.

Section 3, Subsections (6) and (7) of Section 159 603, Florida Statutes are amended to read:

159 603 Definitions—As used in this act-part, the following words and terms have the following meanings unless the context indicates another or different meaning or intent:

(6) "Qualifying housing development" means any work or improvement located or to be located in the state, including real property, buildings, and any other real and personal property, designed or intended for the primary purpose of providing decent, safe, and sanitary residential housing for four or more families, at least 60 percent of whom who are eligible persons, whether new construction, the acquisition of existing residential housing, or the remodeling, improvement, rehabilitation, or reconstruction of existing housing, together with such related nonhousing facilities as the Authority determines to be necessary, convenient, or desirable any housing development which a housing finance authority finds will assist in alleviating the shortage of housing in the area of operation of such authority.

(7) "Eligible persons" means one or more natural persons or families a family, irrespective of race, creed, national origin, or sex, determined by the housing finance authority by rule to be of low, moderate or middle; or lesser income requiring assistance as is made available pursuant to this act on account of insufficient personal or family income and taking into consideration such facts as: Such determination does not preclude any person or family earning up to 150 percent of the state or county median family income from participating in programs. Persons 65 years of age or older shall be defined as eligible persons regardless of their incomes. In determining the income standards of eligible persons for its various programs, the housing finance authority may consider the following factors:

(a) ~~The amount of the total income of such persons and families available for housing needs.~~ Requirements mandated by federal law.

(b) ~~The size of the family.~~ Variations in circumstances in different areas of the state.

(c) ~~The cost and condition of available housing facilities.~~ Whether the determination is for rental housing or homeownership purposes.

(d) ~~The ability of such persons and families to compete successfully in the normal private housing market and to pay the amounts for which private enterprise is providing sanitary, decent, and safe housing.~~ The need for family-size adjustments to accomplish the purposes set forth in this act.

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

Section 4 Subsection (14) is added to section 420 509, Florida Statutes, 1986 Supplement, to read:

420 509 Bonds, purpose terms, approval, limitations—

(14) If the proceeds of an issue of revenue bonds the interest on which is not exempt from federal taxation are used to finance a project, 20 percent of the tenants of the project must have annual income under 80 percent of the state or county median income, whichever is higher.

Section 5 Section 420 607, Florida Statutes, 1986 Supplement, is amended to read:

420 607 Community-based organization loan program—The department is authorized to develop and administer a revolving loan program to assist community-based organizations in developing housing affordable to very low-income, low-income and moderate-income persons. The rate of interest on any loan made pursuant to this section shall be set by the department in an amount which is below the market rate and which is calculated to accomplish the purposes to this section.

(1) USES—The program is established to assist community-based organizations in covering the following predevelopment expenses:

(a) Options to purchase proposed housing units or sites,

(b) Deposits on purchase contracts,

(c) Payments for the purchase of development sites,

(d) Legal and marketing expenses,

(e) Fees for preliminary feasibility studies, planning, engineering and architectural work,

(f) Application fees and other fees of financing agencies, and

(g) Such other expenses, excluding administrative or operational expenses, as may be deemed appropriate by rule of the department.

(2) RESTRICTIONS—Loans of up to \$5,000 per unit, with a maximum of \$100,000 per project, may be made to community-based organizations for the purposes described in subsection (1), provided that

(a) The rate of interest on any loan made pursuant to this section shall be set by the department in an amount which is below the market rate and which is calculated to encourage the development of housing affordable to very low-income, low-income, and moderate-income persons

(b) With respect to a project which uses financing under this section

1 At least 60 percent of the units in the project shall be rented or sold to very low-income, low-income, and moderate-income persons, and

2 At least a specified number of units, representing that percentage of the units in the total project which is equivalent to the percentage of financing obtained under this section as compared to the cost of the total project, shall be rented or sold to very low-income and low-income persons. At least half of this specified number of units shall be rented or sold to very low-income persons. For rental properties, the specified rental mix must continue throughout the life of the loan. These units shall be in addition to any units which may be required to be rented or sold to such persons under the provisions of s 420 605.3(f)2

(c) Loans must be repaid within 3 years from the date of the loan, except that, upon request of the loan recipient, and with concurrence of the secretary, the loan may be extended for a maximum of 2 additional years

(d) Community-based organizations shall demonstrate preliminary feasibility of a proposed project to provide housing affordable to very low-income, low-income, and moderate-income persons.

(e) With respect to any loan obtained under this section resulting in the development of housing affordable to very low-income persons, for each housing unit actually occupied by very low-income persons, 50 percent of that portion of the loan represented by that unit may be forgiven and the remaining 50 percent shall be paid back as a 0-percent loan with a 3-year term

(f) The benefits of making loans under this section shall be provided to the very low-income, low-income, and moderate-income persons occupying the housing units with respect to which the predevelopment costs were incurred.

(g) The recipient of any loan made pursuant to this section shall not

1 Discriminate on the basis of race, creed, religion, color, age, sex, marital status, national origin, or handicap in the lease, use, or occupancy of any housing project financed hereunder, or in connection with the employment or application for employment of persons for the operation and management of such housing project

2 Refuse or deny occupancy in any housing unit benefiting from a loan made hereunder to any person whose family includes minor dependents who will occupy such housing unit, unless such refusal is based upon factors not related to the presence of such minors in the family

(h) The recipient of any loan made pursuant to this section shall provide for reasonable security to ensure the repayment of the loan within the term specified. Reasonable security shall be a promissory note secured by

1 A mortgage from the recipient on the property to be purchased, improved, or purchased and improved from the proceeds of the loan made pursuant to this section, or

2 Other forms of collateral acceptable to the secretary

(3) APPLICATION PROCEDURE—The department shall select loan recipients in accordance with application procedures established pursuant to s 420 604(6)

(4) DEFAULT—In the event of default on a loan, the secretary is empowered on behalf of the state to foreclose on any mortgage or security

interest or commence any legal action to protect the interest of the state and recover the amount of the unpaid principal, accrued interest, and fees on behalf of the fund

(5) FAILURE TO DEVELOP LAND—

(a) The secretary is authorized to take appropriate legal action to transfer title of the land to the state when.

1 A loan recipient does not cause the land to be developed for housing for very low-income, low-income, or moderate-income persons and families within 3 years from the execution of the loan agreement, or, if the secretary has extended the term of the loan, within the period of time for which the loan has been extended

2 It is jointly determined by the secretary and the loan recipient that, because of a change in the characteristics of the parcel acquired or because of a change in federal, state, or local programs, it is not possible for the land to be developed for housing for very low-income, low-income, or moderate-income persons

(b) All land so acquired shall be administered by the secretary in accordance with the provisions of subsection (6)

(6) DISPOSITION OF PROPERTY ACCRUING TO THE STATE—When, because of the effects of this section, title to land is acquired by the state to be administered by the secretary, the following provisions shall apply

(a) Subject to the approval of the Board of Trustees of the Internal Improvement Trust Fund, and pursuant to rules promulgated by the secretary and approved by such trustees, the secretary is empowered to make land so acquired available to eligible developers for the provision of housing for very low-income, low-income, or moderate-income persons, and, in such cases, the conveyance procedures for state lands as provided in chapters 253 and 270 shall not apply

(b) When the secretary determines that it is not possible for the land to be developed for housing for very low-income, low-income, or moderate-income persons, the land shall be sold in accordance with the conveyance procedures for state lands as provided in chapters 253 and 270, with all net proceeds to be deposited to the fund

(7) POWERS—The department may do all acts necessary or appropriate to carry out the purposes of this section, including exercising the power to.

(a) Enter into contracts and agreements with the Federal Government or with other agencies of the state, with local governments, or with any other person, association, corporation, or entity

(b) Seek and accept funding from any public or private source,

(c) Require persons to affirm the truth of statements made in any application for a loan under this section or in any contract documents submitted to the department, and

(d) Adopt and enforce rules consistent with this section

Section 6 Section 420 5097, Florida Statutes, created as section 420 5095, Florida Statutes, by chapters 84-274 and 84-344, Laws of Florida, is hereby repealed

Section 7 This act shall take effect July 1, 1987

Rep Jamerson moved the adoption of the amendment, which was adopted without objection

Representative Jamerson offered the following title amendment

Amendment 4—On page 1, lines 9-20, strike everything after the semicolon and insert amending ss 159 603(6), 159 603(7), F S, relating to housing finance authorities, amending s 420 509, F S, providing income targeting for the use of taxable bond proceeds, amending s 420 607, F S, specifying security requirements applicable to recipients of loans under the community-based organization loan program for developing affordable housing; providing for foreclosure or other action upon default on a loan; providing for transfer of title to the state of land which is not developed for housing, providing for disposition of such property, repealing s 420 5097, F S, relating to certain limited federally tax-subsidized instruments providing allocations for housing finance, providing an effective date

Rep. Jamerson moved the adoption of the amendment, which was adopted without objection. Under Rule 8 19, the bill was referred to the Engrossing Clerk.

HB 575—A bill to be entitled An act relating to the homeless, creating s 420.621, F.S., providing definitions; creating s 420.623, F.S., providing for establishment of local coalitions for delivery of services to the homeless, providing functions; providing for development of guidelines by the Department of Health and Rehabilitative Services, creating s 420.625, F.S., providing legislative findings and intent; providing purpose; providing for establishment of a grant-in-aid program to help local communities serve the homeless, providing for allocation of grant funds to department districts, providing for distribution of funds to local agencies, providing for evaluation of spending plans, providing for local matching funds, creating s 420.627, F.S., providing legislative findings, providing a definition, providing for establishment of an emergency financial assistance program for needy families, providing for development of criteria, providing for administration of program, creating s 409.2351, F.S., providing for short-term emergency financial assistance for housing, providing appropriations, providing for review and repeal, providing an effective date.

—was read the second time by title.

The Committee on Appropriations offered the following amendment.

Amendment 1—On page 13, lines 5 through 22 strike all of said lines and renumber subsequent sections.

Rep. Jamerson moved the adoption of the amendment, which was adopted without objection.

The Committee on Appropriations offered the following title amendment.

Amendment 2—On page 1, line 26, strike the phrase "providing appropriations;"

Rep. Jamerson moved the adoption of the amendment, which was adopted without objection.

Representative Jamerson offered the following amendment.

Amendment 3—On page 13, lines 23-26, strike all of said lines and insert a new section.

Section 8 Section 420.623, Florida Statutes is repealed on October 1, 1997, and shall be reviewed by the Legislature pursuant to s 11.611, Florida Statutes.

Rep. Jamerson moved the adoption of the amendment, which was adopted without objection. Under Rule 8 19, the bill was referred to the Engrossing Clerk.

CS/HB 1467—A bill to be entitled An act relating to crime prevention, providing for state crime prevention information systems, providing legislative findings and intent, creating the Risk Assessment Information System Coordinating Council to provide information about the causes of crime, providing for membership and duties; requiring a report to the Legislature, providing for future review and repeal of the council, providing for a uniform sentencing policy, adopting Rules 3.701 and 3.988, Florida Rules of Criminal Procedure, amending s 921.001, F.S., providing a deadline for revisions to sentencing guidelines, widening range of sentences, lowering standards of review on appeals, amending s 924.06, F.S., limiting appeals by defendants, amending s 924.07, F.S., limiting appeals by the state, amending s 775.084, F.S., changing the standards for sentencing habitual offenders, amending s 951.21, F.S., changing the method of commuting time for good conduct of county prisoners, providing children and youth components, amending s 233.067, F.S., changing the comprehensive health education program in the public schools to the comprehensive health education and substance abuse prevention program, providing for establishment of a Prevention Resource Center as a clearinghouse, creating an advisory council to the center, providing for inservice training in substance abuse identification and prevention; providing for management training programs; providing for instruction in substance abuse prevention, providing for district contact persons to coordinate the program; requiring each district

school board, laboratory school, or consortia thereof, to submit a proposed program, revising proposal contents, providing for model programs, providing for evaluation and dissemination of effective programs, amending s 232.245, F.S., requiring specification of the minimum number of hours of instruction for each grade level, amending s 230.23, F.S., requiring the district code of student conduct to include disciplinary action that may be imposed, amending s 236.0811, F.S.; requiring training in substance abuse prevention education to be included as a component in the master plan for service training; amending s 231.603, F.S., requiring inservice training programs of teacher education centers to include substance abuse prevention education, creating s 230.2318, F.S., creating a statewide school resource officer program, providing for proposed program plans by school districts, providing contents, providing for approval of plans and provision of funding by the Commissioner of Education, providing duties of school resource officers, authorizing application for federal funds, providing for funding through the General Appropriations Act, providing for review and repeal, providing a guardian ad litem program for juveniles, providing legislative findings and intent, requiring the appointment of guardians ad litem for all juveniles alleged to be dependent, providing definitions, providing for reimbursement, providing for administrative and technical support by the office of the State Courts Administrator, providing for supervision by the chief judge of each circuit, along with a juvenile judge, providing immunity from liability, providing neighborhood and community components, creating the Safe Neighborhoods Act, providing legislative findings and purpose, providing definitions, providing for the creation of safe neighborhood improvement districts, providing for adoption of local planning ordinances, providing for the creation of property owners' association neighborhood improvement districts, providing for the creation of special neighborhood residential or business improvement districts, providing for ad valorem tax referenda, providing election procedures, providing ballots, providing for establishment, organization, management, funding, and powers and duties for each type of neighborhood improvement district, providing goals and methods for reducing crime through neighborhood improvement programs, providing for fiscal management and budget preparation, providing for development of safe neighborhood improvement plans, providing for notice and public hearings, providing for conformity with local government comprehensive plans, creating the Safe Neighborhoods Trust Fund within the Department of Community Affairs, providing methods for allocations, establishing a "crime prevention through environmental design" program within the Department of Community Affairs, providing duties and rulemaking authority with respect to such program, directing local governments which have approved enterprise zones to consider creation of neighborhood improvement districts within such zones, amending s 290.007, F.S., to add use of neighborhood improvement districts to listing of local programs to encourage revitalization of enterprise zones, amending s 163.340, F.S., to add neighborhood improvement districts to list of special districts excluded from definition of "public body" or "taxing authority", amending s 220.183, F.S., to make neighborhood improvement districts eligible for purposes of community contribution tax credit, amending s 624.5105, F.S., to authorize eligibility of neighborhood improvement districts for community contribution tax credit, creating s 177.086, F.S., providing that discontinuance of rights-of-way caused by installation of cul-de-sacs shall not operate as abandonment of right-of-way, creating s 16.55, F.S., requiring that the Department of Law Enforcement develop and disseminate model crime prevention training materials for use by the localities, providing adult substance abuse control components, amending s 893.03, F.S., adding a substance to the list of Schedule I controlled substances, clarifying the meaning of a substance listed in Schedule II, creating s 893.0356, F.S., requiring the treatment of certain new substances as controlled substances, amending s 893.13, F.S., making it a felony to utilize or involve a minor in the sale or delivery of a controlled substance, or to sell, or possess with intent to sell, a controlled substance within a specified distance of a school, providing minimum mandatory sentences, amending s 893.135, F.S., decreasing the amount of cocaine required for the offense of trafficking, providing a definition of "knowingly", providing that any person who knowingly purchases one of the specified controlled substances in one of the specified amounts shall be guilty of trafficking in such substance

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| Jones, C F | Martinez | Reddick | Souto |
| Jones, D L | McEwan | Rehm | Starks |
| Kelly | Meffert | Renke | Stone |
| King | Messersmith | Rochlin | Thomas |
| Langton | Metcaif | Rudd | Titone |
| Lawson | Mitchell | Rush | Tobiassen |
| Lewis | Morse | Sample | Tobin |
| Liberti | Mortham | Sanderson | Trammell |
| Lippman | Nergard | Sansom | Troxler |
| Locke | Ogden | Saunders | Upchurch |
| Logan | Ostrau | Shelley | Wallace |
| Long | Patchett | Silver | Webster |
| Mackenzie | Peeples | Simon | Wetherell |
| Mackey | Press | Simone | Woodruff |
| Martin | Reaves | Smith | Young |

Nays—1

Lombard

Votes after roll call

Yeas to Nays—Woodruff

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

On motion by Rep Jamerson, without objection, the rules were waived and the House reverted to the order of—

Messages from the Senate

The Honorable Jon Mills, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS, SB 683 and requests the concurrence of the House

Joe Broun, Secretary

By the Committee on Economic, Community and Consumer Affairs and Senators Margolis and Meek—

CS for SB 683—A bill to be entitled An act relating to discrimination in the treatment of persons, amending s 760 22, F S, expanding the definition of "handicap" for purposes of the protections against discrimination provided by the state Fair Housing Act, to include mental retardation and developmental disability, providing an effective date

—was read the first time by title On motion by Rep Jennings, the rules were waived by two-thirds vote and the bill was read the second time by title

Representative Jamerson offered the following amendment

Amendment 1—On page 2, line 4, strike said line and insert the following sections

Section 2 Subsections (5) and (12) of section 420 503 Florida Statutes, 1986 Supplement, are amended to read

420 503 Definitions —As used in this part, the following words and terms have the following meanings unless the context indicates another or different meaning or intent

(5) "Eligible persons" means one or more natural persons or a family, irrespective of race, creed, national origin, or sex, determined by the agency pursuant to a rule to be of low, moderate, or middle income. Such determination shall not preclude any person or family earning up to 150 percent of the state or county median family income from participating in programs. Persons 65 years of age or older shall be defined as eligible persons regardless of income. In determining the income standards of eligible persons for its various programs the agency may take into account the following factors: requiring such assistance as is made available pursuant to this part on account of insufficient personal or family income to afford decent, safe, and sanitary housing, taking into consideration such facts as

- (a) Requirements mandated by federal law
- (b) Variations in circumstances in the different areas of the state

(c) Whether the determination is for rental housing or homeownership purposes

(d) The need for family size adjustments to accomplish the purposes set forth in this act

~~(e) The amount of the total income and assets of such persons and families which is available for housing needs~~

~~(b) The size of the family~~

~~(c) The cost and condition of available housing facilities~~

~~(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 decent, safe, and sanitary housing~~

~~(e) If appropriate, those standards established for various federal programs determining eligibility based on income of such persons and families~~

The personal or family income so determined by the agency may vary among different areas in the state, in accordance with the size of the family unit and according to whether the determination is for rental or homeownership purposes

(12) "Project" means any work or improvement located or to be located in the state, including real property, buildings, and any other real and personal property, designed and intended for the primary purpose of providing decent, safe and sanitary residential housing for four or more families, at least 60 percent of whom who are eligible persons, whether new construction, the acquisition of existing residential housing, or the remodeling, improvement, rehabilitation, or reconstruction of existing housing, together with such related non-housing facilities as the agency determines to be necessary, convenient or desirable

Section 3 Section 420 5099, Florida Statutes, is created to read 420 5099 Allocation of the low-income housing tax credit—

(1) The Florida Housing Finance Agency is designated the housing credit agency for the state within the meaning of Section 421 h(1)(7)(A) of the Internal Revenue Code of 1986 and shall have the responsibility and authority to establish procedures necessary for proper allocation and distribution of low-income housing tax credits and shall exercise all powers necessary to administer the allocation of such credits

(2) The agency shall adopt allocation procedures that will ensure the maximum use of available tax credits in order to encourage development of low-income housing in the state, taking into consideration the timeliness of the application, the location of the proposed housing project, the relative need in the area for low-income housing and the availability of such housing, the economic feasibility of the project, and the ability of the applicant to proceed to completion of the project in the calendar year for which the credit is sought

(3) The agency may request such information from applicants as will enable it to make the allocations according to the guidelines set forth in subsection (2), including, but not limited to, the information required to be provided the agency by chapter 91-21, Florida Administrative Code

(4) The executive director of the agency shall administer the allocation procedures and determine allocations on behalf of the agency. Any applicant disputing the amount of an allocation or the denial of a request for an allocation may request an appeal to the governing board of the agency

Section 4 Subsections (6) and (7) of Section 159 603, Florida Statutes, are amended to read

159 603 Definitions —As used in this act part, the following words and terms have the following meanings unless the context indicates another or different meaning or intent

(6) "Qualifying housing development" means any work or improvement located or to be located in the state, including real property, buildings, and any other real and personal property, designed or intended for the primary purpose of providing decent, safe, and sanitary residential housing for four or more families, at least 60 percent of whom are eligible persons, whether new construction, the acquisition of existing residential housing, or the remodeling, improvement,

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rehabilitation, or reconstruction of existing housing, together with such related nonhousing facilities as the Authority determines to be necessary, convenient or desirable any housing development which a housing finance authority finds will assist in alleviating the shortage of housing in the area of operation of such authority.

(7) "Eligible persons" means one or more natural persons or families a family, irrespective of race, creed national origin, or sex determined by the housing finance authority by rule to be of low, moderate, or middle, or lesser income requiring such assistance as is made available pursuant to this act on account of insufficient personal or family income and taking into consideration such facts as: Such determination does not preclude any person or family earning up to 150 percent of the state or county median family income from participating in programs. Persons 65 years of age or older shall be defined as eligible persons regardless of their incomes. In determining the income standards of eligible persons for its various programs, the housing finance authority may consider the following factors

(a) The amount of the total income of such persons and families available for housing needs. Requirements mandated by federal law

(b) The size of the family. Variations in circumstances in different areas of the state

(c) The cost and condition of available housing facilities. Whether the determination is for rental housing or homeownership purposes

(d) The ability of such persons and families to compete successfully in the normal, private housing market and to pay the amounts for which private enterprise is providing sanitary, decent, and safe housing. The need for family-size adjustments to accomplish the purposes set forth in this act

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

Section 5 Subsection (14) is added to section 420 509, Florida Statutes, 1986 Supplement, to read

420 509 Bonds, purpose, terms, approval, limitations —

(14) If the proceeds of an issue of revenue bonds the interest on which is not exempt from federal taxation are used to finance a project, 20 percent of the tenants of the project must have annual income under 80 percent of the state or county median income, whichever is higher

Section 6 Section 420 607, Florida Statutes, 1986 Supplement, is amended to read

420 607 Community-based organization loan program —The department is authorized to develop and administer a revolving loan program to assist community-based organizations in developing housing affordable to very low-income, low-income, and moderate-income persons. The rate of interest on any loan made pursuant to this section shall be set by the department in an amount which is below the market rate and which is calculated to accomplish the purposes of this section

(1) USES —The program is established to assist community-based organizations in covering the following predevelopment expenses

- (a) Options to purchase proposed housing units or sites,
- (b) Deposits on purchase contracts,
- (c) Payments for the purchase of development sites,
- (d) Legal and marketing expenses,
- (e) Fees for preliminary feasibility studies, planning, engineering and architectural work,
- (f) Application fees and other fees of financing agencies, and
- (g) Such other expenses, excluding administrative or operational expenses, as may be deemed appropriate by rule of the department

(2) RESTRICTIONS —Loans of up to \$5,000 per unit, with a maximum of \$100,000 per project, may be made to community-based organizations for the purposes described in subsection (1), provided that.

(a) The rate of interest on any loan made pursuant to this section shall be set by the department in an amount which is below the market rate and which is calculated to encourage the development of housing affordable to very low-income, low-income, and moderate-income persons

(b) With respect to a project which uses financing under this section

1 At least 60 percent of the units in the project shall be rented or sold to very low-income, low-income, and moderate-income persons, and

2 At least a specified number of units, representing that percentage of the units in the total project which is equivalent to the percentage of financing obtained under this section as compared to the cost of the total project, shall be rented or sold to very low-income and low-income persons. At least half of this specified number of units shall be rented or sold to very low-income persons. For rental properties, the specified rental mix must continue throughout the life of the loan. These units shall be in addition to any units which may be required to be rented or sold to such persons under the provisions of s 420 605(3)(f)2

(c) Loans must be repaid within 3 years from the date of the loan, except that, upon request of the loan recipient and with concurrence of the secretary, the loan may be extended for a maximum of 2 additional years

(d) Community-based organizations shall demonstrate preliminary feasibility of a proposed project to provide housing affordable to very low-income, low-income, and moderate-income persons

(e) With respect to any loan obtained under this section resulting in the development of housing affordable to very low-income persons, for each housing unit actually occupied by very low-income persons 50 percent of that portion of the loan represented by that unit may be forgiven and the remaining 50 percent shall be paid back as a 0-percent loan with a 3-year term

(f) The benefits of making loans under this section shall be provided to the very low-income, low-income and moderate-income persons occupying the housing units with respect to which the predevelopment costs were incurred

(g) The recipient of any loan made pursuant to this section shall not

1 Discriminate on the basis of race, creed religion color, age, sex, marital status, national origin or handicap in the lease use, or occupancy of any housing project financed hereunder, or in connection with the employment or application for employment of persons for the operation and management of such housing project

2 Refuse or deny occupancy in any housing unit benefiting from a loan made hereunder to any person whose family includes minor dependents who will occupy such housing unit, unless such refusal is based upon factors not related to the presence of such minors in the family

(h) The recipient of any loan made pursuant to this section shall provide for reasonable security to ensure the repayment of the loan within the term specified. Reasonable security shall be a promissory note secured by

1 A mortgage from the recipient on the property to be purchased, improved or purchased and improved from the proceeds of the loan made pursuant to this section, or

2 Other forms of collateral acceptable to the secretary

(3) APPLICATION PROCEDURE —The department shall select loan recipients in accordance with application procedures established pursuant to s 420 604(6)

(4) DEFAULT —In the event of default on a loan, the secretary is empowered on behalf of the state to foreclose on any mortgage or security interest or commence any legal action to protect the interest of the state and recover the amount of the unpaid principal, accrued interest, and fees on behalf of the fund

(5) FAILURE TO DEVELOP LAND —

(a) The secretary is authorized to take appropriate legal action to transfer title of the land to the state when

1 A loan recipient does not cause the land to be developed for housing for very low-income, low-income, or moderate-income persons and families within 3 years from the execution of the loan agreement, or, if the secretary has extended the term of the loan, within the period of time for which the loan has been extended

2 It is jointly determined by the secretary and the loan recipient that, because of a change in the characteristics of the parcel acquired or because of a change in federal, state, or local programs, it is not possible for the land to be developed for housing for very low-income, low-income, or moderate-income persons

(b) All land so acquired shall be administered by the secretary in accordance with the provisions of subsection (6)

(6) DISPOSITION OF PROPERTY ACCRUING TO THE STATE—When because of the effects of this section, title to land is acquired by the state to be administered by the secretary, the following provisions shall apply

(a) Subject to the approval of the Board of Trustees of the Internal Improvement Trust Fund, and pursuant to rules promulgated by the secretary and approved by such trustees, the secretary is empowered to make land so acquired available to eligible developers for the provision of housing for very low-income low-income or moderate-income persons, and, in such cases, the conveyance procedures for state lands as provided in chapters 253 and 270 shall not apply

(b) When the secretary determines that it is not possible for the land to be developed for housing for very low-income, low-income, or moderate-income persons, the land shall be sold in accordance with the conveyance procedures for state lands as provided in chapters 253 and 270, with all net proceeds to be deposited to the fund

(7) POWERS—The department may do all acts necessary or appropriate to carry out the purposes of this section, including exercising the power to

(a) Enter into contracts and agreements with the Federal Government or with other agencies of the state with local governments or with any other person, association, corporation, or entity,

(b) Seek and accept funding from any public or private source,

(c) Require persons to affirm the truth of statements made in any application for a loan under this section or in any contract documents submitted to the department, and

(d) Adopt and enforce rules consistent with this section

Section 7 Section 420 5097, Florida Statutes, created as section 420 5095, Florida Statutes, by chapters 84-274 and 84-344, Laws of Florida, is hereby repealed

Section 8 Paragraph (b) of subsection (4) of section 420 405, Florida Statutes, is amended to read

420 405 Grants and loans authorized, activities eligible for support —

(4) In addition to any terms or conditions which the secretary may require, each housing assistance loan agreement shall include

(b) Provision for a schedule for the repayment of principal and interest with a term not to exceed 3 years. However, the secretary is authorized to extend the term of a loan

1 For an additional period not to exceed 2 years, and

2 For another any additional period or periods not to exceed 1 year if he finds that extraordinary circumstances exist and such extension would not substantially jeopardize the department's security interest

WHEREAS, it has been estimated that, on any single night in Florida, there are more than 10,000 homeless men, women, and children who need shelter, food, and other services, and

WHEREAS, in recent years, economic dislocation, lack of low-cost housing, and domestic violence have resulted in large numbers of women and children joining the homeless population, and

WHEREAS, the homeless in Florida have traditionally been served primarily by the religious and voluntary private sector, and

WHEREAS the demand for services by homeless people has outstripped the capacity of the voluntary sector to adequately meet the need without additional resources, and

WHEREAS, the Legislature recognizes that homelessness is a complex problem with a variety of deep-rooted and troublesome causes and that homelessness has profound social, mental health and health impacts on individuals and society, and

WHEREAS there is a demonstrated need for the State of Florida to develop programs specifically directed to alleviating the problems of homelessness, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida

Section 9 Section 420 621, Florida Statutes, is created to read

420 621 Definitions—As used in ss 420 621-420 627 the following terms shall have the following meanings, unless the context otherwise requires

(1) "AFDC" means Aid to Families with Dependent Children as administered under chapter 409

(2) "Department" means the Department of Health and Rehabilitative Services

(3) "District" means a service district of the Department of Health and Rehabilitative Services, as set forth in s 20 19(5)

(4) "Homeless" means having a nighttime residence

(a) In a public or private emergency shelter, such as an armory, school, church, government building, or where a temporary voucher is provided by a public or private agency, in a hotel apartment, or boarding home

(b) On the streets or under a bridge or aqueduct, in a park, subway, bus terminal railroad station airport abandoned building, or vehicle, or in any other public or private space that is not designed for shelter

(5) "Local coalition for the homeless" means a coalition established pursuant to s 420 623

(6) "New and temporary homeless" means those individuals or families who are homeless due to external factors, such as unemployment or other loss of income, personal or family-life crises, or the shortage of low-income housing

(7) "Secretary" means the Secretary of Health and Rehabilitative Services

Section 10 Section 420 623, Florida Statutes, is created to read

420 623 Local coalitions for the homeless —

(1) ESTABLISHMENT—The department shall establish in each of its service districts one or more local coalitions to plan, network, coordinate, and oversee the delivery of services to the homeless in that district. Appropriate local groups and organizations involved in providing services for the homeless shall be given an opportunity to participate in such coalitions including, but not limited to

(a) Community mental health centers

(b) County public health units

(c) Organizations and agencies providing food, shelter or other services targeted to the homeless

(d) Local law enforcement agencies

(e) Local offices of the Department of Labor and Employment Security

(f) County and municipal governments

(g) Local housing authorities

(2) FUNCTIONS OF LOCAL COALITIONS—Major functions of the local coalitions shall be to

(a) Discuss local issues related to homelessness and the needs of the homeless

(b) Inventory all local resources for the homeless, including, but not limited to, food assistance, clothing, emergency shelter, low-cost housing, emergency medical care counseling, training, and employment

(c) Review and assess all services and programs in support of the homeless and identify unmet needs of the homeless

(d) Plan for the delivery of multiagency services for the homeless to eliminate duplication of services and to maximize the use of limited existing resources for the homeless

(e) Develop new programs and services to fill critical service gaps, if necessary, through reallocation of existing resources for the homeless

(f) Develop a community resource directory of services available to the homeless, for use by agencies, volunteers, information and referral systems, and homeless persons

(g) Develop public education and outreach initiatives to make homeless persons aware of the services available to them through community agencies and organizations

(h) Identify and explore new approaches to shelter care for the homeless, such as the use of vacant publicly owned buildings, vacant beds in adult congregate living facilities, and vacant beds in foster homes, as resources for emergency shelter care for homeless persons

(i) Monitor and evaluate local homeless initiatives to assess their impact, to determine the adequacy of services available through such initiatives, and to identify additional unmet needs of homeless persons

(j) Collect and compile information relating to the homeless population served and regularly report such information to the department

(k) Develop an annual local plan of action which shall include

1 The description, documentation, and priority ranking of local needs related to the problems of homelessness

2 A plan outlining steps to be taken in meeting identified needs

3 Spending plans pursuant to the grant-in-aid program created under s 420 625

(3) DEPARTMENT GUIDELINES—The department shall develop guidelines for coalition activities and for development of local plans of action and spending plans

Section 11 Section 420 625, Florida Statutes, is created to read 420 625 Grant-in-aid program—

(1) LEGISLATIVE FINDINGS AND INTENT—The Legislature hereby finds and declares that most services for the homeless have been provided by local communities through voluntary private agencies and religious organizations and that the growing numbers and increasing needs of the homeless have generally outstripped the capabilities of such local agencies to adequately respond to the problems of the homeless in Florida. The Legislature further recognizes that the level of need and types of problems associated with homelessness may vary widely from community to community due to the diversity and geographic distribution of the homeless population and the resulting differing needs of particular communities. While the need of all homeless and displaced persons for services is recognized, it is the legislative intent that, in awarding financial assistance to local agencies under this section, preference be given to those agencies offering services targeted for the new and temporary homeless

(2) PURPOSE—The principal objective of this program is to provide needed assistance to local agencies to enable them to

(a) Assist persons in their communities who have become, or are about to become, homeless, and

(b) Where possible, restore the homeless living in their communities to suitable living conditions and self-sufficiency as quickly as possible

(3) ESTABLISHMENT—There is hereby established a grant-in-aid program to help local communities in serving the needs of the homeless through a variety of supportive services, which may include, but are not limited to

(a) Public education and outreach programs

(b) Information and referral services, including state and local telephone hotlines and local emergency shelter location and housing location services

(c) Case management services

(d) Emergency financial assistance for persons who are totally without shelter or facing loss of shelter, but who are not eligible for such assistance under s 420 627

(e) Emergency and temporary shelter programs

(f) Temporary rent and income supplements

(g) Job counseling and assistance programs, including temporary day care services, for persons seeking employment

(h) Meals programs

(i) Services coordination

(4) ALLOCATION OF GRANT FUNDS TO DISTRICTS—State grant-in-aid funds for local homeless initiatives shall be allocated by the department to and administered by, department districts. Allocations shall be based upon sufficient documentation of

(a) The magnitude of the homelessness problem in the district and the demonstrated level of unmet need for services in the district for those who are homeless or are about to become homeless

(b) A strong local commitment to seriously address the problem of homelessness and the existence of active local organizations committed to serving those who have become, or are about to become, homeless

(c) Agreement by local government and private agencies currently serving the homeless not to reduce current expenditures for services presently provided to those who are homeless or are about to become homeless if grant assistance is provided pursuant to this section

(d) Geographic distribution of district programs to ensure that such programs serve both rural and urban areas, as needed

(5) DISTRIBUTION TO LOCAL AGENCIES—District funds so allocated shall be available for distribution by the district administrator to local agencies to fund programs such as those set forth in subsection (3), based upon the recommendations of the local coalitions established pursuant to s 420 623, and in accordance with spending plans developed by the coalitions and approved by the district administrator. Not more than 10 percent of the total state funds awarded under a spending plan may be used by the local coalition for staffing and administration. The department shall develop guidelines for the development of such spending plans and for the evaluation and approval of such plans as provided in subsection (6). Spending plans shall be submitted to the district administrator and reviewed for compliance with department guidelines

(6) EVALUATION OF SPENDING PLANS—The department shall develop guidelines for the evaluation by district administrators of spending plans, based upon such factors as

(a) The demonstrated level of need for the program

(b) The demonstrated ability of the local agency or agencies seeking assistance to deliver the services and to assure that identified needs will be met

(c) The adequacy and reasonableness of proposed budgets and planned expenditures, and the demonstrated capacity, of the local agency or agencies to administer the funds sought

(d) A statement from the local coalition for the homeless as to the steps to be taken to assure coordination and integration of services in the district to avoid unnecessary duplication and costs

(e) Assurances by the local coalition for the homeless that alternative funding strategies for meeting needs through the reallocation of existing resources, utilization of volunteers, and local government or private agency funding have been explored

(f) The existence of an evaluation component designed to measure program outcomes and determine the overall effectiveness of the local programs for the homeless for which funding is sought

(7) LOCAL MATCHING FUNDS—Entities contracting to provide services through financial assistance obtained under this section shall provide a minimum of 25 percent of the funding necessary for the support of project operations. In-kind contributions, whether materials,

commodities, transportation, office space, other types of facilities, or personal services, and contributions of money or services from homeless persons may be evaluated and counted as part or all of this required local funding, in the discretion of the district administrator

Section 12 Section 420 627, Florida Statutes, is created to read
420 627 Emergency financial assistance program —

(1) **LEGISLATIVE FINDINGS**—*The Legislature hereby finds and declares that.*

(a) *Far too often, the homeless cycle begins with a family breakdown following a financial crisis—fathers or mothers desert or neglect their children because they cannot cope with their social and economic burdens, and teenagers quit school and leave home to drift into uncertain, often homeless futures—resulting in growing numbers of new and temporary homeless*

(b) *In Florida, there is no short-term emergency financial assistance program for needy families in immediate economic crisis. Because AFDC payments do not begin for 30 to 45 days after application for benefits, and because these benefits do not extend to families with both parents in the home, emergency financial assistance is needed to prevent severe family hardship, including homelessness, through early intervention to ameliorate the economic crisis*

(c) *Numerous studies have shown that such short-term emergency financial assistance can often prevent long-term problems, including family disintegration and homelessness. Recognizing this, the Federal Government, in the Temporary Emergency Financial Assistance Program under Title IV of the United States Social Security Act, provides for reimbursement of states for up to one-half the cost of emergency assistance to needy families with children*

(d) *It is incumbent upon the State of Florida to take advantage of this federal assistance to attempt to prevent family displacement, severe family hardship, and homelessness through early intervention, thereby avoiding longer-term problems which could be more costly to the state*

(2) **DEFINITION**—*For purposes of this section, the term "family in an emergency situation" means a family which is totally without shelter or which faces the loss of shelter due to any of the following*

(a) *Nonpayment of rent or mortgage which resulted in eviction or legal notice of impending eviction,*

(b) *Household disaster, such as fire, flood, earthquake, or other accident, which renders the home uninhabitable; or*

(c) *Such other emergency situations as may be defined by rule of the department, subject to federal guidelines*

(3) **ESTABLISHMENT OF PROGRAM**—*The department is authorized to establish, subject to federal approval and financial participation, an emergency financial assistance program for families in an emergency situation. The department shall promulgate rules to implement said program in accordance with the guidelines established herein*

(4) **CRITERIA**—*The department shall develop criteria for implementation of the program in accordance with the following guidelines*

(a) *Assistance under this program shall be limited to families with at least one child under the age of 18 who lives with one or both parents, with a relative or guardian, or in a foster home if the child would have been eligible for AFDC in the 6 months prior to entry into the foster home*

(b) *The family shall have an intent to remain in Florida or shall be in this state for employment purposes*

(c) *The family may not have liquid assets which could be made available to meet the emergency*

(d) *Assistance under this program shall be limited to no more than 30 consecutive calendar days in any 12-month period for the same family*

(e) *Assistance shall be in the form of a two-party payment and shall be limited to the amount of 1 month's rent, mortgage payment, or cost for emergency housing, and related expenses as defined by rule of the department. The amount of such payment shall be based upon*

demonstrated need, but may not exceed a maximum established by the Legislature

(f) *The family's adjusted gross income may not exceed the prevailing AFDC Consolidated Need Standard for the family's size*

(g) *Loss of income may not be the result of a strike or the result of voluntary termination of employment, unless good cause can be shown for such voluntary termination*

(5) **ADMINISTRATION OF PROGRAM**—

(a) *In order to ensure that emergency assistance will be expeditiously provided to eligible families in an emergency situation, this program shall be administered at the district level in accordance with department criteria developed pursuant to subsection (4). All determinations as to eligibility and distribution of emergency assistance payments shall be made by the district offices and moneys disbursed under this program shall be disbursed through the district revolving funds*

(b) *Pending federal approval, the department is encouraged to contract with county governments for administration of this program in accordance with the provisions of this section*

Section 13 Section 409 2351, Florida Statutes, is created to read

409.2351 *Short-term emergency financial assistance for housing—In order to prevent family displacement, breakdown, or hardship due to homelessness, or the immediate threat thereof, the department is authorized to provide short-term emergency financial assistance to families in an emergency situation as defined in and pursuant to the provisions of s. 420 627*

Section 14 Section 420 623, Florida Statutes is repealed on October 1, 1997, and shall be reviewed by the Legislature pursuant to s. 11 611, Florida Statutes

Section 15 Part VIII of chapter 420, Florida Statutes, consisting of sections 420 801, 420 802, 420 803, 420 804, 420 805, 420 806, 420 807, 420 808 and 420 809, is created to read

PART VIII

POCKET OF POVERTY PROGRAM

420 801 *Short title—Sections 420 801-420.809 may be cited as the "Pocket of Poverty Program"*

420 802 *Legislative findings—In addition to the findings and declarations in ss 420 401, 420 502, 420.6015, 420.604, 420 608, 421 02, 422 02, 423 01, and 424 02, which are hereby reaffirmed, it is found by the Legislature that*

(1) *The availability of safe, decent, sanitary, and affordable housing in many communities in this state is severely limited*

(2) *This serious shortage of housing in these communities has contributed to overcrowded living conditions which constitute a menace to the health, safety, and welfare of farmworkers in this state*

(3) *A large number of housing units in these communities lack complete interior plumbing, running water, and sufficient heat. Housing conditions in these economically distressed or declining areas are frequently substandard and are often unaffordable to farmworkers*

(4) *Establishing and aggressively enforcing a minimum housing code in these communities will eliminate unsafe and often uninhabitable dwelling units but such forceful code enforcement may result in a reduction in the quantity of available shelter, unless rehabilitation and replacement efforts are undertaken*

(5) *A disproportionately high percentage of farmworkers lives below the federal poverty level thereby reducing the ability to acquire decent, safe, and sanitary housing without federal, state, or local assistance*

420 803 *Purpose—The purpose of ss 420 801-420 809 is to establish a pilot "pocket of poverty" program in the communities of Belle Glade and Immokalee. State funds shall be expended in these communities to stimulate a cooperative relationship and effort between local public bodies, the local industry, community-based organizations, nonprofit corporations, and private landowners in the rehabilitation, replacement, and construction of low-cost housing*

420804 Definitions—As used in this part, the following words and terms have the following meanings unless the context indicates another or different meaning or intent

(1) "Agriculture industry" means any firm, association, business entity, employer, or corporation engaged, directly or indirectly, with farming operations which are normal and customary for the area, such as clearing, soil preparation, plowing, planting, harvesting, and packaging resulting in the production of agricultural goods

(2) "Application" means a written request for a housing assistance grant to rehabilitate or construct farmworker housing

(3) "Community-based organization" or "nonprofit organization" means a private corporation organized under chapter 617 to assist in the provision of housing or related services on a not-for-profit basis

(4) "Department" means the Department of Community Affairs

(5) "Farmworker" means any laborer who is employed in the planting, cultivating, harvesting, or processing of agricultural crops and who derives at least 50 percent of his income in the immediately preceding 12 months from such employment "Farmworker" shall also include a person who has retired as a laborer due to age, disability, or illness. In order to be considered retired as a farmworker due to age under this part, a person must be 50 years of age or older and must be employed for a minimum of 5 years as a farmworker prior to retirement. In order to be considered retired as a farmworker due to disability or illness it must be medically established that a person is unable to be employed as a farmworker due to disability or illness and had previously met the definition of a farmworker

(6) "Farmworker housing" includes multi-family and single-family dwelling units and structures and facilities that are deemed necessary for such housing

(7) "Housing assistance grant" means grant assistance by the state, from funds appropriated for this part to be used by local public bodies or nonprofit organizations which seek to provide farmworker housing, such funds to be expended only for the purposes authorized in s 420806

(8) "Fund" means the Pocket of Poverty Trust Fund as created in this part

(9) "Local public body" means any county, municipality, or housing authority as provided in chapter 421, eligible to develop housing for citizens within its jurisdiction

(10) "Pocket of poverty" means an area within a county composed of contiguous census tracts where 40 percent of the residents are at or below the federal poverty level and where the median income for the surrounding county exceeds the median income for the state as defined by the United States Department of Housing and Urban Development

(11) "Project" means a specific work or improvement, including land, buildings improvements, real and personal property or any interest therein, acquired, owned, constructed, reconstructed, rehabilitated or improved with the financial assistance of the state, intended for the construction of low-cost farmworker housing

(12) "Sponsor" or "eligible sponsor" means a county commission or agency thereof, a municipal council or commission or agency thereof a housing authority as provided by chapter 421, or a nonprofit organization chartered in the state under chapter 617, which makes application for a housing assistance grant

(13) "Fiscal agent" means the board of county commissioners - -

420805 Pocket of Poverty Trust Fund—There is established in the State Treasury a separate trust fund to be named the Pocket of Poverty Trust Fund, to be administered by the Department of Community Affairs, for the provision of low-cost housing in the communities of Belle Glade and Immokalee. To this fund shall be credited all moneys appropriated by the Legislature, and other fees and charges accruing to the fund under this part. The funds shall be administered by the department according to the provisions of this part

420806 Pocket of Poverty Program—

(1) **LEGISLATIVE FINDINGS AND INTENT**—In addition to the legislative findings set forth in s 420802, the Legislature finds that

low-cost housing in these communities is most effectively provided by combining available public and private resources and stimulating cooperative efforts between local public bodies, the local industry, community-based organizations, and private landowners. It is the intent of the Legislature to encourage such combinations in order to demonstrate the benefits that may be afforded through the cooperation of the public and private sectors

(2) **PROGRAM CREATION, ADMINISTRATION**—There is created the pocket of poverty program to be administered by the Department of Community Affairs. This special program is created as a 2-year pilot program to encourage the construction and rehabilitation of low-cost housing units in the communities of Belle Glade and Immokalee. The department shall work with local governments, community-based organizations and others interested in the development of local strategies to facilitate the provisions of this part

(3) **PILOT COMMUNITIES**—The City of Belle Glade and the community of Immokalee shall be designated as the pockets of poverty for purposes of this part

(a) The area within the limits of the City of Belle Glade shall serve as a legal description and

(b) The boundary lines of Immokalee are as follows: the South 1/2 of Section 25 and all of Section 36 in Township 46 South, Range 28 East, the South 1/2 of Sections 26, 27, 28, 29, and 30 and all of Sections 31, 32, 33, 34, 35 in Township 46 South, Range 29 East, and all of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 in Township 47 South, Range 29 East

(4) **LOCAL COMPREHENSIVE FARMWORKER HOUSING PLAN**—

(a) As soon as possible after the effective date of this part, the board of county commissioners in direct consultation with the chief elected official of the local governing body in each pilot community, shall appoint a review committee for the purpose of preparing a local comprehensive farmworker housing plan. The review committee shall consist of nine members with the majority representing the pilot community. The members of the review committee shall include representation from the local public body, the board of county commissioners, the local industry, farmworkers, community-based organizations, bankers, developers, contractors, and others interested in establishing low-cost housing in the community

(b) The local comprehensive farmworker housing plan shall represent the community's commitment to meeting its housing needs and shall include the following components:

Statement of farmworker housing needs,

2. Housing goals and objectives,

3. Existence of federal, state, local, or private housing assistance,

4. Method and authority of existing housing building and zoning code enforcement

5. Plans for site improvement of available land,

6. Financing incentives for rehabilitation, replacement and construction of housing,

7. Local commitment to expanding housing stock,

8. Cost estimates for implementing plan,

9. Identity of eligible sponsors as defined in s 420804, and

10. Maintenance of housing developments

(c) There shall be written assurances from the appropriate units of local government that there will be no decrease in the current level of local funding and services to the identified pocket of poverty

(d) It is the legislative intent that the review committee coordinate efforts with the local government comprehensive planning committee to ensure that the housing elements addressed in the plans are consistent with the goals and policies established

(5) **REVIEW OF PLANS**—By October 1, 1987, the local comprehensive farmworker housing plan shall be submitted to the department for review as to its applicability in meeting the housing needs of the

community. Once the plan has been approved, the department shall notify the review committee of such approval.

(6) APPLICATION PROCEDURE —

(a) The review committee shall develop an application form for use by each eligible sponsor. The form shall require at least the following information:

1. A description of the project citing the number of units, units size, proposed cost per unit,

2. The proposed sources of federal, state, or local governmental or private funding available for permanent financing and approximate percentage of such funds to be applied to the estimated final project cost,

3. A description of the proposed site and its purchase price,

4. A certificate of good standing from the Secretary of State evidencing good standing of the non-profit corporation,

5. A map indicating the location of the proposed development in relation to shopping centers, schools, recreation, transportation, and other facilities and services,

6. A written statement of the site's useability including information on zoning, access, availability of utilities and a description of adjoining property,

7. The projected timetable for completion of the project,

8. A property management program which shall include a provision for periodic inspection of multi-family projects, and

9. The projected amount of administrative expenses.

(b) Eligible sponsors shall submit an application for a housing assistance grant to the review committee. The review committee shall approve applications which best meet the demands for providing low-cost housing as established in the local comprehensive farmworker housing plan and which provide evidence of the sponsor's capability to carry out the project and evidence of a sound financial plan for the project. Special consideration shall be given to those eligible sponsors leveraging the greatest percentage of non-state dollars.

(c) A housing assistance grant shall be awarded for no more than 80 percent of the total cost of the project. No more than 10 percent of the amount of the grant shall be expended by the sponsors for administrative costs.

(d) The approved application shall be submitted to the department and funds equal to the amount approved by the review committee for the housing assistance grant shall be disbursed to the fiscal agent as defined pursuant to s 420.80-4(13) within 21 days of receipt of the approved application.

(e) Prior to disbursement of funds to the sponsors, the fiscal agent shall execute a grant agreement with the sponsors detailing the terms and conditions of the housing assistance grant. Said agreement shall specify the timetable for completion of the project and the stages for disbursement of funds. An accountability provision shall be included in the grant agreement.

(f) The fiscal agent shall disburse funds to the sponsors in accordance with the project timetable as outlined in the application. The first payment to the sponsors shall be made by the fiscal agent within 21 days of receipt of the funds.

(7) ACCOUNTABILITY —

(a) Every three months from receipt of the first payment and until completion of the project, the sponsors shall submit a progress report to the fiscal agent and review committee. It shall be the responsibility of the review committee to monitor the status of the project and advise the fiscal agent of any serious deviation from the grant agreement.

(b) Upon recommendation of a majority of the members of the review committee that a serious deviation exists, the fiscal agent shall withhold disbursement of funds until the sponsors can demonstrate to the satisfaction of the review committee that they are complying with the terms of the grant agreement.

(c) If such a recommendation is made and funds are withheld, the sponsors shall be entitled to appeal the recommendation. Such appeal shall be made to the fiscal agent who shall have final authority in determining the disbursement of funds.

420.807 Farmworker Housing Task Force, membership, duties —

(1) There is hereby created the Farmworker Housing Task Force to be composed of 19 members, including the Secretary of the Department of Community Affairs, or his designee, and the Executive Director of the Governor's Office of Migrant Labor, or his designee, both of whom shall serve as ex officio voting members of the task force. The board of county commissioners shall appoint a representative from each of the pilot pocket of poverty communities to serve as a voting member. The following additional members shall be appointed, 5 each by the Governor, the President of the Senate, and the Speaker of the House of Representatives:

(a) One farmworker or former farmworker affiliated with a community-based organization shall be appointed by each of the appointing officials.

(b) One developer of low-cost housing shall be appointed by each of the appointing officials.

(c) One agriculture industry representative shall be appointed by each of the appointing officials.

(d) One individual with financial expertise in the development of low-cost housing shall be appointed by each of the appointing officials; and

(e) One individual affiliated with a community-based organization involved in the development of low-cost housing shall be appointed by each of the appointing officials.

(2) The chairman of the task force shall be appointed by the Governor.

(3) The members of the task force shall serve without compensation, but shall be reimbursed for all necessary expenses in the performance of their duties, including travel expenses, in accordance with s 112.061. In addition, the farmworker representatives shall receive an honorarium in an amount to be determined by the department.

(4) The task force shall be appointed no later than August 1, 1987, and shall continue in existence until its duties are concluded but no later than June 30, 1989.

(5) The department shall supply such information, assistance, and facilities as are deemed necessary for this task force to carry out its duties under this section and shall provide such staff assistance as is necessary for the performance of required clerical and administrative functions of the task force.

(6) The task force shall analyze those solutions and programs which could begin to address the state's need for assisting those communities in providing low-cost housing, including programs or proposals which provide for:

(a) Use of publicly owned lands and buildings as farmworker housing sites,

(b) Streamlining of the various state, regional, and local regulations and building codes governing the housing industry,

(c) Offering of low-interest and zero-interest loans for the development and rehabilitation of housing,

(d) Stimulation of public and private cooperative housing efforts,

(e) Implementation or expansion of the pilot programs authorized in this part,

(f) Discovery and assessment of sources of funding for low-cost housing construction and rehabilitation, and

(g) Development of such other solutions and programs as the task force deems appropriate.

In performing its analysis the task force shall consider both homeownership and rental housing as viable options for the provision of farmworker housing.

(7) The task force shall prepare and submit to the Governor, the President of the Senate, and Speaker of the House of Representatives

(a) By March 1, 1988, an interim report describing its progress, and

(b) By December 31, 1988, a final report detailing its findings and making specific program, legislative, and funding recommendations it deems appropriate

420 808 Legislative findings—The Legislature finds that

(1) Farmworker communities have limited resources and are therefore unable to produce accurate demographic information

(2) There is still a large segment of the farmworker population uncounted, a situation that should be helped by the present amnesty for illegal aliens, however, for accurate demographics, a comprehensive census is needed

(3) Because of a lack of regular housing code enforcement in these communities, there is a need for a comprehensive survey to determine housing conditions

(4) A comprehensive system of industry projections is necessary to determine future farm labor housing needs for each community

420 809 Demographic study—The State University System shall conduct a demographic study of all farmworkers in the state. The study shall be submitted to the Legislature no later than 1 year from the effective date of this part. The following information shall be obtained

(1) A demographic profile of the farmworker population in the county

(2) A survey of the agriculture industry, to determine the current labor force and the projected labor needs to support the projected agricultural growth in the county

(3) An identification of the housing conditions of the existing housing stock and project housing needs based on the future labor requirements

Section 16 This act shall take effect July 1, 1987, or upon becoming a law

Rep Jamerson moved the adoption of the amendment, which was adopted without objection

Representative Jamerson offered the following title amendment

Amendment 2—On page 1, lines 2-9 strike all of said lines and insert An act relating to housing, amending s 760.22, F.S., expanding the definition of "handicap" for purposes of the protections against discrimination provided by the state Fair Housing Act, to include mental retardation and developmental disability, amending s 420 503, F.S., relating to the Florida Housing Finance Agency, modifying definitions of "eligible persons" and "project", creating s 420 5099, F.S. designating said agency as the state housing credit agency with responsibility for allocation of federal low-income housing tax credits amending ss 159 603(6), 159 603(7), F.S., relating to housing finance authorities, amending s 420 509, F.S., providing income targeting for the use of taxable bond proceeds, amending s 420 607, F.S., specifying security requirements applicable to recipients of loans under the community-based organization loan program for developing affordable housing, providing for foreclosure or other action upon default on a loan, providing for transfer of title to the state of land which is not developed for housing; providing for disposition of such property, repealing s 420 5097, F.S., relating to certain limited federally tax-subsidized instruments providing allocations for housing finance, amending s 420 405, F.S., providing for additional extension of time for loan repayment, creating s 420 621, F.S., providing definitions, creating s 420 623, F.S., providing for establishment of local coalitions for delivery of services to the homeless, providing functions, providing for development of guidelines by the Department of Health and Rehabilitative Services, creating s 420 625, F.S., providing legislative findings and intent, providing purpose, providing for establishment of a grant-in-aid program to help local communities serve the homeless, providing for allocation of grant funds to department districts, providing for distribution of funds to local agencies, providing for evaluation of spending plans, providing for local matching funds, creating s 420 627, F.S., providing legislative findings, providing a definition, providing for establishment of an emergency financial assistance program for needy families, providing for development of

criteria, providing for administration of program, creating s 409 2351, F.S., providing for short-term emergency financial assistance for housing, providing for review and repeal, creating part VIII of chapter 420, F.S., entitling part VIII as the "Pocket of Poverty Program", providing legislative findings, providing purpose, providing definitions, creating the Pocket of Poverty Trust Fund, providing for the pocket of poverty program, providing legislative findings and intent program creation and administration, pilot communities local comprehensive housing plan review of plans, application procedure and accountability, creating the Farmworker Housing Task Force, providing for membership and duties, providing for legislative findings, providing for a demographic study providing an effective date

Rep Jamerson moved the adoption of the amendment, which was adopted without objection

On motion by Rep Jamerson, the rules were waived by two-thirds vote and CSSB 683, as amended, was read the third time by title. On passage, the vote was

Yeas—118

| | | | |
|-------------|--------------|-------------|-----------|
| The Chair | Frankel | Jones C F | Reaves |
| Abrams | Friedman | Jones, D L | Reddick |
| Arnold | Frishe | Kelly | Rehm |
| Ascherl | Gaffney | King | Renke |
| Bainter | Garcia | Langton | Rochlin |
| Banjamin | Gardner | Lawson | Rudd |
| Bankhead | Glickman | Lewis | Rush |
| Bass | Gonzalez- | Liberti | Sample |
| Bell | Quevedo | Lippman | Sanderson |
| Bloom | Goode | Locke | Sansom |
| Bronson | Gordon | Logan | Saunders |
| Brown | Grindle | Lombard | Silver |
| Burke | Guber | Long | Simon |
| Burnsed | Gustafson | Mackenzie | Smith |
| Canady | Gutman | Mackey | Souto |
| Carlton | Hanson | Martin | Starks |
| Carpenter | Harden | Martinez | Stone |
| Casas | Hargrett | McEwan | Thomas |
| Clark | Harris | Meffert | Titone |
| Clements | Hawkins | Messersmith | Tobiasen |
| Cosgrove | Healey | Metcalf | Tobin |
| Crady | Hill | Mitchell | Trammell |
| Crotty | Hodges | Morse | Troxler |
| Dantzler | Holland | Mortham | Upchurch |
| Davis | Ireland | Nergard | Wallace |
| Deutsch | Irvine | Ogden | Webster |
| Diaz-Balart | Jamerson | Ostrau | Wetherell |
| Drage | Jennings | Patchett | Woodruff |
| Dunbar | Johnson, B L | Peeples | Young |
| Figg | Johnson, R C | Press | |

Nays—1

Simone

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

The Honorable Jon Mills, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS/CS/HB 1247, with amendments, and requests the concurrence of the House

Joe Broun, Secretary

CS/CS/HB 1247—A bill to be entitled An act relating to the state lottery, creating the Florida Public Education Lottery Act, providing intent, providing definitions, creating the Department of the State Lottery, creating the State Lottery Commission and providing for its membership and duties, providing for application of financial disclosure provisions, specifying powers and duties of the department, providing requirements with respect to operation of a state lottery, specifying authority of department regarding procurement and state

GENERAL ACTS
RESOLUTIONS AND MEMORIALS
ADOPTED BY THE
TENTH LEGISLATURE OF FLORIDA
UNDER THE CONSTITUTION
AS REVISED IN 1968

During the Regular Session
April 7, 1987 through June 6, 1987
and the Special Session
February 4, 1987



Volume I, Part One

Published by Authority of Law

Under Direction of the

JOINT LEGISLATIVE MANAGEMENT
COMMITTEE

TALLAHASSEE

1987

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TALLAHASSEE, FL 32399-1400

Approved by the Governor June 30, 1987.

Filed in Office Secretary of State June 30, 1987.

CHAPTER 87-106

Committee Substitute for Senate Bill No. 683

An act relating to housing, amending s. 760.22, F.S.; expanding the definition of "handicap" for purposes of the protections against discrimination provided by the state Fair Housing Act, to include mental retardation and developmental disability; amending s. 420.503, F.S., relating to the Florida Housing Finance Agency; modifying definitions of "eligible persons" and "project"; creating s. 420.5099, F.S., designating said agency as the state housing credit agency with responsibility for allocation of federal low-income housing tax credits; amending ss. 159.603(6), 159.603(7), F.S., relating to housing finance authorities; amending s. 420.509, F.S., providing income targeting for the use of taxable bond proceeds; amending s. 420.607, F.S., specifying security requirements applicable to recipients of loans under the community-based organization loan program for developing affordable housing; providing for foreclosure or other action upon default on a loan, providing for transfer of title to the state of land which is not developed for housing; providing for disposition of such property; repealing s. 420.5097, F.S., relating to certain limited federally tax-subsidized instruments providing allocations for housing finance; amending s. 420.405, F.S., providing for additional extension of time for loan repayment, creating s. 420.621, F.S., providing definitions; creating s. 420.623, F.S.; providing for establishment of local coalitions for delivery of services to the homeless; providing functions, providing for development of guidelines by the Department of Health and Rehabilitative Services, creating s. 420.627, F.S.; providing legislative findings; providing a definition, providing for establishment of an emergency financial assistance program for needy families, providing for development of criteria; providing for administration of program; creating s. 409.2351, F.S.; providing for short-term emergency financial assistance for housing; providing for review and repeal; creating part VIII of chapter 420, F.S.; entitling part VIII as the "Pocket of Poverty Program"; providing legislative findings; providing purpose; providing definitions; creating the Pocket of Poverty Trust Fund; providing for the pocket of poverty program; providing legislative findings and intent, program creation and administration, pilot communities, local comprehensive housing plan, review of plans, application procedure and accountability; providing for legislative findings; providing for a demographic study; providing an effective date.

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

~~Section 4~~ Subsections (6) and (7) of Section 159.603, Florida Statutes, are amended to read:

159.603 Definitions.--As used in this act: part, the following words and terms have the following meanings unless the context indicates another or different meaning or intent.

(6) "Qualifying housing development" means any work or improvement located or to be located in the state, including real property, buildings, and any other real and personal property, designed or intended for the primary purpose of providing decent, safe, and sanitary residential housing for four or more families, at least 60 percent of whom who are eligible persons, whether new construction, the acquisition of existing residential housing, or the remodeling, improvement, rehabilitation, or reconstruction of existing housing, together with such related nonhousing facilities as the Authority determines to be necessary, convenient, or desirable. ~~any housing development which a housing finance authority finds will assist in alleviating the shortage of housing in the area of operation of such authority;~~

(7) "Eligible persons" means one or more natural persons or families a family, irrespective of race, creed, national origin, or sex, determined by the housing finance authority by rule to be of low, moderate, or middle-or-lower income, requiring such assistance as is made available pursuant to this act on account of insufficient personal or family income and taking into consideration such facts as: Such determination does not preclude any person or family earning up to 150 percent of the state or county median family income from participating in programs. Persons 65 years of age or older shall be defined as eligible persons regardless of their incomes. In determining the income standards of eligible persons for its various programs, the housing finance authority may consider the following factors:

(a) ~~The amount of the total income of such persons and families available for housing needs;~~ Requirements mandated by federal law.

(b) ~~The size of the family;~~ Variations in circumstances in different areas of the state.

(c) ~~The cost and condition of available housing facilities;~~ Whether the determination is for rental housing or homeownership purposes.

(d) ~~The ability of such persons and families to compete successfully in the normal, private housing market and to pay the amounts for which private enterprise is providing sanitary, decent, and safe housing;~~ The need for family-size adjustments to accomplish the purposes set forth in this act

(e) ~~If appropriate, the standards established for various federal programs determining eligibility based on income of such persons and families;~~

Section 5. Subsection (14) is added to section 420.509, Florida Statutes, 1986 Supplement, to read:

420.509 Bonds; purpose, terms, approval, limitations.--

COMMITTEE INFORMATION RECORD

House of Representatives

Committee on Appropriations

Bill No. HB 1307

Date of meeting May 19, 1987

Time 8:00 a.m.

Place 21 HOB - Norris Hall

FINAL ACTION: FAVORABLE
 X FAVORABLE WITH 2 AMENDMENTS
 FAVORABLE WITH SUBSTITUTE
 UNFAVORABLE

VOTE:

| YEA | MEMBER | NAV |
|-----|---------------|-----|
| | BANKHEAD | |
| X | BASS | |
| X | BROWN | |
| | BURKE | |
| X | BURNSSED | |
| X | CARLTON | |
| | CARPENTER | |
| X | CRADY | |
| X | CROTTY | |
| | DAVIS | |
| X | FRIEDMAN | |
| X | GARDNER | |
| X | GOODE | |
| X | GORDON | |
| X | GUSTAFSON | |
| X | HAWKINS | |
| X | JAMERSON | |
| X | JOHNSON, B.L. | |
| | JOHNSON, R.C. | |

| YEA | MEMBER | NAV |
|-----|-------------|-----|
| X | JONES, C.F. | |
| X | JONES, D.L. | |
| X | KELLY | |
| X | LIBERTI | |
| | LIPPMAN | |
| | MARTIN | |
| X | MARTINEZ | |
| X | MESSERSMITH | |
| X | METCALF | |
| X | MITCHELL | |
| | OGDEN | |
| X | PEEPLER | |
| X | REDDICK | |
| | SILVER | |
| X | SOUTO | |
| X | TOBIN | |
| X | UPCHURCH | |
| X | WETHERELL | |
| X | BELL (CH.) | |

Yeas 29 Nays 0


 Chairman

COMMITTEE APPEARANCE RECORD

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

| Name | Representing | Address |
|------|--------------|---------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

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)

File 2 copies with Clerk

HOUSE COMMITTEE AMENDMENT (in computer)

Amendment No. 1 (committee use only) Bill No. HB 1307

Senate Action

House Action

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If amendment is text of another bill insert:
Bill No. Draft No.

The Committee on Appropriations offered the following
amendment:

Amendment
On page.....3, line.....22,

strike: (4)

and insert: (A)

Orig.
Journal
Third
Fourth

Code: h1307/ap01
Date: 05/19/87
Time: 1:04 p.m.

HOUSE COMMITTEE AMENDMENT (in computer)

Amendment No. 2 (committee use only) Bill No. HB 1307

Senate Action

House Action

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If amendment is text of another bill insert:
Bill No. Draft No.

The Committee on Appropriations offered the following
title amendment:

Amendment

- On page.....4, lines.....15-31,
- On page.....5, lines.....1-30,
- On page.....6, lines.....1-31,
- On page.....7, lines.....1-30,
- On page.....8, lines.....1-31,
- On page.....9, lines.....1-23,

strike: all of said lines

and renumber subsequent sections

STATE OF FLORIDA
HOUSE OF REPRESENTATIVES

Prepared 05/18/87
by the Committee on
Appropriations

1987
FISCAL NOTE

HB 1307
Bill Number
As Amended

As Reported to Clerk

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

General Revenue Fund
Florida Affordable Housing Trust Fund

B. Principal Agency Affected

Department of Community Affairs

C. Narrative Summary

This bill relates to the Florida Affordable Housing Act of 1986.

Section 1: Amends the definition of eligible persons and projects to include any person or family earning up to 150 percent of the state or county median family income and persons 65 years of age or older regardless of income. In addition, new factors are provided for determining the income standards of eligible persons. The definition of "project" is expanded to include housing for four or more families, at least 60 percent of whom are eligible persons.

Section 2: Designates the Florida Housing Finance Agency as the housing credit agency for the state. The agency is charged with the administration of allocation procedures for low income housing tax credits.

Section 3: Repeals s. 420.5097, F.S.

Effective Date: July 1, 1987.

II. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS

1987-88

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

General Revenue Fund \$2,000,000

B. Recurring or Annualized Continuation Effects

None

C. Long Run Effects Other Than Normal Growth

None

D. Appropriations Consequences

General Revenue Fund \$2,000,000

STATE OF FLORIDA
HOUSE OF REPRESENTATIVES

Prepared 05/18/87
by the Committee on
Appropriations

1987
FISCAL NOTE

HB 1307
Bill Number
As Amended


III. COMMENTS

The Appropriations Committee approved the following amendments:

1. An amendment removing the appropriations language from the bill and eliminating the expansion to the Florida Affordable Housing Act of 1986.
2. A title amendment for amendment #1.
3. A technical amendment correcting an improper citation to the Internal Revenue Code.

The funding necessary to implement the provisions of this legislation is provided through a lump sum appropriation of \$2,000,000 from the General Revenue Fund in the F.Y. 1987-88 General Appropriations Act.


Staff Director


Staff Analyst

Sub/Full
Action _____

Date _____

HOUSE AMENDMENT FOR DRAFTING ONLY

1 Amendment No. 1 Bill No. HB 1307

2 Committee on _____

3 Offered by Rep(s) Jamerson

4

5 On page...3.... line..22....

6 strike (4)

7

8 and insert: (A)

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adopted

HOUSE AMENDMENT FOR DRAFTING ONLY

1 Amendment No. 2 Bill No. HB 1307
2 Committee on Appropriations
3 Offered by Rep(s) Jamerson
4
5 On page..4...., lines.15-31,
6 On page 5, lines 1-30,
7 On page 6, lines 1-31,
8 On page 7, lines 1-30,
9 On page 8, lines 1-31,
10 On page 9, lines 1-23
11 strike: all of said lines
12
13 and renumber subsequent sections
14
15
16
17
18
19
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21
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adopted

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

| <u>ANALYST</u> | <u>STAFF DIRECTOR</u> | <u>REFERENCE</u> | <u>ACTION</u> |
|-------------------|-----------------------|------------------|----------------------|
| 1. <u>Bradley</u> | <u>Buck</u> | 1. <u>ECCA</u> | <u>FAV/3 AMENDS.</u> |
| 2. <u>Keating</u> | <u>Beqqs</u> | 2. <u>FTC</u> | <u>FAV/CS</u> |
| 3. _____ | _____ | 3. <u>AP</u> | _____ |
| 4. _____ | _____ | 4. _____ | _____ |

SUBJECT:

Florida Housing Finance Agency

BILL NO. AND SPONSOR:

CS/SB 598 by
Senate FTC & ECCA Committees

I. SUMMARY:

A. Present Situation:

Persons eligible to live in multifamily housing projects financed with tax-exempt bonds issued by the Florida Housing Finance Agency (FHFA) are currently limited by rule to those earning up to 150 percent of the state or county median family income. Because the Tax Reform Act of 1986 imposed much deeper low income targeting requirements for such multifamily projects, the additional limitations under Florida law have raised doubt concerning the feasibility of future projects.

New federal requirements also apply to mortgages for first-time homebuyers provided through tax-exempt bonds such as those issued by the FHFA. For the first time, an income eligibility ceiling is imposed, limiting mortgagors to those earning up to 115 percent of the state or area median income. In addition, the limit on home purchase price is reduced from 110 percent to 90 percent of the average area home sales price. These new limitations increase the likelihood that prospective homebuyers will be excluded due to an inability to qualify for private mortgage insurance. Stringent criteria for private mortgage insurance have already limited the extent to which the FHFA has been able to assist low income prospective homebuyers.

In the area of multifamily housing, the Tax Reform Act of 1986 created a low income housing tax credit which is to be allocated by the state "housing credit agency." Executive Order 86-241 designated the FHFA as that entity and provided general guidelines for the allocation of the tax credit.

The Tax Reform Act also instituted changes with respect to the volume limitation on single family mortgage bonds. Section 420.509, F.S., details the purposes, terms, approvals, and limitation of revenue bonds issued under the Florida Housing Finance Agency. Formerly subject to a separate cap allocated by the FHFA pursuant to s.420.5097, F.S., these bonds are now included under the "unified volume cap" which has imposed a statewide per capita limit on tax-exempt private activity bonds.

Section 420.607, F.S., authorizes the department to develop and administer a revolving loan program to assist community-based organizations in developing housing affordable to very low-income, low income, and moderate income persons. Uses and restrictions of the loan program are provided and the powers of the department to carry out the purposes of the loan program are stipulated.

Part IV of Chapter 159, F.S., provides for the creation, in each county, of a Housing Finance Authority.

B. Effect of Proposed Changes:

Section 420.503, F.S., is amended to revise the definition of "eligible persons" in order to clarify elements the agency may take into account in determining eligibility, to specify that eligible persons may earn up to 150 percent of the state or county median income, and to include all persons over the age of 65 as eligible, regardless of income. The definition of "project" is revised to remove the requirement that a project be for eligible persons, thereby removing the income ceiling.

Section 420.509, F.S., is amended to place income restrictions on projects financed through tax-exempt revenue bonds. For such projects, 20 percent of the tenants of the project must have annual incomes under eighty percent of the state or local median income, whichever is higher.

Section 420.5099, F.S., is created to designate the FHFA as the state "housing credit agency" for the purpose of allocating the low income housing tax credit. The FHFA is directed to provide allocation procedures which will maximize the use of the tax credit in developing low income housing. General guidelines for allocation, such as the relative need for housing in a given area, are specified. The FHFA executive director is authorized to determine allocations on behalf of the agency. Any applicant disputing an allocation decision may appeal to the governing body.

Section 420.5097, F.S., is repealed because the allocation by the FHFA of authority to issue mortgage revenue bonds, mortgage credit certificates and other federally tax-subsidized instruments has been superseded by the unified volume cap provisions of the Tax Reform Act of 1986.

Section 420.607, F.S., is amended to require that the recipient of any loan made under the Community-based organization loan program must provide reasonable security to ensure the repayment of the loan. A definition is provided for "reasonable security." Penalties for default on a loan and for failure to develop the land for housing for eligible income levels, and provisions for disposition of acquired land by the state, are also provided.

Section 159.603, F.S., is amended to revise the definition of "eligible person" for purposes of local Housing Finance loan programs to conform to the revised state definition.

II. ECONOMIC IMPACT AND FISCAL NOTE:**A. Public:**

To the extent that eliminating the exclusion of persons with incomes over 150 percent of the median income acts as an incentive for the development of multifamily projects on a state and local level, serving a percentage of low income persons, those low income persons will benefit. Developers of future bond-financed projects are anticipated to experience an increase in rents on some non-targeted units and a reduction in administrative costs related to tenant income verification.

To the extent that the FHFA provides for the optimal allocation of the low income housing tax credit, additional housing production benefiting low income persons will be encouraged.

B. Government:

A slight reduction in FHFA costs related to income monitoring is expected to occur as a result of the elimination of the across-the-board income ceiling for multifamily projects.

The FHFA does not anticipate the need for additional staff for the purpose of allocating the low income housing tax credit.

III. COMMENTS:

SB 598 is similar to HB 1307.

The bill will take effect upon becoming a law.

IV. AMENDMENTS:


None.

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 598

The following changes were made in SB 598:

- 1) Authorization for the Florida Housing Finance Agency to establish the Florida Housing Insurance Fund is deleted.
- 2) The \$5 million General Revenue Fund appropriation to the Florida Housing Finance Agency for the purpose of establishing the Florida Housing Insurance Fund is deleted.
- 3) A recipient of a loan made under the Community based organization loan program is required to provide reasonable security to ensure the repayment of the loan. Also, power was given to the Secretary of the Department of Community Affairs to foreclose on any mortgage loan or security interest if the borrower defaults on the repayment of the loan. The secretary is also authorized to take appropriate legal action for failure to develop the land for housing for eligible income levels. Provisions are made for the disposition of property acquired by the state.
- 4) The definition for "eligible persons" under s. 159.603, F.S., for local Housing Finance Authorities, was revised to conform to the state definition.

Committee on Finance, Taxation and Claims



Staff Director

(FILE THREE COPIES WITH THE SECRETARY OF THE SENATE)

FLORIDA LEGISLATURE

History of Legislation

1987 Regular Session

1987 Special Session A



prepared by:

Joint Legislative Management Committee

Legislative Information Division:
Capitol Building, Room 826 — 488-4371

HISTORY OF SENATE BILLS

- S 592 GENERAL BILL/CS** by Judiciary-Civil; Stuart (Similar H 353, Compare CS/ENG/H 131, CS/H 637, CS/ENG/S 177, S 685)
Seat Belt Law/Exemptions, exempts motor vehicles operated by rural letter carriers of United States Postal Service under certain circumstances, provides for immunity from civil liability for physicians certifying exemption of persons from mandatory safety belt law, applies to all actions pending on effective date of this act or thereafter filed Amends 316 614 Effective Date. Upon becoming law
- 03/27/87 SENATE Prefiled
04/07/87 SENATE Introduced, referred to Transportation, Judiciary-Civil -SJ 54
- 04/17/87 SENATE Extension of time granted Committee Transportation
04/20/87 SENATE On Committee agenda—Transportation, 04/22/87, 2:00 pm, Room-C—Temporarily postponed
04/30/87 SENATE On Committee agenda—Transportation, 05/04/87, 2:00 pm, Room-C
05/01/87 SENATE Extension of time granted Committee Transportation
05/04/87 SENATE Comm Report Favorable with 2 amendment(s) by Transportation -SJ 254
05/06/87 SENATE Now in Judiciary-Civil -SJ 254
05/08/87 SENATE On Committee agenda—Judiciary-Civil, 05/12/87, 2:00 pm, Room-B
05/12/87 SENATE Comm Report CS by Judiciary-Civil, placed on Calendar -SJ 325
05/19/87 SENATE CS read first time -SJ 329
05/28/87 SENATE Placed on Special Order Calendar -SJ 452, Read second time -SJ 478, CS passed, YEAS 33 NAYS 3 -SJ 484, Immediately certified -SJ 484
05/28/87 HOUSE In Messages
05/29/87 HOUSE Received, referred to Judiciary -HJ 804
06/06/87 HOUSE Died in Committee on Judiciary, Iden /Sim./Compare bill passed, refer to CS/SB 177 (Vetoed by Governor-06/30/87)
- S 593 GENERAL BILL/CS/ENG** by Economic, Community and Consumer Affairs; Stuart (Similar H 1156)
Fla Governmental Cooperation Act, creates said act, requires counties & municipalities to attempt to settle disputes before resorting to litigation, except in cases of immediate danger to health, safety, or welfare of public, provides penalties for failure to follow prescribed procedures, provides for tolling of statutes of limitations, provides for public hearing prior to settlement, allows local governments to settle cases at public meeting under certain circumstances Effective Date 07/11/87
- 03/27/87 SENATE Prefiled
04/07/87 SENATE Introduced, referred to Governmental Operations, Economic, Community and Consumer Affairs -SJ 54
04/20/87 SENATE On Committee agenda—Governmental Operations, 04/22/87, 9:00 am, Room-H, Extension of time granted Committee Governmental Operations
04/22/87 SENATE Comm Report Favorable with 2 amendment(s) by Governmental Operations -SJ 140
04/23/87 SENATE Now in Economic, Community and Consumer Affairs -SJ 140
05/04/87 SENATE On Committee agenda—Economic, Community and Consumer Affairs, 05/06/87, 1:30 pm, Room-H
05/06/87 SENATE Comm Report CS by Economic, Community and Consumer Affairs, placed on Calendar -SJ 273
05/12/87 SENATE CS read first time -SJ 276
05/29/87 SENATE Placed on Consent Calendar -SJ 499, CS passed, YEAS 32 NAYS 0 -SJ 516
06/01/87 SENATE Immediately certified -SJ 533
06/01/87 HOUSE In Messages
06/02/87 HOUSE Received, placed on Calendar -HJ 961, Substituted for HB 1156, Read second time, Amendments adopted, Read third time, CS passed as amended, YEAS 114 NAYS 0 -HJ 996
06/02/87 SENATE In Messages
06/04/87 SENATE Message was taken up -SJ 707, Refused to concur, request House to recede -SJ 708
06/04/87 HOUSE In Messages, Receded, Amendments adopted; CS passed as amended, YEAS 114 NAYS 0 -HJ 1196
06/05/87 SENATE In Messages, Concurred, CS passed as amended, YEAS 34 NAYS 0 -SJ 821
06/05/87 Ordered engrossed, then enrolled -SJ 821
06/25/87 Signed by Officers and presented to Governor
07/11/87 Became Law without Governor's Signature, Chapter No 87-346
- S 594 GENERAL BILL** by Johnson (Identical H 663)
Communications Fraud Act, creates said act, makes it a felony to engage in scheme to defraud & thereby obtain property, makes it a felony or misdemeanor to engage in scheme to defraud & in furtherance of such scheme, engage in act of communication, provides for imposition of separate judgments & sentences, repeals provisions re crimes of fraud & organized fraud, etc Repeals 817 035, 036 Effective Date 10/01/87
- 03/27/87 SENATE Prefiled
04/07/87 SENATE Introduced referred to Judiciary-Criminal, Appropriations -SJ 54
- S 594 (CONTINUED)**
04/17/87 SENATE Extension of time granted Committee Judiciary-Criminal; On Committee agenda—Judiciary-Criminal, 04/21/87, 2:00 pm, Room-C
04/21/87 SENATE Comm Report Favorable by Judiciary-Criminal -SJ 140
04/22/87 SENATE Now in Appropriations -SJ 140
04/30/87 SENATE Withdrawn from Appropriations -SJ 242, Placed on Calendar
05/28/87 SENATE Placed on Special Order Calendar -SJ 452, Passed, YEAS 37 NAYS 0 -SJ 485, Immediately certified -SJ 485
05/28/87 HOUSE In Messages, Received, placed on Calendar -HJ 752
05/29/87 HOUSE Placed on Special Order Calendar, Substituted for HB 663, Read second time, Read third time, Passed, YEAS 107 NAYS 0 -HJ 771
05/29/87 Ordered enrolled -SJ 509
06/29/87 Signed by Officers and presented to Governor
07/14/87 Approved by Governor, Chapter No 87-382
- S 595 GENERAL BILL** by Johnson and others (Compare S 863)
Sales Tax/Cultural Events, defines "admissions to cultural events" & provides that proceeds of tax thereon be transferred into Fla Fine Arts Trust Fund Amends 212 02, 20 Effective Date 07/01/87 or upon becoming law
- 03/27/87 SENATE Prefiled
04/07/87 SENATE Introduced referred to Finance, Taxation and Claims, Appropriations -SJ 54
04/16/87 SENATE On Committee agenda—Finance, Taxation and Claims, 04/20/87, 2:00 pm, Room-1C
04/20/87 SENATE Comm Report Favorable with 1 amendment(s) by Finance, Taxation and Claims -SJ 125
04/21/87 SENATE Now in Appropriations -SJ 125
05/06/87 SENATE Extension of time granted Committee Appropriations
05/21/87 SENATE Extension of time granted Committee Appropriations
06/05/87 SENATE Withdrawn from Appropriations -SJ 852, Placed on Special Order Calendar -SJ 863, Iden /Sim House Bill substituted, Laid on Table under Rule, Iden /Sim /Compare Bill passed, refer to HB 443 (provisions of SB 595 were amended out of HB 443) -SJ 881
- S 596 JOINT RESOLUTION** by Kirkpatrick
Ad Val Tax/Riparian Lands, constitutional amendment re assessment of property for purposes of ad valorem taxation, to provide for classification & assessment of lands which are riparian to waterbodies that are navigable in fact & which are used exclusively for preservation purposes
- 03/27/87 SENATE Prefiled
04/07/87 SENATE Introduced, referred to Finance, Taxation and Claims, Rules and Calendar -SJ 54
04/20/87 SENATE Extension of time granted Committee Finance, Taxation and Claims
04/21/87 SENATE On Committee agenda—Finance, Taxation and Claims, 04/23/87, 9:00 am, Room-1C—Cancelled
04/27/87 SENATE On Committee agenda—Finance, Taxation and Claims, 04/29/87, 2:00 pm, Room-1C—Temporarily postponed
05/01/87 SENATE On Committee agenda—Finance, Taxation and Claims, 05/05/87, 2:00 pm, Room-1C—Temporarily postponed
05/04/87 SENATE Extension of time granted Committee Finance, Taxation and Claims
05/06/87 SENATE Withdrawn from Finance, Taxation and Claims, Rules and Calendar, indefinitely postponed -SJ 260
- S 597 GENERAL BILL** by Grant
Sex Offenders/Treatment, provides for treatment of institutionalized sex offenders, provides for community-based treatment of such offenders, repeals provision re treatment of probationer sex offenders, etc Amends 917 012, 018, 019, 947 16, creates 917 015, repeals 917 016 Effective Date 10/01/87
- 03/27/87 SENATE Prefiled
04/07/87 SENATE Introduced, referred to Health and Rehabilitative Services, Corrections, Probation and Parole, Appropriations -SJ 54
04/20/87 SENATE Extension of time granted Committee Health and Rehabilitative Services
05/01/87 SENATE Extension of time granted Committee Health and Rehabilitative Services
05/14/87 SENATE Extension of time granted Committee Health and Rehabilitative Services
05/29/87 SENATE Extension of time granted Committee Health and Rehabilitative Services
06/06/87 SENATE Died in Committee on Health and Rehabilitative Services
- S 598 GENERAL BILL/CS** by Finance, Taxation and Claims; Economic, Community and Consumer Affairs (Similar ENG/H 1307, ENG/H 1388, Compare ENG/H 1273, H 1319, CS/CS/S 574, CS/ENG/S 683)
Housing Finance Agency, modifies definitions of "eligible persons" & "project" re Fla Housing Finance Agency Act designates said agency as state housing credit agency, authorizes agency to allocate low-income housing tax credits, provides for appeals with respect to allocations or denials provides procedures re Community-Based Organization Loan Program, etc Amends Ch 420, 159 603, repeals 420 5097 Effective Date 1 pm becoming law
- 03/27/87 SENATE Prefiled

HISTORY OF SENATE BILLS

S 598 (CONTINUED)

04/07/87 SENATE Introduced, referred to Economic, Community and Consumer Affairs, Finance, Taxation and Claims; Appropriations -SJ 54

04/17/87 SENATE On Committee agenda—Economic, Community and Consumer Affairs, 04/21/87, 2:00 pm, Room-H

04/20/87 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs

04/21/87 SENATE Comm. Report Favorable with 3 amendment(s) by Economic, Community and Consumer Affairs -SJ 140

04/22/87 SENATE Now in Finance, Taxation and Claims -SJ 140

05/04/87 SENATE Extension of time granted Committee Finance, Taxation and Claims

05/19/87 SENATE Extension of time granted Committee Finance, Taxation and Claims

05/20/87 SENATE On Committee agenda—Finance, Taxation and Claims, 05/22/87, 9:00 am, Room-1C

05/22/87 SENATE Comm. Report CS by Finance, Taxation and Claims -SJ 417

05/26/87 SENATE CS read first time -SJ 420; Now in Appropriations -SJ 417

06/01/87 SENATE Withdrawn from Appropriations -SJ 533; Placed on Calendar

06/04/87 SENATE Placed on Special Order Calendar -SJ 706 & -SJ 707

06/05/87 SENATE Placed on Special Order Calendar -SJ 787

06/06/87 SENATE Died on Calendar, Ident./Sim./Compare Bill passed, refer to HB 1273 (Ch. 87-222) & CS/SB 683 (Ch. 87-106)

S 599 GENERAL BILL by Meek (Identical H 310, Similar H 965, Compare CS/H 538, H 845, ENG/S 539)

Contraband Forfeiture/Drug Abuse TE; provides that proceeds from forfeiture of contraband articles seized by certain state agencies be deposited in Drug Abuse Trust Fund of H.R.S. Department Amends 932 704 Effective Date: 07/01/87

03/30/87 SENATE Prefiled

04/07/87 SENATE Introduced, referred to Economic, Community and Consumer Affairs, Finance, Taxation and Claims, Appropriations -SJ 54

04/17/87 SENATE On Committee agenda—Economic, Community and Consumer Affairs, 04/21/87, 2 00 pm, Room-H

04/20/87 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs

04/21/87 SENATE Comm. Report Favorable by Economic, Community and Consumer Affairs -SJ 140

04/22/87 SENATE Now in Finance, Taxation and Claims -SJ 140

05/04/87 SENATE Extension of time granted Committee Finance, Taxation and Claims

05/19/87 SENATE Extension of time granted Committee Finance, Taxation and Claims

06/02/87 SENATE Extension of time granted Committee Finance, Taxation and Claims

06/06/87 SENATE Died in Committee on Finance, Taxation and Claims, Ident./Sim./Compare bill passed, refer to SB 539 (Ch. 87-77)

S 600 GENERAL BILL/CS/ENG by Commerce; Meek and others (Compare CS/H 174, H 599, H 739, S 751, CS/S 805, S 1127)

Unemployment Compensation; defines term "employee leasing company" & redefines term "employment"; expands coverage of agricultural workers, postpones coverage of alien agricultural workers; excludes from coverage certain nonimmigrant aliens present in US for educational purposes; increases individual maximum weekly benefit amount; exempts employee leasing companies from certain provisions re contribution rates based on benefit experience Amends 443.036, 111, 131 Effective Date 10/01/87.

03/30/87 SENATE Prefiled

04/07/87 SENATE Introduced, referred to Commerce, Finance, Taxation and Claims -SJ 54

04/21/87 SENATE Extension of time granted Committee Commerce

05/07/87 SENATE On Committee agenda—Commerce, 05/11/87, 10.00 am, Room-A

05/08/87 SENATE Extension of time granted Committee Commerce

05/11/87 SENATE Comm Report: CS by Commerce -SJ 293

05/12/87 SENATE CS read first time -SJ 294, Now in Finance, Taxation and Claims -SJ 293

05/13/87 SENATE Withdrawn from Finance, Taxation and Claims -SJ 319; Placed on Calendar

05/25/87 SENATE Placed on Special Order Calendar -SJ 453

05/29/87 SENATE Placed on Special Order Calendar -SJ 498 & -SJ 499; CS passed as amended, YEAS 35 NAYS 0 -SJ 522; Immediately certified -SJ 522

05/29/87 HOUSE In Messages

06/02/87 HOUSE Received, placed on Calendar -HJ 1034, Placed on Special Order Calendar; Read second time -HJ 1034, Amendments adopted; Read third time, CS passed as amended; YEAS 113 NAYS 0 -HJ 1036

06/03/87 SENATE In Messages

06/04/87 SENATE Message was taken up -SJ 712; Concurred, CS passed as amended, YEAS 30 NAYS 1 -SJ 714

06/04/87 Ordered engrossed, then enrolled -SJ 714

S 600 (CONTINUED)

06/29/87 Signed by Officers and presented to Governor

07/14/87 Approved by Governor, Chapter No 87-383

S 601 GENERAL BILL/CS by Health and Rehabilitative Services; Meek (Similar CS/H 362, Compare CS/ENG/H 945)

Substance Abuse/Forfeiture Funds, provides for distribution of residual funds derived from sale of property forfeited under the RICO Act, to H.R.S., specifies uses of such funds. Creates 895 055. Effective Date: 07/01/87

03/30/87 SENATE Prefiled

04/07/87 SENATE Introduced, referred to Health and Rehabilitative Services, Governmental Operations, Rules and Calendar; Appropriations -SJ 54

04/20/87 SENATE Extension of time granted Committee Health and Rehabilitative Services

05/01/87 SENATE Extension of time granted Committee Health and Rehabilitative Services

05/07/87 SENATE On Committee agenda—Health and Rehabilitative Services, 05/11/87, 2:00 pm, Room-A

05/11/87 SENATE Comm. Report: CS by Health and Rehabilitative Services -SJ 293

05/13/87 SENATE CS read first time -SJ 329; Now in Governmental Operations -SJ 293

05/18/87 SENATE Extension of time granted Committee Governmental Operations

06/01/87 SENATE Extension of time granted Committee Governmental Operations

06/06/87 SENATE Died in Committee on Governmental Operations, Ident./Sim./Compare bill passed, refer to CS/HB 945 (Ch. 87-139)

S 602 GENERAL BILL by Meek and others

Nursing/Hemo-Dialysis Technicians, exempts technicians who assist in furnishing of hemo-dialysis in a patient's home from Nursing Practices Act. Amends 464 022 Effective Date. 10/01/87

03/30/87 SENATE Prefiled

04/07/87 SENATE Introduced, referred to Economic, Community and Consumer Affairs -SJ 55

04/20/87 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs

05/07/87 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs

05/21/87 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs

06/06/87 SENATE Died in Committee on Economic, Community and Consumer Affairs

S 603 GENERAL BILL by Meek (Similar H 416)

Community College Employees; provides additional pay benefits based on unused sick leave credit Amends 240 343 Effective Date 10/01/87.

03/30/87 SENATE Prefiled

04/07/87 SENATE Introduced, referred to Education, Personnel, Retirement and Collective Bargaining; Appropriations -SJ 55

04/17/87 SENATE Extension of time granted Committee Education

04/20/87 SENATE On Committee agenda--Education, 04/22/87, 2 00 pm, Room-A

04/22/87 SENATE Comm Report. Favorable by Education -SJ 140; Now in Personnel, Retirement and Collective Bargaining -SJ 141

04/23/87 SENATE On Committee agenda—Personnel, Retirement and Collective Bargaining, 04/28/87, 3:00 pm, Room-C

04/28/87 SENATE Comm Report: Favorable by Personnel, Retirement and Collective Bargaining -SJ 232

04/29/87 SENATE Now in Appropriations -SJ 232

05/06/87 SENATE Extension of time granted Committee Appropriations

05/21/87 SENATE Extension of time granted Committee Appropriations

06/05/87 SENATE Withdrawn from Appropriations -SJ 831; Placed on Special Order Calendar -SJ 848, Ident./Sim./Compare Bill substituted; Laid on Table under Rule, Ident./Sim./Compare Bill passed, refer to HB 416 (Ch. 87-276) -SJ 860

S 604 GENERAL BILL by Meek

Entrepreneurship Training; provides for entrepreneurship training in public schools; establishes guidelines for such training programs Amends 233.0641 Effective Date Upon becoming law.

03/30/87 SENATE Prefiled

04/07/87 SENATE Introduced, referred to Education; Appropriations -SJ 55

04/17/87 SENATE Extension of time granted Committee Education

05/01/87 SENATE Extension of time granted Committee Education

05/15/87 SENATE Extension of time granted Committee Education

05/29/87 SENATE Extension of time granted Committee Education

06/06/87 SENATE Died in Committee on Education

S 605 GENERAL BILL/CS by Economic, Community and Consumer Affairs; Meek (Similar CS/H 839)

Community Services Block Grant Prog, revises Community Services Block Grant Program Act, changes definition of term "department" to refer to Community Affairs Dept to conform to governmental reorganization; provides for administration of act by that dept, provides for state funding through appropriation, specifies uses of state-appropriated funds, etc. Effective Date. 07/01/87 or

HISTORY OF SENATE BILLS

- S 682 (CONTINUED)**
 05/28/87 SENATE Comm Report Favorable by Appropriations, placed on Calendar -SJ 499
 06/06/87 SENATE Died on Calendar
- S 683 GENERAL BILL/CS/ENG by Economic, Community and Consumer Affairs; Margolis and others (Compare ENG/H 575, CS/H 967, ENG/H 1273, ENG/H 1307, H 1319, ENG/H 1388, ENG/H 1390, CS/S 221, CS/CS/S 574, CS/S 598)**
Housing Finance Agency, includes mental retardation & development disability in definition of "handicap" re housing discrimination, designates Fla Housing Finance Agency as state housing credit agency for allocation of federal low-income housing tax credits; provides income targeting for use of taxable bond proceeds, repeals provision re certain instruments providing allocations for housing finance, creates Pocket of Poverty Program, etc Amends FS Effective Date: 07/01/87.
 04/03/87 SENATE Prefiled
 04/13/87 SENATE Introduced, referred to Economic, Community and Consumer Affairs, Commerce -SJ 71
 04/29/87 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
 05/04/87 SENATE On Committee agenda—Economic, Community and Consumer Affairs, 05/06/87, 1 30 pm, Room-H
 05/06/87 SENATE Comm Report CS by Economic, Community and Consumer Affairs -SJ 272
 05/08/87 SENATE CS read first time -SJ 277, Now in Commerce -SJ 272
 05/12/87 SENATE Withdrawn from Commerce -SJ 280, Placed on Calendar
 05/19/87 SENATE Placed on Special Order Calendar -SJ 324
 05/20/87 SENATE Placed on Special Order Calendar -SJ 345
 05/21/87 SENATE Placed on Special Order Calendar -SJ 364 & -SJ 365, CS passed. YEAS 28 NAYS 0 -SJ 377
 05/26/87 HOUSE In Messages
 05/27/87 HOUSE Received, placed on Calendar -HJ 683, Read second time, Amendments adopted, Read third time, CS passed as amended, YEAS 118 NAYS 1 -HJ 690
 05/28/87 SENATE In Messages
 06/01/87 SENATE Message was taken up -SJ 546, Amendments to House amendments adopted, Concurred in House amendments as amended, Requested House to concur, CS passed as amended, YEAS 38 NAYS 0 -SJ 553
 06/01/87 HOUSE In Messages
 06/02/87 SENATE Requested House to return -SJ 613
 06/02/87 HOUSE In Messages, Returned -HJ 961
 06/02/87 SENATE In Messages, Reconsidered, Amendment to House amendment reconsidered, Amendment to House amendment adopted, Concurred in House amendments as amended, Requested House to concur, CS passed as amended, YEAS 33 NAYS 0 -SJ 614
 06/02/87 HOUSE In Messages
 06/03/87 HOUSE Message was taken up -HJ 1121, Concurred in Senate amendments to House amendment -HJ 1122, Amendments to Senate amendments to House amendments adopted, Concurred in Senate amendments to House amendments as amended -HJ 1126, Requested Senate to concur, CS passed as further amended, YEAS 116 NAYS 1 -HJ 1126
 06/04/87 SENATE In Messages
 06/05/87 SENATE Message was taken up -SJ 802, Concurred; CS passed as amended; YEAS 37 NAYS 0 -SJ 805
 06/05/87 Ordered engrossed, then enrolled -SJ 805
 06/16/87 Signed by Officers and presented to Governor
 06/30/87 Approved by Governor; Chapter No 87-106
- S 684 GENERAL BILL/CS by Commerce, Thurman and others (Compare CS/ENG/H 439, CS/ENG/S 837)**
Thoroughbred Horse Race/Simulcasting, defines term "simulcasting", authorizes Pari-mutuel Wagering Division to issue permit in certain counties for receipt & display of live thoroughbred horse races by simulcast, provides criteria for simulcast facilities, provides eligibility & broadcast requirements, provides for application of certain pari-mutuel statutes, provides for season, subsequent annual permits, revocation, contracts & rules Effective Date Upon becoming law
 04/03/87 SENATE Prefiled
 04/13/87 SENATE Introduced, referred to Commerce, Finance, Taxation and Claims -SJ 71
 04/28/87 SENATE On Committee agenda—Commerce, 04/30/87, 2 00 pm, Room-A
 04/29/87 SENATE Extension of time granted Committee Commerce
 04/30/87 SENATE Comm Report CS by Commerce -SJ 255
 05/01/87 SENATE CS read first time -SJ 258, Now in Finance, Taxation and Claims -SJ 255
 05/04/87 SENATE Extension of time granted Committee Finance, Taxation and Claims
 05/11/87 SENATE On Committee agenda—Finance, Taxation and Claims 05/13/87, 2 (X) pm, Room-1C
 05/13/87 SENATE Comm Report Favorable by Finance, Taxation and Claims, placed on Calendar -SJ 324
- S 684 (CONTINUED)**
 06/06/87 SENATE Died on Calendar, Iden./Sim /Compare Bill passed, refer to CS/SB 837 (Ch 87-38)
- S 685 GENERAL BILL by Thurman (Similar CS/H 637, Compare CS/ENG/H 131, CS/ENG/S 177, CS/S 592)**
Safety Belts/Rural Letter Carriers, exempts motor vehicles operated by rural letter carriers of United States Postal Service from provision re safety belt under certain circumstances Amends 316 614 Effective Date: 10/01/87
 04/03/87 SENATE Prefiled
 04/13/87 SENATE Introduced, referred to Transportation -SJ 72
 04/17/87 SENATE Extension of time granted Committee Transportation
 05/01/87 SENATE Extension of time granted Committee Transportation
 05/15/87 SENATE Extension of time granted Committee Transportation
 05/25/87 SENATE Extension of time granted Committee Transportation
 06/06/87 SENATE Died in Committee on Transportation, Iden /Sim / Compare bill passed, refer to CS/SB 177 (Vetoed by Governor-06/30/87)
- S 686 GENERAL BILL by Thurman (Identical H 265, Compare CS/ENG/H 131, CS/S 264)**
Handicapped Parking Permit/Veterans, (THIS BILL COMBINED IN CS/S 264,280,686) provides that certain handicapped persons shall not be required to apply for, display, or pay any fee for exemption entitlement parking permits Amends 320.0848. Effective Date 07/01/87.
 04/03/87 SENATE Prefiled
 04/13/87 SENATE Introduced, referred to Transportation; Finance, Taxation and Claims -SJ 72
 04/14/87 SENATE On Committee agenda—Transportation, 04/16/87, 9 00 am, Room-C—Temporarily postponed
 04/17/87 SENATE Extension of time granted Committee Transportation
 04/20/87 SENATE On Committee agenda—Transportation, 04/22/87, 2 00 pm, Room C
 04/22/87 SENATE CS combines this bill and 264 & 280, Comm Report. CS by Transportation -SJ 196
 04/28/87 SENATE Original bill laid on Table under Rule, refer to combined CS/SB 264 (Died in Senate Committee on Appropriations) -SJ 215
- S 687 GENERAL BILL by Weinstein (Identical H 712)**
Financial Institutions, revises current provisions under Uniform Commercial Code re credit given by bank for item in an account with its customer for withdrawal, provides exceptions, etc Amends 674 213, 655 081 Effective Date 10/01/87
 04/03/87 SENATE Prefiled
 04/13/87 SENATE Introduced, referred to Commerce -SJ 72
 04/29/87 SENATE Extension of time granted Committee Commerce
 05/13/87 SENATE Extension of time granted Committee Commerce
 05/29/87 SENATE Extension of time granted Committee Commerce
 06/06/87 SENATE Died in Committee on Commerce
- S 688 GENERAL BILL/CS by Economic, Community and Consumer Affairs; Grant (Similar CS/ENG/H 714, Compare CS/H 187, CS/ENG/S 287)**
Landlord & Tenant/Rentals, provides for imposition of money judgment in action for possession in amt of money owed to landlord by tenant, provides for rental payments re certain dwelling units furnished by employer to employee after employee ceases employment, requires tenants to vacate premises after notice for purpose of exterminating pests, provides that landlord may enter dwelling unit at any time for repair, etc. Amends 83.231, 46,49, 51,53, 56, 60,625, 713 691 Effective Date 10/01/87
 04/03/87 SENATE Prefiled
 04/13/87 SENATE Introduced, referred to Economic, Community and Consumer Affairs -SJ 72
 04/29/87 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
 05/07/87 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs, On Committee agenda—Economic, Community and Consumer Affairs, 05/11/87, 9 00 am, Room-H
 05/11/87 SENATE Comm Report CS by Economic, Community and Consumer Affairs, placed on Calendar -SJ 325
 05/19/87 SENATE CS read first time -SJ 329
 06/03/87 SENATE Placed on Consent Calendar -SJ 628, Iden /Sim House Bill substituted, Laid on Table under Rule, Iden /Sim / Compare Bill passed, refer to CS/HB 714 (Ch 87-195) & CS/SB 287 (Ch 87-369) -SJ 661
- S 689 GENERAL BILL by Deratany (Similar CS/H 351)**
Prostitution/Living Off Earnings, redefines offense of living off earnings of prostitute Amends 796 05 Effective Date 10/01/87
 04/03/87 SENATE Prefiled
 04/13/87 SENATE Introduced, referred to Judiciary-Criminal -SJ 72
 04/17/87 SENATE Extension of time granted Committee Judiciary-Criminal
 05/04/87 SENATE On Committee agenda—Judiciary-Criminal, 05/06/87, 2 00 pm, Room-C
 05/06/87 SENATE Comm Report Favorable with 1 amendment(s) by Judiciary-Criminal, placed on Calendar -SJ 272

HISTORY OF HOUSE BILLS

H 1304 GENERAL BILL by Youth; Reddick

Juvenile Delinquency Proceedings, changes detention procedures to authorize nonsecure detention in certain situations, requires HRS to promulgate rules; requires hearings, authorizes court to order certain records & information, expands court authority for disposition Amends 39 032, 08, 11 Effective Date Upon becoming law
 04/17/87 HOUSE Filed
 04/22/87 HOUSE Introduced, referred to Appropriations -HJ 224
 05/25/87 HOUSE On Committee agenda—Appropriations, 05/26/87, 8 00 am, 21 HOB—Temporarily passed
 05/28/87 HOUSE On Committee agenda—Appropriations, 05/28/87, 3 30 pm, 21 HOB, Preliminary Committee Action by Appropriations Favorable, to Calendar
 06/02/87 HOUSE Comm Report Favorable with 2 amendment(s) by Appropriations, placed on Calendar -HJ 1066
 06/06/87 HOUSE Died on Calendar

H 1305 GENERAL BILL/ENG by Youth, Reddick and others (Compare H 1330)

Minors/Criminal Proceedings/Guardian, makes exception to application of "child abuse or neglect", provides for appointment of guardian ad litem or other advocate to represent minor involved in criminal proceedings, prescribes powers & duties of guardian ad litem or other advocate, provides immunity to advocates from certain liability, provides for issuance of search warrant upon probable cause that child is being abused, etc Amends 415 503, 508 Effective Date 10/01/87
 04/17/87 HOUSE Filed
 04/22/87 HOUSE Introduced, referred to Judiciary -HJ 224
 04/28/87 HOUSE Subreferred to Subcommittee on Real Property and Family Law, On Committee agenda—Judiciary, 04/30/87, 8 00 am, 214C, for ratification of subreferral
 05/05/87 HOUSE On Committee agenda—Judiciary, 05/07/87, 8 00 am, 214C
 05/15/87 HOUSE On Committee agenda—Judiciary, 05/19/87, 3 30 pm, 214C
 05/22/87 HOUSE Comm Report Favorable with 2 amendment(s) by Judiciary, placed on Calendar -HJ 567
 05/27/87 HOUSE Placed on Special Order Calendar
 05/28/87 HOUSE Read second time, Amendments adopted, Read third time, Passed as amended, YEAS 118 NAYS 0 -HJ 748
 05/28/87 SENATE In Messages
 05/29/87 SENATE Received, referred to Judiciary—Civil -SJ 504, On Committee agenda—Judiciary—Civil, 06/01/87, 12 00 noon, Room-B -SJ 527
 06/01/87 SENATE Comm Report, Favorable by Judiciary—Civil, placed on Calendar -SJ 531
 06/06/87 SENATE Died on Calendar

H 1306 LOCAL BILL by Hodges

Cedar Key Water & Sewerage District, (Levy Co) increases maximum amount of bonds which Cedar Key Special Water & Sewerage District is authorized to have outstanding at any one time Effective Date: 07/02/87
 04/20/87 HOUSE Filed
 04/23/87 HOUSE Introduced, referred to Community Affairs -HJ 266
 05/07/87 HOUSE On Committee agenda—Community Affairs, 05/11/87, 1 15 pm, 212 HOB
 05/11/87 HOUSE Preliminary Committee Action by Community Affairs: Favorable, to Calendar
 05/13/87 HOUSE Comm Report, Favorable by Community Affairs, placed on Calendar -HJ 443
 05/22/87 HOUSE Placed on Local Calendar
 05/26/87 HOUSE Read second and third times, Passed, YEAS 118 NAYS 0 -HJ 605
 05/26/87 SENATE In Messages
 05/27/87 SENATE Received, referred to Rules and Calendar -SJ 425
 05/29/87 SENATE Extension of time granted Committee Rules and Calendar
 06/01/87 SENATE Considered by Rules and Calendar, placed on Local Calendar -SJ 531, Passed, YEAS 38 NAYS 0 -SJ 559
 06/01/87 Ordered enrolled
 06/16/87 Signed by Officers and presented to Governor
 07/02/87 Became Law without Governor's Signature, Chapter No 87-528

H 1307 GENERAL BILL/ENG by Housing; Jamerson; Goode; Gonzalez-Quevedo and others (Similar ENG/H 1388, CS/S 598, Compare ENG/H 1273, H 1319, CS/CS/S 574, CS/ENG/S 683)

Housing Finance Agency, modifies definitions of "eligible persons" & "project" re Fla Housing Finance Agency Act, designates said agency as state housing credit agency with responsibility for allocation of federal low-income housing tax credits, provides income targeting for use of taxable bond proceeds, specifies security requirements applicable to recipients of loans under community-based organization loan program, etc Amends Ch 420, 159 603(6)(7) Effective Date 07/01/87
 04/20/87 HOUSE Filed
 04/23/87 HOUSE Introduced, referred to Appropriations -HJ 266
 05/15/87 HOUSE On Committee agenda—Appropriations, 05/19/87, 8 00 am, 21 HOB
 05/19/87 HOUSE Comm Report Favorable with 2 amendment(s) by Appropriations, placed on Calendar -HJ 489

H 1307 (CONTINUED)

05/20/87 HOUSE Placed on Special Order Calendar
 05/21/87 HOUSE Read second time -HJ 528, Amendments adopted -HJ 528
 05/22/87 HOUSE Read third time, Amendments adopted, Passed as amended, YEAS 110 NAYS 0 -HJ 555, Immediately certified -HJ 555
 05/22/87 SENATE In Messages
 05/27/87 SENATE Received, referred to Economic, Community and Consumer Affairs, Finance, Taxation and Claims, Appropriations -SJ 428
 06/06/87 SENATE Died in Committee on Economic, Community and Consumer Affairs, Iden./Sim./Compare bill passed, refer to HB 1273 (Ch 87-222) & CS/SB 683 (Ch. 87-106)

H 1308 GENERAL BILL/ENG by Agriculture; Mitchell (Similar S 1168)

Agricultural Economic Dev Policy, creates Agricultural Economic Development Policy Act, establishes Agricultural Economic Development Program within Agriculture & Consumer Services Dept, provides for 2-year pilot program, provides for interagency & local community cooperation & involvement; provides funding purposes, etc Effective Date 07/01/87
 04/20/87 HOUSE Filed
 04/23/87 HOUSE Introduced, referred to Appropriations -HJ 266
 05/19/87 HOUSE On Committee agenda—Appropriations, 05/21/87, 3 30 pm, 21 HOB
 05/21/87 HOUSE Preliminary Committee Action by Appropriations Favorable, to Calendar
 05/22/87 HOUSE Comm Report: Favorable by Appropriations, placed on Calendar -HJ 567
 05/27/87 HOUSE Placed on Special Order Calendar
 05/28/87 HOUSE Read second time, Read third time, Passed, YEAS 116 NAYS 0 -HJ 710
 05/28/87 SENATE In Messages
 06/01/87 SENATE Received, referred to Agriculture, Appropriations -SJ 539
 06/03/87 SENATE Withdrawn from Agriculture -SJ 628, Now in Appropriations
 06/05/87 SENATE Withdrawn from Appropriations -SJ 787, Placed on Special Order Calendar -SJ 848, Passed as amended, YEAS 38 NAYS 0 -SJ 855
 06/05/87 HOUSE In Messages, Concurred, Passed as amended, YEAS 115 NAYS 0 -HJ 1391
 06/05/87 Ordered engrossed, then enrolled
 06/16/87 Signed by Officers and presented to Governor
 06/30/87 Approved by Governor, Chapter No 87-229

H 1309 GENERAL BILL by Agriculture; Mitchell; Kelly (Compare ENG/S 474)

Per Diem/Meal Expense Increase, amends provision re direct payment of expenses by agency, that agency head may authorize increase in amount paid for specific meal under certain circumstances Amends 112 061, Effective Date 10/01/87.
 04/20/87 HOUSE Filed
 04/23/87 HOUSE Introduced, referred to Appropriations -HJ 266
 05/15/87 HOUSE Withdrawn from Appropriations -HJ 453, Placed on Calendar
 05/27/87 HOUSE Placed on Special Order Calendar
 05/28/87 HOUSE Read second time -HJ 743, Amendments adopted, Iden / Sim Senate Bill substituted, Laid on Table under Rule, Iden /Sim /Compare Bill passed, refer to SB 474 (Ch 87-407) -HJ 743

H 1310 GENERAL BILL/ENG by Finance & Taxation; Burke (Compare CS/H 462, H 1236, CS/ENG/S 142, CS/ENG/S 145, ENG/S 355)

Sales Tax/General Revision, provides for application of tax to certain coins & currency, revises effective date of local option tourist development taxes, removes provision that occasional & isolated sale of certain items is one in which seller is not a motor vehicle dealer, provides exemption for certain food or drinks purchased with food coupons, imposes tax on dealer license plates, etc Amends Ch 212, 125 0104, 212.053, 34921 Effective Date 07/01/87 or upon becoming law, whichever occurs later, except as otherwise provided
 04/20/87 HOUSE Filed
 04/23/87 HOUSE Introduced, referred to Appropriations -HJ 267
 04/28/87 HOUSE On Committee agenda—Appropriations, 04/30/87, 3 30 pm, 21 HOB—Time changed to 10 30 AM—No action
 05/04/87 HOUSE On Committee agenda—Appropriations, 05/06/87, 8 00 am, 21 HOB
 05/07/87 HOUSE Comm Report Favorable by Appropriations, placed on Calendar -HJ 396
 05/27/87 HOUSE Placed on Special Order Calendar
 05/28/87 HOUSE Read second time, Amendments adopted, Read third time, Passed as amended YEAS 97 NAYS 2 -HJ 727
 05/28/87 SENATE In Messages
 06/01/87 SENATE Received, referred to Finance, Taxation and Claims, Appropriations -SJ 543

HISTORY OF HOUSE BILLS

- H 1382 RESOLUTION** by Morse; Casas, Gonzalez-Quevedo; Diaz-Balart; Simon; Metcalf; Souto; Garcia; Gutman (Similar S 1277) Cuban Municipalities in Exile Week, declares third week of May 1987 as Cuban Municipalities in Exile Week
04/28/87 HOUSE Filed
05/01/87 HOUSE Introduced, referred to Judiciary -HJ 324
05/05/87 HOUSE Subreferred to Subcommittee on Court Systems, Probate and Consumer Law; On Committee agenda—Judiciary, 05/07/87, 8 00 am, 214C, for ratification of subreferral
06/06/87 HOUSE Died in Committee on Judiciary
- H 1383 CONCURRENT RESOLUTION** by Morse; Casas; Bass; Gonzalez-Quevedo
General Bernardo de Galvez, recognizes General Bernardo de Galvez & his contributions to American independence.
04/28/87 HOUSE Filed
05/01/87 HOUSE Introduced, referred to Judiciary -HJ 324
05/05/87 HOUSE Subreferred to Subcommittee on Court Systems, Probate and Consumer Law, On Committee agenda—Judiciary, 05/07/87, 8 00 am, 214C, for ratification of subreferral
06/06/87 HOUSE Died in Committee on Judiciary
- H 1384 GENERAL BILL/CS/ENG** by Appropriations; Health Care; Abrams; C.F. Jones; Grindle; McEwan; Press, D L. Jones; Lippman; Gordon, Logan; Bass; Garcia; Silver; Tobin, Gustafson; Reddick and others (Compare H 3, H 13, H 414, H 715, H 792, H 919, H 1150, S 247, S 308, CS/CS/ENG/S 484, S 498, CS/S 733, CS/CS/S 868, S 1014, S 1067)
Indigent Health Care/Counties, enables county to establish municipal service taxing or benefit units to provide indigent health care services in unincorporated areas, authorizes levy of ad valorem taxes subject to referendum, expands primary care programs for low-income persons, provides for demonstration projects for non-Medicare medically indigent, establishes child health assistance demonstration projects, etc Amends Chs 125, 154, 155, 395, 409 Appropriation \$30,050,000 Effective Date 10/01/87 except as otherwise provided
04/28/87 HOUSE Filed
05/01/87 HOUSE Introduced, referred to Appropriations -HJ 325
05/04/87 HOUSE On Committee agenda—Appropriations, 05/06/87, 8 00 am, 21 HOB
05/06/87 HOUSE Comm Report. CS by Appropriations, placed on Calendar -HJ 383, CS read first time -HJ 382
05/07/87 HOUSE Placed on Special Order Calendar, Read second time -HJ 387, Amendments adopted -HJ 388
05/12/87 HOUSE Read third time, CS passed as amended, YEAS 118 NAYS 0 -HJ 405
05/13/87 SENATE In Messages
05/19/87 SENATE Received, referred to Health and Rehabilitative Services, Personnel, Retirement and Collective Bargaining, Rules and Calendar, Appropriations -SJ 333
05/28/87 SENATE Withdrawn from Health and Rehabilitative Services, Personnel, Retirement and Collective Bargaining, Rules and Calendar, Appropriations, CS passed as amended, YEAS 38 NAYS 0 -SJ 478, Immediately certified -SJ 478
05/28/87 HOUSE In Messages, Message was taken up -HJ 729, Refused to concur, requests Senate recede/appoint Conference Comm. -HJ 738, Conference Committee appointed. Rep Abrams, F Jones, Press, Grindle; Alt -Langton & McEwan -HJ 738
05/28/87 SENATE In Messages
05/29/87 SENATE Refused to recede, Conference Committee appointed Sen. Myers, Gordon, Lehtinen & Scott -SJ 504
06/03/87 HOUSE Conference Committee Report received -HJ 1082, Conference Committee Report adopted -HJ 1099, Passed as amended by Conference Committee Report, YEAS 117 NAYS 2 -HJ 1100
06/03/87 SENATE In Messages, Conference Committee Report received -SJ 684; Conference Committee Report adopted, Passed as amended by Conference Committee Report, YEAS 35 NAYS 0 -SJ 700
06/03/87 Ordered engrossed, then enrolled
06/04/87 Signed by Officers and presented to Governor -HJ 1258
06/17/87 Approved by Governor; Chapter No 87-92
- H 1385 GENERAL BILL/CS/ENG** by Finance & Taxation; Health Care; Press; Abrams; Bell and others (Similar CS/CS/S 1148, Compare CS/ENG/H 121, CS/S 411)
HMO & Prepaid Health Clinics, redefines terms "health maintenance organization" & "minimum services", provides for application of certain provisions of law to HMO's, prohibits Ins Dept from issuing certificate of authority to certain HMO's, provides for revocation or cancellation of such certificates, provides that Ins Dept shall promulgate rules re HMO & Prepaid Health Clinic Act, provides for quality assurance program, etc Amends Ch 641, 458 337 Appropriation \$449,819 Effective Date 10/01/87
04/28/87 HOUSE Filed
05/01/87 HOUSE Introduced, referred to Finance & Taxation, Appropriations -HJ 325
05/11/87 HOUSE On Committee agenda—Finance & Taxation, 05/13/87, 1 15 pm 21 HOB—Time changed to 2 15 pm
- H 1385 (CONTINUED)**
05/13/87 HOUSE Preliminary Committee Action by Finance & Taxation Favorable, as a Committee Substitute
05/20/87 HOUSE Comm Report: CS by Finance & Taxation -HJ 521, CS read first time -HJ 520, Now in Appropriations -HJ 521
05/25/87 HOUSE On Committee agenda—Appropriations, 05/26/87, 8 00 am, 21 HOB
05/26/87 HOUSE Preliminary Committee Action by Appropriations Favorable, with 2 amendments, to Calendar
05/27/87 HOUSE Comm Report Favorable with 2 amendment(s) by Appropriations, placed on Calendar -HJ 700
05/29/87 HOUSE Placed on Special Order Calendar
06/01/87 HOUSE Read second time -HJ 911, Amendments adopted, Read third time, CS passed as amended, YEAS 118 NAYS 0 -HJ 913, Reconsidered, Amendments reconsidered, substitute amendments adopted, CS passed as amended, YEAS 114 NAYS 0 -HJ 913
06/02/87 SENATE In Messages
06/03/87 SENATE Received, referred to Health and Rehabilitative Services, Commerce, Appropriations -SJ 638
06/05/87 SENATE Withdrawn from Health and Rehabilitative Services, Commerce, Appropriations, Substituted for CS/CS/SB 1148, CS passed, YEAS 38 NAYS 0 -SJ 828
06/05/87 Ordered enrolled
06/16/87 Signed by Officers and presented to Governor
06/30/87 Approved by Governor, Chapter No 87-236
- H 1386 GENERAL BILL** by Judiciary; Simon (Similar CS/ENG/S 1269)
Real Estate Time sharing, clarifies scope of fiduciary duty owed by escrow agents to purchasers, clarifies advertising filing procedures & what constitutes advertising, requires managing entities to maintain owner lists for inspection by Land Sales, Condo & Mobile Homes Div of Bus Reg Dept upon request, creates personal liability for time-share assessments, exempts owner referrals from solicitor or real estate licensee Amends 721 08 11, 111, 13, 15, 20 Effective Date Upon becoming law
04/28/87 HOUSE Filed
05/01/87 HOUSE Introduced, placed on Calendar -HJ 325
06/01/87 HOUSE Placed on Special Order Calendar
06/02/87 HOUSE Read second time, Iden /Sim Senate Bill substituted, Laid on Table under Rule, Iden /Sim /Compare Bill passed, refer to CS/SB 1269 (Ch 87-343) -HJ 958
- H 1387 GENERAL BILL** by Health Care; Guber; King; Abrams; Grindle, Rochlin; Burnsed and others (Similar S 898)
Life-prolonging Procedure/Redefined; redefines "life-prolonging procedure", provides for withholding or withdrawing of sustenance in certain circumstances, provides for effect of written directives Amends 765 03, creates 765 075 Effective Date 10/01/87
04/29/87 HOUSE Filed
05/01/87 HOUSE Introduced, placed on Calendar -HJ 326
05/13/87 HOUSE Placed on Special Order Calendar
05/26/87 HOUSE Read second time -HJ 611, Amendment pending -HJ 611
06/06/87 HOUSE Died on Calendar
- H 1388 GENERAL BILL/ENG** by Housing, Jamerson and others (Similar ENG/H 1307, CS/S 598, Compare ENG/H 1273, H 1319, CS/CS/S 574, CS/ENG/S 683)
Housing Finance Agency, modifies definitions of "eligible persons" & "project" re Fla Housing Finance Agency Act, provides income targeting for use of taxable bond proceeds, designates said agency as state housing credit agency with responsibility for allocation of federal low-income housing tax credits, specifies security requirements applicable to recipients of loans under community-based organization loan program, etc Amends Ch 420, 159 603 Effective Date 07/01/87
04/29/87 HOUSE Filed
05/01/87 HOUSE Introduced, referred to Finance & Taxation, Appropriations -HJ 326
05/13/87 HOUSE Withdrawn from Finance & Taxation -HJ 431, Now in Appropriations
05/21/87 HOUSE Withdrawn from Appropriations -HJ 533; Placed on Calendar
06/02/87 HOUSE Placed on Special Order Calendar, Read second time, Amendments adopted, Read third time, Passed as amended, YEAS 110 NAYS 0 -HJ 1011
06/03/87 SENATE In Messages, Received, referred to Economic, Community and Consumer Affairs, Finance, Taxation and Claims, Appropriations -SJ 638
06/06/87 SENATE Died in Committee on Economic Community and Consumer Affairs, Iden /Sim /Compare bill passed, refer to HB 1273 (Ch 87-222) & CS/SB 683 (Ch 87-106)
- H 1389 GENERAL BILL** by Health & Rehabilitative Services, Bloom; Hawkins, Davis; Jennings, Drage; Friedman (Similar CS/S 978)
Civil Penalties/Increased, increases court costs for person who elects alternatives to fines for infractions, increases civil penalties for noncriminal infractions, provides for distribution of increased costs & penalties deletes certain sources & provides other sources of funds for Child Welfare Training Trust Fund & of funds for Juvenile Justice Training Trust Fund Amends 318 14 18, 21, 402 40, 959 29

(CONTINUED ON NEXT PAGE)

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

| <u>ANALYST</u> | <u>STAFF DIRECTOR</u> | <u>REFERENCE</u> | <u>ACTION</u> |
|----------------------------------|---------------------------|------------------|---------------------|
| 1. <u>Bradley</u> ^{RPB} | <u>Buck</u> ^{CB} | 1. <u>ECCA</u> | <u>FAV/3 amend.</u> |
| 2. _____ | _____ | 2. <u>FTC</u> | _____ |
| 3. _____ | _____ | 3. <u>AP</u> | _____ |
| 4. _____ | _____ | 4. _____ | _____ |

SUBJECT:

Florida Housing Finance Agency

BILL NO. AND SPONSOR:

SB 598 by
Senate Economic, Community
and Consumer Affairs Committee

I. SUMMARY:

A. Present Situation:

Persons eligible to live in multifamily housing projects financed with tax-exempt bonds issued by the Florida Housing Finance Agency (FHFA) are currently limited by rule to those earning up to 150 percent of the state or county median family income. Because the Tax Reform Act of 1986 imposed such deeper low income targeting requirements for such multifamily projects, the additional limitations under Florida law have raised doubt concerning the feasibility of future projects.

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18

New federal requirements also apply to mortgages for first-time homebuyers provided through tax-exempt bonds such as those issued by the FHFA. For the first time, an income eligibility ceiling is imposed, limiting mortgagors to those earning up to 115 percent of the state or area median income. In addition, the limit on home purchase price is reduced from 110 percent to 90 percent of the average area home sales price. These new limitations increase the likelihood that prospective homebuyers will be excluded due to an inability to qualify for private mortgage insurance. Stringent criteria for private mortgage insurance have already limited the extent to which the FHFA has been able to assist low income prospective homebuyers.

In the area of multifamily housing, the Tax Reform Act of 1986 created a low income housing tax credit which is to be allocated by the state "housing credit agency." Executive Order 86-241 designated the FHFA as that entity and provided general guidelines for the allocation of the tax credit.

The Tax Reform Act also instituted changes with respect to the volume limitation on single family mortgage bonds. Formerly subject to a separate cap allocated by the FHFA pursuant to s.420.5097, F.S., these bonds are now included under the "unified volume cap" which has imposed a statewide per capita limit on tax-exempt private activity bonds.

B. Effect of Proposed Changes:

Section 420.503, F.S., is amended to revise the definition of "eligible persons" in order to clarify elements the agency may take into account in determining eligibility, to specify that eligible persons may earn up to 150 percent of the state or county median income, and to include all persons over the age of 65 as eligible, regardless of income. The definition of "project" is revised to remove the requirement that a project be for eligible persons, thereby removing the income ceiling.

Section 420.507, F.S., is amended to authorize the FHFA to insure and procure insurance against loss in connection with mortgages issued by lending institutions. Section 420.5083, F.S., is created to establish the Florida Housing Insurance Fund under the FHFA to assist in providing home mortgages for low and moderate income persons in instances where private mortgage insurance cannot be

obtained. Terms of the insurance, fees, and standards of eligibility are to be determined by the FHFA. The sum of \$5 million is appropriated to establish the fund.

Section 400.5099, F.S., is created to designate the FHFA as the state "housing credit agency" for the purpose of allocating the low income housing tax credit. The FHFA is directed to provide allocation procedures which will maximize the use of the tax credit in developing low income housing. General guidelines for allocation, such as the relative need for housing in a given area, are specified. The FHFA executive director is authorized to determine allocations on behalf of the agency. Any applicant disputing an allocation decision may appeal to the governing body.

Section 420.5097, F.S., is repealed because the allocation by the FHFA of authority to issue mortgage revenue bonds, mortgage credit certificates and other federally tax-subsidized instruments has been superseded by the unified volume cap provisions of the Tax Reform Act of 1986.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

To the extent that eliminating the exclusion of persons with incomes over 150 percent of the median income acts as an incentive for the development of multifamily projects serving a percentage of low income persons, those low income persons will benefit. Developers of future bond-financed projects are anticipated to experience an increase in rents on some non-targeted units and a reduction in administrative costs related to tenant income verification.

To the extent that the provision of mortgage insurance enables lower income persons to purchase homes, those lower income persons will benefit.

To the extent that the FHFA provides for the optimal allocation of the low income housing tax credit, additional housing production benefiting low income persons will be encouraged.

B. Government:

A slight reduction in FHFA costs related to income monitoring is expected to occur as a result of the elimination of the across-the-board income ceiling for multifamily projects.

For 1987-1988, a general revenue appropriation of \$5 million has been requested to establish the Florida Housing Insurance Fund. An additional \$106,000 would be required for three staff positions needed to administer the fund.

The FHFA does not anticipate the need for additional staff for the purpose of allocating the low income housing tax credit.

III. COMMENTS:

None.

IV. AMENDMENTS:

#1 by ECCA:

With respect to the Community-Based Organization Loan Program, provides for security for loans, foreclosure or other legal action in the event of default, department response to the failure to develop land under the program, and utilization of land accruing to the state, and proceeds from the sale thereof, for low-income housing.

#2 by ECCA:

Corresponding title amendment.

#3 by ECCA:

Corresponding title amendment.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

| <u>ANALYST</u> | <u>STAFF DIRECTOR</u> | <u>REFERENCE</u> | <u>ACTION</u> |
|----------------------|-----------------------|------------------|---------------|
| 1. Bradley <i>EB</i> | Buck <i>DB</i> | 1. ECCA | FAV/3 amend. |
| 2. _____ | _____ | 2. FTC | _____ |
| 3. _____ | _____ | 3. AP | _____ |
| 4. _____ | _____ | 4. _____ | _____ |

SUBJECT:

Florida Housing Finance Agency

BILL NO. AND SPONSOR:

SB 598 by
Senate Economic, Community
and Consumer Affairs Committee

I. SUMMARY.

A. Present Situation:

Persons eligible to live in multifamily housing projects financed with tax-exempt bonds issued by the Florida Housing Finance Agency (FHFA) are currently limited by rule to those earning up to 150 percent of the state or county median family income. Because the Tax Reform Act of 1986 imposed much deeper low income targeting requirements for such multifamily projects, the additional limitations under Florida law have raised doubt concerning the feasibility of future projects.

New federal requirements also apply to mortgages for first-time homebuyers provided through tax-exempt bonds such as those issued by the FHFA. For the first time, an income eligibility ceiling is imposed, limiting mortgagors to those earning up to 115 percent of the state or area median income. In addition, the limit on home purchase price is reduced from 110 percent to 90 percent of the average area home sales price. These new limitations increase the likelihood that prospective homebuyers will be excluded due to an inability to qualify for private mortgage insurance. Stringent criteria for private mortgage insurance have already limited the extent to which the FHFA has been able to assist low income prospective homebuyers.

In the area of multifamily housing, the Tax Reform Act of 1986 created a low income housing tax credit which is to be allocated by the state "housing credit agency." Executive Order 86-241 designated the FHFA as that entity and provided general guidelines for the allocation of the tax credit.

The Tax Reform Act also instituted changes with respect to the volume limitation on single family mortgage bonds. Formerly subject to a separate cap allocated by the FHFA pursuant to s.420.5097, F.S., these bonds are now included under the "unified volume cap" which has imposed a statewide per capita limit on tax-exempt private activity bonds.

B. Effect of Proposed Changes:

Section 420.503, F.S., is amended to revise the definition of "eligible persons" in order to clarify elements the agency may take into account in determining eligibility, to specify that eligible persons may earn up to 150 percent of the state or county median income, and to include all persons over the age of 65 as eligible, regardless of income. The definition of "project" is revised to remove the requirement that a project be for eligible persons, thereby removing the income ceiling.

Section 420.507, F.S., is amended to authorize the FHFA to insure and procure insurance against loss in connection with mortgages issued by lending institutions. Section 420.5083, F.S., is created to establish the Florida Housing Insurance Fund under the FHFA to assist in providing home mortgages for low and moderate income persons in instances where private mortgage insurance cannot be

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obtained. Terms of the insurance, fees, and standards of eligibility are to be determined by the FHFA. The sum of \$5 million is appropriated to establish the fund.

Section 420.5099, F.S., is created to designate the FHFA as the state "housing credit agency" for the purpose of allocating the low income housing tax credit. The FHFA is directed to provide allocation procedures which will maximize the use of the tax credit in developing low income housing. General guidelines for allocation, such as the relative need for housing in a given area, are specified. The FHFA executive director is authorized to determine allocations on behalf of the agency. Any applicant disputing an allocation decision may appeal to the governing body.

Section 420.5097, F.S., is repealed because the allocation by the FHFA of authority to issue mortgage revenue bonds, mortgage credit certificates and other federally tax-subsidized instruments has been superseded by the unified volume cap provisions of the Tax Reform Act of 1986.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

To the extent that eliminating the exclusion of persons with incomes over 150 percent of the median income acts as an incentive for the development of multifamily projects serving a percentage of low income persons, those low income persons will benefit. Developers of future bond-financed projects are anticipated to experience an increase in rents on some non-targeted units and a reduction in administrative costs related to tenant income verification.

To the extent that the provision of mortgage insurance enables lower income persons to purchase homes, those lower income persons will benefit.

To the extent that the FHFA provides for the optimal allocation of the low income housing tax credit, additional housing production benefiting low income persons will be encouraged.

B. Government:

A slight reduction in FHFA costs related to income monitoring is expected to occur as a result of the elimination of the across-the-board income ceiling for multifamily projects.

For 1987-1988, a general revenue appropriation of \$5 million has been requested to establish the Florida Housing Insurance Fund. An additional \$106,000 would be required for three staff positions needed to administer the fund.

The FHFA does not anticipate the need for additional staff for the purpose of allocating the low income housing tax credit.

III. COMMENTS:

None.

IV. AMENDMENTS:

#1 by ECCA:

With respect to the Community-Based Organization Loan Program, provides for security for loans, foreclosure or other legal action in the event of default, department response to the failure to develop land under the program, and utilization of land accruing to the state, and proceeds from the sale thereof, for low-income housing.

#2 by ECCA:

Corresponding title amendment.

#3 by ECCA:

Corresponding title amendment.

STORAGE NAME: 87Sum-HB 1307

Date: 4/6/87

Revised: 5/22/87

Final: 6/22/87

HOUSE OF REPRESENTATIVES
COMMITTEE ON HOUSING
STAFF ANALYSIS

BILL #: HB 1307

RELATING TO: The Florida Housing Finance Agency and the "Florida Affordable Housing Act of 1986"

SPONSOR(S): Committee on Housing, Jamerson, Goode, Gonzalez-Quevedo & others

EFFECTIVE DATE: July 1, 1987, or upon becoming law

COMPANION BILL(S): CS/SB 598

OTHER COMMITTEES OF REFERENCE: (1) Appropriations
(2) _____

I. SUMMARY:

This bill amends the definitions of eligible persons and projects under State and local housing finance agencies; authorizes the Florida Housing Finance Agency (FHFA) to administer the federal low-income housing tax credit program; provides income targeting for the use of taxable bonds; provides a method to secure loans made through the community-based organization loan program in the 1986 Affordable Housing Act; repeals section 420.5097, F.S., relating to allocation of single-family mortgage revenue bonds; broadens the period of time for repayment of loans made under the Farmworker Housing Assistance Trust Fund.

A. Present Situation:

Part IV of Chapter 159, F.S., known as the "Florida Housing Finance Authority Law" enables each county to create a housing finance authority. Section 159.603, F.S., provides guidelines for eligibility to be established by rule of the housing finance authority. Section 420.503, F.S., and rules adopted by the Florida Housing Finance Agency (FHFA) provide a definition for "eligible persons" and "projects" for projects administered by FHFA. These definitions limit occupancy of tax exempt bond financed units to residents whose combined income does not exceed 150% of the median income for the area or state, whichever is greater. Deeper targeting of low income units under the 1986 Tax Reform Act paired with the state income cap, has significantly reduced the incentive to developers to build such units.

The new requirements for low income targeting for multi-family rental units include:

0 at least 20% of the units be occupied by persons whose income does not exceed 50% (very low) of the area median income; OR

0 at least 40% of the units be occupied by persons whose income does not exceed 60% of the area median income;

0 income requirements are adjusted for family size;

0 rent not exceed 30% of the maximum allowable income for a given household; AND

0 annual income certification of low income tenants, requiring that low income occupancy levels be continuously met during the qualified project period.

The Tax Reform Act of 1986 (the Act) provides for a low income housing tax credit of up to \$1.24 per capita (\$14.2 million) for developers of low income multi-family housing. The Act requires the state to designate the "housing credit agency" to allocate the tax credit. Executive Order 86-241 designated the FHFA as that entity and provided general guidelines for the allocation of the tax credit.

Deeper targeting for low income units financed through tax exempt bonds may make the use of taxable bonds a viable alternative for construction of affordable housing. The Florida Housing Finance Agency Act, Part V of Chapter 420, F.S., does not specify any public purpose for the use of taxable bonds.

In response to the state's acute need for affordable housing for very low, low and moderate income persons, the Affordable Housing Act of 1986 created a variety of programs to be implemented in 4-7 demonstration areas as part of a 2 year pilot project. \$2.7 million was appropriated last year for the Affordable Housing Act.

Five demonstration areas were selected by DCA:

0 Dade County

0 Monroe County

0 Orange and Volusia Counties

0 Alachua, Bradford and Marion Counties

0 Escambia, Holmes, Gadsden, Duval and Leon Counties

According to recommendations of the Affordable Housing Study Commission, the \$2.1 million appropriated for loans in the Affordable Housing Act will finance approximately 45-50 very low and low income units, or only nine for each of the five demonstration areas. The estimated project size of 30-40 units is not economically feasible.

The statute authorizing the CBO Loan Program does not address security on the loans, defaults of loan recipients, the Secretary's powers in default situations or sale of land if property purchased by a loan recipient were deeded to the state in lieu of foreclosure.

Without the proposed additions to the statute, the Department of Community Affairs would be unable to market property exclusively for low-income housing. In addition, without the proposed additions, the Department of Community Affairs would be unable to return land sale proceeds to the CBO Loan Program to be used for future low-income housing projects.

Section 420.405(4)(b) provides terms and conditions which the Department of Community Affairs (DCA) may require for repayment of loans made under the Farmworker Housing Assistance Trust Fund. The term of the loan is not to exceed three years, with an additional two year extension available at the discretion of the secretary of DCA. The secretary may grant an additional extension of one year in the event of extraordinary circumstances.

B. EFFECT OF PROPOSED CHANGES:

Section 1. Section 420.503, F.S., amends definitions under the "Florida Housing Finance Agency Act". Eligible persons is redefined to mean any person or family earning up to 150% of the state or county median family income. Elderly persons would be eligible regardless of income. Requirements for family size adjustment and federal law are also taken into consideration. The definition of "project" is revised to require that sixty percent of all residents must be defined as eligible persons. This is consistent with the amendments to the definitions in Section 1., relating to county housing finance authorities.

Section 2. Section 420.5099, F.S., designates the Florida Housing Finance Agency (FHFA) as the housing credit agency pursuant to section 42(h)(7)(A) of the Internal Revenue Code of 1986 in order to administer allocation of low income housing tax credits. The FHFA is directed to insure the maximum use of available tax credits in order to encourage development of low-income housing. The executive director of FHFA is to administer the program.

Section 3. Subsections (6) and (7) of Section 159.603 are amended to redefine "qualifying housing development" and "eligible persons" relating to county housing finance authorities." Eligible persons" means any person or family earning up to 150% of the state or county median family income. Elderly persons would be eligible regardless of income. The definition of "qualifying housing development" is amended to require that sixty percent of all residents must be defined as eligible persons. Consequently, up to forty percent of the projects residents would not be under any income cap.

Section 4. Subsection (14) is added to section 420.509, F.S., to target twenty percent of all units financed with taxable bonds to persons with annual incomes under eighty percent of the state or county median income.

Section 5. The amendment to section 420.607, F.S., defines reasonable security for loans under the CBO Loan Program and provides for foreclosure or other legal action in the event of default. In addition, it provides for the recovery of fees and costs. This amendment would allow the Department to market recovered property to

developers who would construct housing for low-income families. The proposed language would insure that the proceeds from such land sales would be returned to the program to be used for future projects for housing low-income families.

Section 6. Repeals Section 420.5097, Florida Statutes.

Section 7. Section 420.405(4)(b) is amended to grant the secretary of DCA discretion to indefinitely extend the term of Farmworker Housing Trust Fund loans.

Section 8. Provides and effective date of July 1, 1987.

II. ECONOMIC IMPACT:

A. Public:

The provisions of this bill serve to incite development of housing affordable to very low, low and moderate income persons. Particular benefits are available to persons 65 years of age and older under the amended definition of "eligible persons". Rents on non-targeted units may increase due to the federal rent limits and the increased administrative costs related to income certification.

B. Government:

An increase in FHFA costs related to monitoring may result from the imposition of the new federal regulations.

The administrative fees collected from applicants as permitted by the Internal Revenue Code for the low income housing tax credit would offset any additional FHFA personnel needs for this program.

III. STATE COMPREHENSIVE PLAN IMPACT:

This bill is consistent with the goals and policies as set forth for children, families, the elderly and housing in the State Comprehensive Plan.

IV. COMMENTS:

CS/SB 598 sponsored by the Senate Committee on Economic, Community and Consumer Affairs includes similar language to this bill.

V. AMENDMENTS:

None.

VI. FINAL DISPOSITION:

The substance of HB 1307 was adopted as an amendment to CS/SB 683 which was enacted by the 1987 Legislature. The major difference in this bill and the enacted version is the state cap was lifted for occupancy in state and local housing finance authority units financed through the sale of tax exempt bonds allowing developers a profit margin in construction of these units.

VII. PREPARED BY: Carol Schwarz, Legislative Analyst

VIII. STAFF DIRECTOR: Lucretia Shaw Collins

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

| <u>ANALYST</u> | <u>STAFF DIRECTOR</u> | <u>REFERENCE</u> | <u>ACTION</u> |
|-----------------------------------|---------------------------|------------------|---------------|
| 1. <u>Bradley, ^{CCB}</u> | <u>Buck ^{DB}</u> | 1. <u>ECCA</u> | <u>Fav/CS</u> |
| 2. _____ | _____ | 2. _____ | _____ |
| 3. _____ | _____ | 3. _____ | _____ |
| 4. _____ | _____ | 4. _____ | _____ |

SUBJECT:

Discrimination in the
Treatment of Persons

BILL NO. AND SPONSOR:

CS/SB 683 by the Senate
Economic, Community and Consumer
Affairs Committee and
Senator Margolis, et al

I. SUMMARY:

A. Present Situation:

Since the enactment of the federal Fair Housing Act in 1968, discrimination in the sale or rental of housing on the basis of race, color, religion, sex, or national origin has been prohibited. In 1983, Florida's Fair Housing Act was created (ss.760.20 - 760.37, F.S.), to similarly prohibit housing discrimination based on race, color, national origin, sex, handicap, or religion. In current law, the term "handicap" refers to persons with a physical impairment which "substantially limits one or more major life activities." The mentally impaired, however, are not afforded the same protection against discrimination under either the federal or state fair housing laws.

According to staff of the Association of Retarded Citizens, the increased availability of training in practical and vocational skills is enabling greater numbers of retarded and other developmentally disabled persons to live more independently. Data provided by the Florida Developmental Disabilities Planning Council shows a 24 percent increase in community clients, as opposed to institutionalized clients, since 1980. Among the training and support services which have enabled developmentally disabled persons to achieve a greater degree of self-sufficiency are developmental training programs, sheltered workshops (which teach vocational skills), supported employment programs (in which a "job coach" assists the new employee), and a variety of supportive, semi-independent living arrangements.

B. Effect of Proposed Changes:

By expanding the definition of "handicap" to include mental retardation and developmental disabilities, in addition to physical impairment, the protections against discrimination afforded by the Fair Housing Act would apply to retarded and developmentally disabled persons. Although the bill does not reference the Retardation Prevention and Community Services Act (ss.393.061-393.068, F.S.), the language pertaining to retardation is adopted from the definition of that term in s.393.063(23), F.S.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

To the extent that the specific prohibition against discrimination based on mental retardation or developmental disability in the sale or rental of housing makes housing more available to such persons, those persons will benefit.

B. Government:

To the extent that the provisions of the bill assist retarded and developmentally disabled persons in living independently, government costs related to institutional care will be reduced.

III. COMMENTS:

The provisions of the bill are consistent with the legislative intent expressed in The Bill of Rights of Retarded Persons, s.393.13, F.S.

Local zoning laws relating to the location of group homes would be unaffected by this legislation.

Representative Jennings filed a bill in the House (HB 967) which was identical to SB 683 and which has been reported out of the Committee on Housing and Urban Affairs as a Committee Substitute.

IV. AMENDMENTS:

None.

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COMMITTEE ON
ECONOMIC, COMMUNITY & CONSUMER AFFAIRS

LEGISLATION PASSED

CS/SB 683 - RELATING TO HOUSING - by Senator Margolis

This piece of legislation encompasses four individual proposals which were originally filed as separate bills relating to: the Fair Housing Act (CS/SB 683, CS/HB 967), the Florida Housing Finance Agency (CS/SB 598, HB 1307, and HB 1388), Assistance to Homeless Persons (CS/SB 221, HB 575), and the Pockets of Poverty Program (HB 1390).

For the purposes of the Fair Housing Act, the bill expanded the definition of "handicap" to include mental retardation and developmental disabilities, in addition to physical impairment. As a result, the protections against discrimination afforded by the Fair Housing Act will apply to retarded and developmentally disabled persons.

With respect to the Florida Housing Finance Agency (FHFA), the bill amended the definition of "eligible persons" in order to clarify elements the agency may take into account in determining eligibility, and amended the definition of "project" to remove the requirement that a project be for eligible persons, thereby removing the income ceiling which applied to multifamily project tenants. Section 420.509, F.S., was amended to require that 20 percent of the tenants of agency projects financed through taxable revenue bonds must have annual incomes under 80 percent of the state or county median income. The FHFA was designated the state "housing credit agency" for the purpose of allocating the federal low-income housing tax credit. Section 420.5097, F.S., was repealed because provisions of the Tax Reform Act of 1986 superseded the provisions for allocation of authority to issue mortgage revenue bonds.

In addition, the bill amended s. 420.607, F.S., to provide reasonable security for the repayment of loans under the Community-Based Organization Loan Program. Penalties for default on loans and for failure to develop land financed through the program for housing for persons with eligible income levels, and provisions for disposition of land acquired by the state, were also provided. With respect to local housing finance authorities, the definitions of "eligible persons" and "qualifying housing development" were

1987 SESSION WRAP-UP

COMMITTEE ON ECONOMIC, COMMUNITY & CONSUMER AFFAIRS

LEGISLATION PASSED

revised for consistency with similar definitions for the state housing finance agency.

The provisions of the bill which address the plight of homeless persons in Florida require the establishment of local coalitions for the homeless in each HRS service district in order to coordinate the delivery of services to homeless individuals and families. An emergency financial assistance program was created, through an appropriation of \$1 million, which will operate in conjunction with the federal Temporary Emergency Financial Assistance Program under Title IV of the United States Social Security Act, which provides a dollar-for-dollar match for state funds. Eligible families are those with at least 1 child under age 18 who are without (or are about to be without) shelter as the result of an emergency and whose income is below the AFDC Consolidated Need Standard. Assistance to any family is limited to 30 consecutive days in any 12-month period and is in the form of a two-party payment for the amount of one month's rent, mortgage payment, or cost of emergency housing.

Finally, the bill created the Pockets of Poverty program as a pilot program in Belle Glade through which state funds will be used to stimulate a cooperative effort between local public bodies, local industry, community-based organizations, nonprofit corporations, and private landowners in providing low-cost housing. A nine-member local review committee will develop a local comprehensive farmworker housing plan which will include local housing needs and goals and which will be reviewed by the Department of Community Affairs for its applicability to the community's housing needs. The review committee will also develop a housing assistance grant application form for the submission of project proposals by eligible sponsors. The committee is directed to approve applications which best meet the need for low-cost housing as delineated in the local comprehensive farmworker housing plan and which demonstrate the sponsor's ability to carry out the project. Proposals leveraging the greatest percentage of non-state dollars will receive special consideration. A housing assistance grant may be awarded for up to 80 percent of the project cost, with no more than 10 percent of the grant amount to be used for administrative costs. The program has

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**COMMITTEE ON
ECONOMIC, COMMUNITY & CONSUMER AFFAIRS**

LEGISLATION PASSED

been funded with a \$1 million appropriation. An additional \$100,000 has been appropriated for a demographic study of farmworkers in the state to be conducted by the State University System.

By the Committee on Economic, Community and Consumer Affairs

1 A bill to be entitled

2 An act relating to the Florida Housing Finance
 3 Agency of the Department of Community Affairs;
 4 amending s. 420.503, F.S.; redefining the terms
 5 "eligible persons" and "project" for purposes
 6 of the Florida Housing Finance Agency Act;
 7 amending s. 420.507, F.S.; authorizing the
 8 agency to insure and procure insurance against
 9 losses incurred by lending institutions in
 10 connection with mortgages; creating s.
 11 420.5083, F.S.; creating the Florida Housing
 12 Insurance Fund; providing for the
 13 administration of the fund and for use of
 14 moneys in the fund to insure mortgages accepted
 15 by the agency; providing for standards of
 16 eligibility for insurance; providing for
 17 rulemaking by the agency; creating s. 420.5099,
 18 F.S.; designating the Florida Housing Finance
 19 Agency as the state housing credit agency;
 20 authorizing the agency to allocate low-income
 21 housing tax credits; providing for appeals with
 22 respect to allocations or denials; providing an
 23 appropriation; repealing s. 420.5097, F.S.,
 24 relating to allocation of mortgage revenue
 25 bonds, mortgage credit certificates, or other
 26 federally tax-subsidized instruments; providing
 27 an effective date.

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

1 Section 1. Subsections (5) and (12) of section
2 420.503, Florida Statutes, 1986 Supplement, are amended to
3 read:

4 420.503 Definitions.--As used in this part, the
5 following words and terms have the following meanings unless
6 the context indicates another or different meaning or intent.

7 (5) "Eligible persons" means one or more natural
8 persons or a family, irrespective of race, creed, national
9 origin, or sex, determined by the agency pursuant to a rule to
10 be of low, moderate, or middle income. Such determination
11 does not preclude any person or family earning up to 150
12 percent of the state or county median family income from
13 participating in programs. Persons age 66 or older shall be
14 defined as eligible persons regardless of their incomes. In
15 determining the income standards of eligible persons for its
16 various programs, the agency may consider the following
17 factors:

18 (a) Requirements mandated by federal law.

19 (b) Variations in circumstances in different areas of
20 the state.

21 (c) Whether the determination is for rental housing or
22 homeownership purposes.

23 (d) The need for family-size adjustments to accomplish
24 the purposes set forth in this act. ~~requiring such~~
25 assistance as is made available pursuant to this part on
26 account of insufficient personal or family income to afford
27 decent, safe, and sanitary housing, taking into consideration
28 such facts as:

29 (a) The amount of the total income and assets of such
30 persons and families which is available for housing needs;

31 (b) The size of the family;

1 ~~(c)--The cost and condition of available housing~~
2 ~~facilities;~~

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

7 ~~(e)--If appropriate, those standards established for~~
8 ~~various federal programs determining eligibility based on~~
9 ~~income of such persons and families;~~

10
11 ~~The personal or family income so determined by the agency may~~
12 ~~vary among different areas in the state, in accordance with~~
13 ~~the size of the family unit and according to whether the~~
14 ~~determination is for rental or homeownership purposes;~~

15 (12) "Project" means any work or improvement located
16 or to be located in the state, including real property,
17 buildings, and any other real and personal property, designed
18 and intended for the primary purpose of providing decent,
19 safe, and sanitary residential housing for four or more
20 families ~~who are eligible persons~~, whether new construction,
21 the acquisition of existing residential housing, or the
22 remodeling, improvement, rehabilitation, or reconstruction of
23 existing housing, together with such related nonhousing
24 facilities as the agency determines to be necessary,
25 convenient, or desirable.

26 Section 2. Subsection (23) of section 420.507, Florida
27 Statutes, is added to said section to read:

28 420.507 Powers of the agency.--The agency shall have
29 all the powers necessary or convenient to carry out and
30 effectuate the purposes and provisions of this part, including
31

1 the following powers which are in addition to all other powers
2 granted by other provisions of this part:

3 (23) To insure and procure insurance against any loss
4 in connection with mortgages issued by lending institutions,
5 in such amounts as it may deem necessary or desirable.

6 Section 3. Section 420.5083, Florida Statutes, is
7 created to read:

8 420.5083 Florida Housing Insurance Fund.--The
9 Legislature finds that there is a shortage of private capital
10 mortgages in this state for persons and families of low or
11 moderate income. The Legislature recognizes that the use of
12 private investment capital for low-income and moderate-income
13 housing can be stimulated by a program in which qualified
14 lending institutions may be insured against losses incurred as
15 a result of nonpayment of principal, interest, or other sums
16 agreed to be paid under the terms of any note or mortgage.
17 The Legislature further finds that such mortgage insurance can
18 assist persons of low or moderate income in financing the
19 purchase, construction, or rehabilitation of housing by
20 encouraging loans from qualified lending institutions in
21 instances in which private mortgage insurance cannot be
22 obtained. In furtherance of such state and public interest,
23 there is established the Florida Housing Insurance Fund.

24 (1) The Florida Housing Finance Agency shall manage
25 and supervise the Florida Housing Insurance Fund. The fund
26 shall be deposited with the Treasurer to hold in such banks as
27 he deems proper and shall be accounted for by the Comptroller
28 in a special account known as the Florida Housing Insurance
29 Fund. The fund shall be invested and reinvested in the same
30 manner as other state funds. Money in the fund shall be used
31

1 to insure mortgages accepted by the agency under the
2 provisions of this part.

3 (2) The agency may insure upon such terms as it
4 prescribes any mortgage or note that is eligible for insurance
5 under the provisions of this part. The agency shall establish
6 fees for such insurance in an amount calculated to cover the
7 administrative costs for this program as well as payments made
8 to qualified lending institutions that sustain insured losses
9 caused by defaults on mortgages or notes. The agency may make
10 a mortgage loan to assist in the disposition of any property
11 acquired by the agency through foreclosure or pursuant to any
12 other payment in settlement for a claim for loss.

13 (3) The agency shall adopt such standards of
14 eligibility for insurance as are reasonable to assure that the
15 insurance will aid in financing the purchase, construction, or
16 rehabilitation of low-income and moderate-income housing. The
17 agency shall also adopt standards that require the mortgagee
18 to be responsible and able to service the mortgage properly.

19 (4) The agency shall adopt such rules as are necessary
20 to carry out the purpose of this section.

21 Section 4. Section 420.5099, Florida Statutes, is
22 created to read:

23 420.5099 Allocation of the low-income housing tax
24 credit.--

25 (1) The Florida Housing Finance Agency is designated
26 the housing credit agency for the state within the meaning of
27 Section 42(h)(7)(A) of the Internal Revenue Code of 1986 and
28 shall have the responsibility and authority to establish
29 procedures necessary for proper allocation and distribution of
30 low-income housing tax credits and shall exercise all powers
31 necessary to administer the allocation of such credits.

1 (2) The agency shall adopt allocation procedures that
2 will ensure the maximum use of available tax credits in order
3 to encourage development of low-income housing in the state,
4 taking into consideration the timeliness of the application,
5 the location of the proposed housing project, the relative
6 need in the area for low-income housing and the availability
7 of such housing, the economic feasibility of the project, and
8 the ability of the applicant to proceed to completion of the
9 project in the calendar year for which the credit is sought.

10 (3) The agency may request such information from
11 applicants as will enable it to make the allocations according
12 to the guidelines set forth in subsection (2), including, but
13 not limited to, the information required to be provided the
14 agency by chapter 91-21, Florida Administrative Code.

15 (4) The executive director of the agency shall
16 administer the allocation procedures and determine allocations
17 on behalf of the agency. Any applicant disputing the amount
18 of an allocation or the denial of a request for allocation may
19 appeal to the governing board of the agency.

20 Section 5. The sum of \$5 million is appropriated from
21 the General Revenue Fund to the Florida Housing Finance Agency
22 for the purpose of establishing the Florida Housing Insurance
23 Fund.

24 Section 6. Section 420.5097, Florida Statutes, is
25 hereby repealed.

26 Section 7. This act shall take effect upon becoming a
27 law.

SENATE SUMMARY

Provides that the definition of the term "eligible persons" must include persons age 65 or over and any person or family earning up to 150 percent of the state or county median income, for purposes of the Florida Housing Finance Agency Act. Establishes the Florida Housing Insurance Fund to insure lending institutions against losses incurred in financing the purchase, construction, or rehabilitation of low-income or moderate-income housing; authorizes the Florida Housing Finance Agency of the Department of Community Affairs to insure such lending institutions and administer the insurance fund. Designates the Florida Housing Finance Agency as the housing credit agency for the state, within the meaning of the Internal Revenue Code of 1986, and authorizes the agency to establish procedures for the allocation of low-income housing tax credits and to allocate such credits. Provides a \$5 million appropriation from the General Revenue Fund to establish the Florida Housing Insurance Fund. Repeals s. 420.5097, F.S., relating to allocation of mortgage revenue bonds, mortgage credit certificates, or other similar instruments limited by federal allocation bonds and certificates.

By the Committee on Finance, Taxation and Claims and Economic,
Community and Consumer Affairs

for the information of members of the Legislature and the public.

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A bill to be entitled

An act relating to housing; amending s.
420.503, F.S.; redefining the terms "eligible
persons" and "project" for purposes of the
Florida Housing Finance Agency Act; amending s.
420.509, F.S.; providing a limitation on the
use of bond proceeds; creating s. 420.5099,
F.S.; designating the Florida Housing Finance
Agency as the state housing credit agency;
authorizing the agency to allocate low-income
housing tax credits; providing for appeals with
respect to allocations or denials; amending s.
420.607, F.S.; providing procedures relating to
the Community-Based Organization Loan Program;
amending s. 159.603, F.S., relating to housing
finance authorities; repealing s. 420.5097,
F.S., relating to allocation of mortgage
revenue bonds, mortgage credit certificates, or
other federally tax-subsidized instruments;
providing an effective date.

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

Section 1. Subsections (5) and (12) of section
420.503, Florida Statutes, 1986 Supplement, are amended to
read:

420.503 Definitions.--As used in this part, the
following words and terms have the following meanings unless
the context indicates another or different meaning or intent:

(5) "Eligible persons" means one or more natural
persons or a family, irrespective of race, creed, national

1 origin, or sex, determined by the agency pursuant to a rule to
2 be of low, moderate, or middle income. Such determination
3 does not preclude any person or family earning up to 150
4 percent of the state or county median family income from
5 participating in programs. Persons age 66 or older shall be
6 defined as eligible persons regardless of their incomes. In
7 determining the income standards of eligible persons for its
8 various programs, the agency may consider the following
9 factors:

10 (a) Requirements mandated by federal law.

11 (b) Variations in circumstances in different areas of
12 the state.

13 (c) Whether the determination is for rental housing or
14 homeownership purposes.

15 (d) The need for family-size adjustments to accomplish
16 the purposes set forth in this act. ;--requiring such
17 assistance as is made available pursuant to this part on
18 account of insufficient personal or family income to afford
19 decent, safe, and sanitary housing; taking into consideration
20 such facts as:

21 (a) The amount of the total income and assets of such
22 persons and families which is available for housing needs;

23 (b) The size of the family;

24 (c) The cost and condition of available housing
25 facilities;

26 (d) The ability of such persons and families to
27 compete successfully in the normal private housing market and
28 to pay the amounts at which private enterprise is providing
29 decent, safe, and sanitary housing;

1 ~~(e) -- If appropriate, those standards established for~~
 2 ~~various federal programs determining eligibility based on~~
 3 ~~income of such persons and families.~~

4
 5 ~~The personal or family income so determined by the agency may~~
 6 ~~vary among different areas in the state, in accordance with~~
 7 ~~the size of the family unit and according to whether the~~
 8 ~~determination is for rental or homeownership purposes.~~

9 (12) "Project" means any work or improvement located
 10 or to be located in the state, including real property,
 11 buildings, and any other real and personal property, designed
 12 and intended for the primary purpose of providing decent,
 13 safe, and sanitary residential housing for four or more
 14 families ~~who are eligible persons~~, whether new construction,
 15 the acquisition of existing residential housing, or the
 16 remodeling, improvement, rehabilitation, or reconstruction of
 17 existing housing, together with such related nonhousing
 18 facilities as the agency determines to be necessary,
 19 convenient, or desirable.

20 Section 2. Subsection (14) is added to section
 21 420.509, Florida Statutes, 1986 Supplement, to read:

22 420.509 Bonds; purpose, terms, approval,
 23 limitations.--

24 (14) If the proceeds of an issue of revenue bonds the
 25 interest on which is not exempt from federal taxation is used
 26 to finance a project, 20 percent of the tenants of the project
 27 must have annual incomes under 80 percent of the state or
 28 local median income, whichever is higher.

29 Section 3. Section 420 5099, Florida Statutes, is
 30 created to read:

1 420.5099 Allocation of the low-income housing tax
2 credit.--

3 (1) The Florida Housing Finance Agency is designated
4 the housing credit agency for the state within the meaning of
5 section 42(h)(7)(A) of the Internal Revenue Code of 1986 and
6 shall have the responsibility and authority to establish
7 procedures necessary for proper allocation and distribution of
8 low-income housing tax credits and shall exercise all powers
9 necessary to administer the allocation of such credits.

10 (2) The agency shall adopt allocation procedures that
11 will ensure the maximum use of available tax credits in order
12 to encourage development of low-income housing in the state,
13 taking into consideration the timeliness of the application,
14 the location of the proposed housing project, the relative
15 need in the area for low-income housing and the availability
16 of such housing, the economic feasibility of the project, and
17 the ability of the applicant to proceed to completion of the
18 project in the calendar year for which the credit is sought.

19 (3) The agency may request such information from
20 applicants as will enable it to make the allocations according
21 to the guidelines set forth in subsection (2), including, but
22 not limited to, the information required to be provided the
23 agency by chapter 91-21, Florida Administrative Code.

24 (4) The executive director of the agency shall
25 administer the allocation procedures and determine allocations
26 on behalf of the agency. Any applicant disputing the amount
27 of an allocation or the denial of a request for allocation may
28 appeal to the governing board of the agency.

29 Section 4. Section 420.607, Florida Statutes, 1986
30 Supplement, is amended to read:

31

1 420.607 Community-based organization loan program.--

2 The department is authorized to develop and administer a
3 revolving loan program to assist community-based organizations
4 in developing housing affordable to very low-income, low-
5 income, and moderate-income persons. The rate of interest on
6 any loan made pursuant to this section shall be set by the
7 department in an amount which is below the market rate and
8 which is calculated to accomplish the purposes of this
9 section.

10 (1) USES.--The program is established to assist
11 community-based organizations in covering the following
12 predevelopment expenses:

13 (a) Options to purchase proposed housing units or
14 sites,

15 (b) Deposits on purchase contracts;

16 (c) Payments for the purchase of development sites;

17 (d) Legal and marketing expenses;

18 (e) Fees for preliminary feasibility studies,
19 planning, engineering and architectural work;

20 (f) Application fees and other fees of financing
21 agencies; and

22 (g) Such other expenses, excluding administrative or
23 operational expenses, as may be deemed appropriate by rule of
24 the department.

25 (2) RESTRICTIONS.--Loans of up to \$5,000 per unit,
26 with a maximum of \$100,000 per project, may be made to
27 community-based organizations for the purposes described in
28 subsection (1), provided that:

29 (a) The rate of interest on any loan made pursuant to
30 this section shall be set by the department in an amount which
31 is below the market rate and which is calculated to encourage

1 the development of housing affordable to very low-income, low-
2 income, and moderate-income persons.

3 (b) With respect to a project which uses financing
4 under this section:

5 1. At least 60 percent of the units in the project
6 shall be rented or sold to very low-income, low-income, and
7 moderate-income persons; and

8 2. At least a specified number of units, representing
9 that percentage of the units in the total project which is
10 equivalent to the percentage of financing obtained under this
11 section as compared to the cost of the total project, shall be
12 rented or sold to very low-income and low-income persons. At
13 least half of this specified number of units shall be rented
14 or sold to very low-income persons. For rental properties,
15 the specified rental mix must continue throughout the life of
16 the loan. These units shall be in addition to any units which
17 may be required to be rented or sold to such persons under the
18 provisions of s. 420.605(3)(f)2.

19 (c) Loans must be repaid within 3 years from the date
20 of the loan, except that, upon request of the loan recipient,
21 and with concurrence of the secretary, the loan may be
22 extended for a maximum of 2 additional years.

23 (d) Community-based organizations shall demonstrate
24 preliminary feasibility of a proposed project to provide
25 housing affordable to very low-income, low-income, and
26 moderate-income persons.

27 (e) With respect to any loan obtained under this
28 section resulting in the development of housing affordable to
29 very low-income persons, for each housing unit actually
30 occupied by very low-income persons, 50 percent of that
31 portion of the loan represented by that unit may be forgiven

1 and the remaining 50 percent shall be paid back as a 0-percent
2 loan with a 3-year term.

3 (f) The benefits of making loans under this section
4 shall be provided to the very low-income, low-income, and
5 moderate-income persons occupying the housing units with
6 respect to which the predevelopment costs were incurred.

7 (g) The recipient of any loan made pursuant to this
8 section shall not:

9 1. Discriminate on the basis of race, creed, religion,
10 color, age, sex, marital status, national origin, or handicap
11 in the lease, use, or occupancy of any housing project
12 financed hereunder, or in connection with the employment or
13 application for employment of persons for the operation and
14 management of such housing project

15 2. Refuse or deny occupancy in any housing unit
16 benefiting from a loan made hereunder to any person whose
17 family includes minor dependents who will occupy such housing
18 unit, unless such refusal is based upon factors not related to
19 the presence of such minors in the family.

20 (h) The recipient of any loan made pursuant to this
21 section shall provide for reasonable security to ensure the
22 repayment of the loan within the term specified. Reasonable
23 security shall be a promissory note secured by:

24 1. A mortgage from the recipient on the property to be
25 purchased, improved, or purchased and improved from the
26 proceeds of the loan made pursuant to this section; or

27 2. Other forms of collateral acceptable to the
28 secretary.

29 (3) APPLICATION PROCEDURE --The department shall
30 select loan recipients in accordance with application
31 procedures established pursuant to s. 420.604(6)

1 (4) DEFAULT.--In the event of default on a loan, the
2 secretary is empowered on behalf of the state to foreclose on
3 any mortgage or security interest or commence any legal action
4 to protect the interest of the state and recover the amount of
5 the unpaid principal, accrued interest, and fees on behalf of
6 the fund.

7 (5) FAILURE TO DEVELOP LAND.--

8 (a) The secretary is authorized to take appropriate
9 legal action to transfer title of the land to the state when:

10 1. A loan recipient does not cause the land to be
11 developed for housing for very low-income, low-income, or
12 moderate-income persons and families within 3 years from the
13 execution of the loan agreement, or, if the secretary has
14 extended the term of the loan, within the period of time for
15 which the loan has been extended.

16 2. It is jointly determined by the secretary and the
17 loan recipient that, because of a change in the
18 characteristics of the parcel acquired or because of a change
19 in federal, state, or local programs, it is not possible for
20 the land to be developed for housing for very low-income, low-
21 income, or moderate-income persons.

22 (b) All land so acquired shall be administered by the
23 secretary in accordance with the provisions of s. 420.607(6).

24 (6) DISPOSITION OF PROPERTY ACCRUING TO THE STATE.--
25 When, because of the effects of this section, title to lands
26 is acquired by the state to be administered by the secretary,
27 the following provisions shall apply:

28 (a) Subject to the approval of the Board of Trustees
29 of the Internal Improvement Trust Fund, and pursuant to rules
30 promulgated by the secretary and approved by such trustees,
31 the secretary is empowered to make land so acquired available

1 to eligible developers for the provision of housing for very
 2 low-income, low-income, or moderate-income persons, and, in
 3 such cases, the conveyance procedures for state lands as
 4 provided in chapters 253 and 270 shall not apply.

5 (b) When the secretary determines that it is not
 6 possible for the land to be developed for housing for very
 7 low-income, low-income, or moderate-income persons, the land
 8 shall be sold in accordance with the conveyance procedures for
 9 state lands as provided in chapters 253 and 270, with all net
 10 proceeds to be deposited to the fund.

11 (7) (4) POWERS --The department may do all acts
 12 necessary or appropriate to carry out the purposes of this
 13 section, including exercising the power to:

14 (a) Enter into contracts and agreements with the
 15 Federal Government or with other agencies of the state, with
 16 local governments, or with any other person, association,
 17 corporation, or entity,

18 (b) Seek and accept funding from any public or private
 19 source;

20 (c) Require persons to affirm the truth of statements
 21 made in any application for a loan under this section or in
 22 any contract documents submitted to the department; and

23 (d) Adopt and enforce rules consistent with this
 24 section.

25 Section 5. Section 159.603, Florida Statutes, is
 26 amended to read:

27 159 603 Definitions.--As used in this part, the
 28 following words and terms have the following meanings unless
 29 the context indicates another or different meaning or intent
 30 act:

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

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

13 (3) "Housing finance authority" means a housing
14 finance authority created pursuant to s. 159.604.

15 (4) "Housing development" means any residential
16 building, land, equipment, facility, or other real or personal
17 property which may be necessary, convenient, or desirable in
18 connection therewith, including streets, sewers, water and
19 utility services, parks, gardening, administrative, community,
20 health, recreational, and educational facilities, and other
21 facilities related and subordinate to moderate, middle, or
22 lesser income housing, and also includes site preparation, the
23 planning of housing and improvements, the acquisition of
24 property, the removal or demolition of existing structures,
25 the acquisition, construction, reconstruction, and
26 rehabilitation of housing and improvements, and all other work
27 in connection therewith, and all costs of financing, including
28 without limitation the cost of consultant and legal services,
29 other expenses necessary or incident to determining the
30 feasibility of the housing development, administrative and
31 other expenses necessary or incident to the housing

1 development and the financing thereof (including reimbursement
2 to any municipality, county, or entity for expenditures made
3 with the approval of the housing finance authority for the
4 housing development), and interest accrued during construction
5 and for a reasonable period thereafter.

6 (5) "Lending institution" means any bank or trust
7 company, mortgage banker, savings bank, credit union, national
8 banking association, savings and loan association, building
9 and loan association, insurance company, or other financial
10 institution authorized to transact business in this state and
11 which customarily provides service or otherwise aids in the
12 financing of mortgages located in the state

13 (6) "Qualifying housing development" means any work or
14 improvement located or to be located in the state, including
15 real property, buildings, and any other real and personal
16 property, designed or intended for the primary purpose of
17 providing decent, safe, and sanitary residential housing for
18 four or more families, at least 60 percent of whom are
19 eligible persons, whether new construction, the acquisition of
20 existing residential housing, or the remodeling, improvement,
21 rehabilitation, or reconstruction of existing housing,
22 together with such related nonhousing facilities as the
23 authority determines to be necessary, convenient, or desirable
24 housing-development-which-a-housing-finance-authority-finds
25 will-assist-in-alleviating-the-shortage-of-housing-in-the-area
26 of-operation-of-such-authority.

27 (7) "Eligible persons" means one or more natural
28 persons or a family families, irrespective of race, creed,
29 national origin, or sex, determined by the housing finance
30 authority by-rule to be of low, moderate, or middle, or-lesser
31 income. Such determination does not preclude any person or

1 family earning up to 150 percent of the state or county median
2 family income from participating in programs. Persons age 66
3 or older shall be defined as eligible persons regardless of
4 their income. In determining the income standards of eligible
5 persons for its various programs, the housing finance
6 authority may consider the following factors requiring such
7 ~~assistance as is made available pursuant to this act on~~
8 ~~account of insufficient personal or family income and taking~~
9 ~~into consideration such facts as:~~

10 (a) Requirements mandated by federal law ~~The amount of~~
11 ~~the total income of such persons and families available for~~
12 ~~housing needs.~~

13 (b) Variations in circumstances in different areas of
14 the state ~~The size of the family.~~

15 (c) Whether the determination is for rental housing or
16 homeownership purposes ~~The cost and condition of available~~
17 ~~housing facilities.~~

18 (d) The need for family-size adjustments to accomplish
19 the purposes set forth in this part. ~~The ability of such~~
20 ~~persons and families to compete successfully in the normal,~~
21 ~~private housing market and to pay the amounts for which~~
22 ~~private enterprise is providing sanitary, decent, and safe~~
23 ~~housing.~~

24 ~~(e) -- if appropriate, the standards established for~~
25 ~~various federal programs determining eligibility based on~~
26 ~~income of such persons and families.~~

27 Section 6. Section 420.5097, Florida Statutes, is
28 hereby repealed.

29 Section 7. This act shall take effect upon becoming a
30 law.

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 598

The following changes were made in SB 598:

- 1) Authorization for the Florida Housing Finance Agency to establish the Florida Housing Insurance Fund is deleted.
- 2) The \$5 million General Revenue Fund appropriation to the Florida Housing Finance Agency for the purpose of establishing the Florida Housing Insurance Fund is deleted.
- 3) A recipient of a loan made under the Community based organization loan program is required to provide reasonable security to ensure the repayment of the loan. Also, power was given to the Secretary of the Department of Community Affairs to foreclose on any mortgage loan or security interest if the borrower defaults on the repayment of the loan. The secretary is also authorized to take appropriate legal action for failure to develop the land for housing for eligible income levels. Provisions are made for the disposition of property acquired by the state.
- 4) The definition for "eligible persons" under s 159.603, F.S , for local Housing Finance Authorities, was revised to conform to the state definition.

By Senator Margolis

1 A bill to be entitled
 2 An act relating to discrimination in the
 3 treatment of persons; amending s. 760.22, F.S.;
 4 expanding the definition of "handicap" for
 5 purposes of the protections against
 6 discrimination provided by the state Fair
 7 Housing Act, to include mental retardation;
 8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsection (5) of section 760.22, Florida
13 Statutes, is amended to read:

14 760.22 Definitions.--As used in ss. 760.20-760.37, the
15 term:

16 (5) "Handicap" means: that

17 (a) A person has a physical impairment which
 18 substantially limits one or more major life activities or that
 19 he has a record of having, or is regarded as having, such
 20 physical impairment; or

21 (b) A person is impaired by retardation, in that he
 22 has significantly subaverage general intellectual functioning
 23 existing concurrently with deficits in adaptive behavior and
 24 manifested during the period from conception to age 18.
 25 "Significantly subaverage general intellectual functioning,"
 26 for the purpose of this definition, means performance which is
 27 two or more standard deviations from the mean score on a
 28 standardized intelligence test. "Adaptive behavior," for the
 29 purpose of this definition, means the effectiveness or degree
 30 with which an individual meets the standards of personal

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1 independence and social responsibility expected of his age,
2 cultural group, and community.

3 Section 2. This act shall take effect October 1, 1987.
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13 HOUSE SUMMARY

14 For purposes of the protections against discrimination
15 provided by the state Fair Housing Act, expands the
16 definition of "handicap" to include mental retardation as
17 well as physical impairment.
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By the Committee on Economic, Community and Consumer Affairs and
Senators Margolis and Meek

This publication was produced at
for the information of members of
verage cost of 1.5 cents per page
Legislature and the public.

1 A bill to be entitled

2 An act relating to discrimination in the

3 treatment of persons; amending s. 760.22, F.S.;

4 expanding the definition of "handicap" for

5 purposes of the protections against

6 discrimination provided by the state Fair

7 Housing Act, to include mental retardation and

8 developmental disability; providing an

9 effective date.

10

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

12

13 Section 1. Subsection (5) of section 760.22, Florida

14 Statutes, is amended to read:

15 760.22 Definitions.--As used in ss. 760.20-760.37, the

16 term:

17 (5) "Handicap" means: ~~that~~

18 (a) A person has a physical impairment which

19 substantially limits one or more major life activities or that

20 he has a record of having, or is regarded as having, such

21 physical impairment; ~~or~~

22 (b) A person is impaired by retardation, in that he

23 has significantly subaverage general intellectual functioning

24 existing concurrently with deficits in adaptive behavior and

25 manifested during the period from conception to age 18; or a

26 person has a developmental disability as defined in s.

27 393.063(6). "Significantly subaverage general intellectual

28 functioning," for the purpose of this definition, means

29 performance which is two or more standard deviations from the

30 mean score on a standardized intelligence test. "Adaptive

31 behavior," for the purpose of this definition, means the

1 effectiveness or degree with which an individual meets the
 2 standards of personal independence and social responsibility
 3 expected of his age, cultural group, and community.

4 Section 2. This act shall take effect October 1, 1987.
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14 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
 15 COMMITTEE SUBSTITUTE FOR
 16 Senate Bill 683

17 Expands the definition of "handicap" to include developmental
 18 disability for the purposes of the protections against
 19 discrimination afforded by the Fair Housing Act.
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By the Committee on Housing and Representative Jamerson

1 A bill to be entitled
2 An act relating to housing; amending s.
3 420.503, F.S.; modifying definitions of
4 "eligible persons" and "project" with respect
5 to the Florida Housing Finance Agency Act;
6 amending s. 420.509, F.S.; providing income
7 targeting for the use of taxable bond proceeds;
8 creating s. 420.5099, F.S.; designating the
9 Florida Housing Finance Agency as the state
10 housing credit agency with responsibility for
11 allocation of federal low-income housing tax
12 credits; repealing s. 420.5097, F.S., relating
13 to allocation of certain limited federally tax-
14 subsidized instruments for housing finance,
15 amending s. 420.607, F.S.; specifying security
16 requirements applicable to recipients of loans
17 under the community-based organization loan
18 program for developing affordable housing;
19 providing for foreclosure or other action upon
20 default on a loan; providing for transfer of
21 title to the state of land which is not
22 developed for housing; providing for
23 disposition of such property, providing an
24 effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Subsections (5) and (12) of section
29 420.503, Florida Statutes, 1986 Supplement, are amended to
30 read:
31

This publication was produced at an average cost of 1.5 cents per
single page in compliance with the Rules and for the information
of members of the Legislature and the public.

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| 1 | 420.503 Definitions.--As used in this part, the | 1.19 |
| 2 | following words and terms have the following meanings unless | 1.20 |
| 3 | the context indicates another or different meaning or intent: | |
| 4 | (5) "Eligible persons" means one or more natural | 1.22 |
| 5 | persons or a family, irrespective of race, creed, national | 1.23 |
| 6 | origin, or sex, determined by the agency pursuant to a rule to | 1.24 |
| 7 | be of low, moderate, or middle <u>income</u> . Such determination | 1.25 |
| 8 | <u>shall not preclude any person or family earning up to 150</u> | |
| 9 | <u>percent of the state or county median family income from</u> | 1.26 |
| 10 | <u>participating in programs. Persons 65 years of age or older</u> | 1.27 |
| 11 | <u>shall be defined as eligible persons regardless of income. In</u> | 1.28 |
| 12 | <u>determining the income standards of eligible persons for its</u> | |
| 13 | <u>various programs, the agency may take into account the</u> | 1.29 |
| 14 | <u>following factors--requiring such assistance as is made</u> | 1.30 |
| 15 | <u>available pursuant to this part on account of insufficient</u> | |
| 16 | <u>personal or family income to afford decent, safe, and sanitary</u> | 1.31 |
| 17 | <u>housing--taking into consideration such facts as:</u> | 1.32 |
| 18 | (a) <u>Requirements mandated by federal law.</u> | 1.1us |
| 19 | (b) <u>Variations in circumstances in the different areas</u> | 1.1us |
| 20 | <u>of the state.</u> | 1.35 |
| 21 | (c) <u>Whether the determination is for rental housing or</u> | 1.1us |
| 22 | <u>homeownership purposes.</u> | 1.37 |
| 23 | (d) <u>The need for family size adjustments to accomplish</u> | 1.1us |
| 24 | <u>the purposes set forth in this act.</u> | 1.39 |
| 25 | (a) The amount of the total income and assets of such | 1.42 |
| 26 | persons and families which is available for housing needs. | 1.43 |
| 27 | (b) The size of the family. | 1.45 |
| 28 | (c) The cost and condition of available housing | 1.10s |
| 29 | facilities. | |
| 30 | (d) The ability of such persons and families to | 1.10s |
| 31 | compete successfully in the normal private housing market and | 1.48 |

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| 1 | to pay the amounts at which private enterprise is providing | 1.49 |
| 2 | decent, safe, and sanitary housing; | |
| 3 | fe)--If appropriate, those standards established for | 1.51 |
| 4 | various federal programs determining eligibility based on | 1.52 |
| 5 | income of such persons and families; | |
| 6 | | |
| 7 | The personal or family income so determined by the agency may | 1.105 |
| 8 | vary among different areas in the state, in accordance with | 1.56 |
| 9 | the size of the family unit and according to whether the | |
| 10 | determination is for rental or homeownership purposes; | 1.57 |
| 11 | (12) "Project" means any work or improvement located | 1.59 |
| 12 | or to be located in the state, including real property, | |
| 13 | buildings, and any other real and personal property, designed | 1.60 |
| 14 | and intended for the primary purpose of providing decent, | 1.61 |
| 15 | safe, and sanitary residential housing for four or more | 1.62 |
| 16 | <u>families, at least 60 percent of whom who are eligible</u> | 1.63 |
| 17 | persons, whether new construction, the acquisition of existing | 1.64 |
| 18 | residential housing, or the remodeling, improvement, | |
| 19 | rehabilitation, or reconstruction of existing housing, | 1.65 |
| 20 | together with such related nonhousing facilities as the agency | 1.66 |
| 21 | determines to be necessary, convenient, or desirable. | 1.67 |
| 22 | Section 2. Subaction (14) is added to section | 1.68 |
| 23 | 420.509, Florida Statutes, 1986 Supplement, to read: | 1.69 |
| 24 | 420.509 Bonds; purpose, terms, approval, | 1.69 |
| 25 | limitations.-- | 1.70 |
| 26 | <u>(14) If the proceeds of an issue of revenue bonds the</u> | 1.1us |
| 27 | <u>interest on which is not exempt from federal taxation are used</u> | 1.72 |
| 28 | <u>to finance a project, 20 percent of the tenants of the project</u> | 1.73 |
| 29 | <u>must have annual incomes under 80 percent of the state or</u> | |
| 30 | <u>county median income, whichever is higher.</u> | 1.74 |
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| 1 | Section 3. Section 420.5099, Florida Statutes, is | 1.74 |
| 2 | created to read: | |
| 3 | <u>420.5099 Allocation of the low-income housing tax</u> | 1:lus |
| 4 | <u>credit.--</u> | 1.76 |
| 5 | <u>(1) The Florida Housing Finance Agency is designated</u> | 1:lus |
| 6 | <u>the housing credit agency for the state within the meaning of</u> | 1.78 |
| 7 | <u>s. 42(h)(7)(A) of the Internal Revenue Code of 1986, and shall</u> | 1.79 |
| 8 | <u>have the responsibility and authority to establish procedures</u> | |
| 9 | <u>necessary for proper allocation and distribution of low-income</u> | 1.80 |
| 10 | <u>housing tax credits, and shall exercise all powers necessary</u> | 1.81 |
| 11 | <u>to administer the allocation of such credits.</u> | |
| 12 | <u>(2) The agency shall adopt allocation procedures that</u> | 1:lus |
| 13 | <u>will ensure the maximum use of available tax credits in order</u> | 1.83 |
| 14 | <u>to encourage development of low-income housing in the state,</u> | 1.84 |
| 15 | <u>taking into consideration the timeliness of the application,</u> | |
| 16 | <u>the location of the proposed housing project, the relative</u> | 2.1 |
| 17 | <u>need in the area for low-income housing and the availability</u> | |
| 18 | <u>of such housing, the economic feasibility of the project, and</u> | 2.2 |
| 19 | <u>the ability of the applicant to proceed to completion of the</u> | 2.3 |
| 20 | <u>project in the calendar year for which the credit is sought.</u> | |
| 21 | <u>(3) The agency may request such information from</u> | 1:lus |
| 22 | <u>applicants as will enable it to make the allocations according</u> | 2.5 |
| 23 | <u>to the guidelines set forth in subsection (2), including, but</u> | 2.6 |
| 24 | <u>not limited to, the information required to be provided the</u> | |
| 25 | <u>agency by chapter 91-21, Florida Administrative Code.</u> | 2.7 |
| 26 | <u>(4) The executive director of the agency shall</u> | 1:lus |
| 27 | <u>administer the allocation procedures and determine allocations</u> | 2.9 |
| 28 | <u>on behalf of the agency. Any applicant disputing the amount</u> | 2.10 |
| 29 | <u>of an allocation or the denial of a request for an allocation</u> | |
| 30 | <u>may request an appeal to the governing board of the agency.</u> | 2.13 |
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| 1 | Section 4. <u>Section 420.5097, Florida Statutes, created</u> | 2.14 |
| 2 | <u>as section 420.5095, Florida Statutes, by chapters 84-274 and</u> | 2.15 |
| 3 | <u>84-344, Laws of Florida, and amended by chapter 85-81, Laws of</u> | 2.16 |
| 4 | <u>Florida, is hereby repealed.</u> | 2.17 |
| 5 | Section 5. Section 420.607, Florida Statutes, 1986 | 2.18 |
| 6 | Supplement, is amended to read: | |
| 7 | 420.607 Community-based organization loan program.-- | 2.20 |
| 8 | The department is authorized to develop and administer a | 2.21 |
| 9 | revolving loan program to assist community-based organizations | |
| 10 | in developing housing affordable to very low-income, low- | 2.22 |
| 11 | income, and moderate-income persons. The rate of interest on | 2.23 |
| 12 | any loan made pursuant to this section shall be set by the | |
| 13 | department in an amount which is below the market rate and | 2.24 |
| 14 | which is calculated to accomplish the purposes of this | |
| 15 | section. | 2.25 |
| 16 | (1) USES.--The program is established to assist | 2.26 |
| 17 | community-based organizations in covering the following | 2.28 |
| 18 | predevelopment expenses. | 2.29 |
| 19 | (a) Options to purchase proposed housing units or | 2.30 |
| 20 | sites, | 2.31 |
| 21 | (b) Deposits on purchase contracts; | 2.32 |
| 22 | (c) Payments for the purchase of development sites; | 2.33 |
| 23 | (d) Legal and marketing expenses; | 2.34 |
| 24 | (e) Fees for preliminary feasibility studies, | 2.35 |
| 25 | planning, engineering and architectural work; | |
| 26 | (f) Application fees and other fees of financing | 2.37 |
| 27 | agencies, and | |
| 28 | (g) Such other expenses, excluding administrative or | 2.37 |
| 29 | operational expenses, as may be deemed appropriate by rule of | 2.38 |
| 30 | the department. | |
| 31 | | |

| | | |
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| 1 | (2) RESTRICTIONS.--Loans of up to \$5,000 per unit, | 2.40 |
| 2 | with a maximum of \$100,000 per project, may be made to | |
| 3 | community-based organizations for the purposes described in | 2.42 |
| 4 | subsection (1), provided that: | |
| 5 | (a) The rate of interest on any loan made pursuant to | 2.43 |
| 6 | this section shall be set by the department in an amount which | 2.44 |
| 7 | is below the market rate and which is calculated to encourage | |
| 8 | the development of housing affordable to very low-income, low- | 2.45 |
| 9 | income, and moderate-income persons. | 2.46 |
| 10 | (b) With respect to a project which uses financing | 2.46 |
| 11 | under this section: | 2.47 |
| 12 | 1. At least 60 percent of the units in the project | 2.47 |
| 13 | shall be rented or sold to very low-income, low-income, and | 2.48 |
| 14 | moderate-income persons; and | |
| 15 | 2. At least a specified number of units, representing | 2.49 |
| 16 | that percentage of the units in the total project which is | |
| 17 | equivalent to the percentage of financing obtained under this | 2.50 |
| 18 | section as compared to the cost of the total project, shall be | 2.51 |
| 19 | rented or sold to very low-income and low-income persons. At | 2.52 |
| 20 | least half of this specified number of units shall be rented | |
| 21 | or sold to very low-income persons. For rental properties, | 2.53 |
| 22 | the specified rental mix must continue throughout the life of | |
| 23 | the loan. These units shall be in addition to any units which | 2.54 |
| 24 | may be required to be rented or sold to such persons under the | 2.55 |
| 25 | provisions of s. 420.605(3)(f)2. | |
| 26 | (c) Loans must be repaid within 3 years from the date | 2.58 |
| 27 | of the loan, except that, upon request of the loan recipient, | 2.59 |
| 28 | and with concurrence of the secretary, the loan may be | 2.60 |
| 29 | extended for a maximum of 2 additional years. | |
| 30 | (d) Community-based organizations shall demonstrate | 2.61 |
| 31 | preliminary feasibility of a proposed project to provide | 2.63 |

| | | |
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| 1 | housing affordable to very low-income, low-income, and | |
| 2 | moderate-income persons. | 2.64 |
| 3 | (e) With respect to any loan obtained under this | 2.64 |
| 4 | section resulting in the development of housing affordable to | 2.66 |
| 5 | very low-income persons, for each housing unit actually | 2.67 |
| 6 | occupied by very low-income persons, 50 percent of that | 2.68 |
| 7 | portion of the loan represented by that unit may be forgiven | 2.69 |
| 8 | and the remaining 50 percent shall be paid back as a 0-percent | 2.70 |
| 9 | loan with a 3-year term | |
| 10 | (f) The benefits of making loans under this section | 2.71 |
| 11 | shall be provided to the very low-income, low-income, and | 2.73 |
| 12 | moderate-income persons occupying the housing units with | |
| 13 | respect to which the predevelopment costs were incurred. | 2.74 |
| 14 | (g) The recipient of any loan made pursuant to this | 2.75 |
| 15 | section shall not: | 2.76 |
| 16 | 1. Discriminate on the basis of race, creed, religion, | 2.76 |
| 17 | color, age, sex, marital status, national origin, or handicap | 2.77 |
| 18 | in the lease, use, or occupancy of any housing project | |
| 19 | financed hereunder, or in connection with the employment or | 2.79 |
| 20 | application for employment of persons for the operation and | 2.80 |
| 21 | management of such housing project. | |
| 22 | 2. Refuse or deny occupancy in any housing unit | 2.81 |
| 23 | benefiting from a loan made hereunder to any person whose | 2.83 |
| 24 | family includes minor dependents who will occupy such housing | |
| 25 | unit, unless such refusal is based upon factors not related to | 2.84 |
| 26 | the presence of such minors in the family. | |
| 27 | (h) <u>The recipient of any loan made pursuant to this</u> | 3.1 |
| 28 | <u>section shall provide for reasonable security to ensure the</u> | 3.2 |
| 29 | <u>repayment of the loan within the term specified. Reasonable</u> | 3.3 |
| 30 | <u>security shall be a promissory note secured by;</u> | |
| 31 | | |

| | | |
|----|---|-------|
| 1 | <u>1. A mortgage from the recipient on the property to be</u> | 1:lus |
| 2 | <u>purchased, improved, or purchased and improved from the</u> | 3:6 |
| 3 | <u>proceeds of the loan made pursuant to this section; or</u> | |
| 4 | <u>2. Other forms of collateral acceptable to the</u> | 1:lus |
| 5 | <u>secretary.</u> | |
| 6 | (3) APPLICATION PROCEDURE.--The department shall | 3:7 |
| 7 | select loan recipients in accordance with application | 3:9 |
| 8 | procedures established pursuant to s. 420.604(6). | |
| 9 | <u>(4) DEFAULT.--In the event of default on a loan, the</u> | 1:lus |
| 10 | <u>secretary is empowered on behalf of the state to foreclose on</u> | 3:11 |
| 11 | <u>any mortgage or security interest or commence any legal action</u> | |
| 12 | <u>to protect the interest of the state and recover the amount of</u> | 3:12 |
| 13 | <u>the unpaid principal, accrued interest, and fees on behalf of</u> | |
| 14 | <u>the fund.</u> | 3:13 |
| 15 | <u>(5) FAILURE TO DEVELOP LAND.--</u> | 1:lus |
| 16 | <u>(a) The secretary is authorized to take appropriate</u> | 3:16 |
| 17 | <u>legal action to transfer title of the land to the state when</u> | 3:18 |
| 18 | <u>1. A loan recipient does not cause the land to be</u> | 1:lus |
| 19 | <u>developed for housing for very low-income, low-income, or</u> | 3:20 |
| 20 | <u>moderate-income persons and families within 3 years from the</u> | |
| 21 | <u>execution of the loan agreement, or, if the secretary has</u> | 3:22 |
| 22 | <u>extended the term of the loan, within the period of time for</u> | |
| 23 | <u>which the loan has been extended.</u> | 3:23 |
| 24 | <u>2. It is jointly determined by the secretary and the</u> | 1:lus |
| 25 | <u>loan recipient that, because of a change in the</u> | 3:26 |
| 26 | <u>characteristics of the parcel acquired or because of a change</u> | |
| 27 | <u>in federal, state, or local programs, it is not possible for</u> | 3:27 |
| 28 | <u>the land to be developed for housing for very low-income, low-</u> | 3:28 |
| 29 | <u>income, or moderate-income persons.</u> | |
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| 1 | <u>(b) All land so acquired shall be administered by the</u> | 1:1us |
| 2 | <u>secretary in accordance with the provisions of subsection (6).</u> | 3.31 |
| 3 | <u>(6) DISPOSITION OF PROPERTY ACCRUING TO THE STATE.--</u> | 1:1us |
| 4 | <u>When, because of the effects of this section, title to land is</u> | 3.33 |
| 5 | <u>acquired by the state to be administered by the secretary, the</u> | 3.36 |
| 6 | <u>following provisions shall apply:</u> | |
| 7 | <u>(a) Subject to the approval of the Board of Trustees</u> | 1:1us |
| 8 | <u>of the Internal Improvement Trust Fund, and pursuant to rules</u> | 3.38 |
| 9 | <u>promulgated by the secretary and approved by such trustees,</u> | 3.39 |
| 10 | <u>the secretary is empowered to make land so acquired available</u> | |
| 11 | <u>to eligible developers for the provision of housing for very</u> | 3.40 |
| 12 | <u>low-income, low-income, or moderate-income persons, and, in</u> | |
| 13 | <u>such cases, the conveyance procedures for state lands as</u> | 3.41 |
| 14 | <u>provided in chapters 253 and 270 shall not apply.</u> | 3.42 |
| 15 | <u>(b) When the secretary determines that it is not</u> | 1:1us |
| 16 | <u>possible for the land to be developed for housing for very</u> | 3.44 |
| 17 | <u>low-income, low-income, or moderate-income persons, the land</u> | |
| 18 | <u>shall be sold in accordance with the conveyance procedures for</u> | 3.46 |
| 19 | <u>state lands as provided in chapters 253 and 270, with all net</u> | 3.47 |
| 20 | <u>proceeds to be deposited to the fund.</u> | |
| 21 | <u>(7)††† POWERS --The department may do all acts</u> | 3.49 |
| 22 | <u>necessary or appropriate to carry out the purposes of this</u> | 3.50 |
| 23 | <u>section, including exercising the power to:</u> | 3.51 |
| 24 | <u>(a) Enter into contracts and agreements with the</u> | 3.53 |
| 25 | <u>Federal Government or with other agencies of the state, with</u> | |
| 26 | <u>local governments, or with any other person, association,</u> | 3.55 |
| 27 | <u>corporation, or entity;</u> | 3.56 |
| 28 | <u>(b) Seek and accept funding from any public or private</u> | 3.57 |
| 29 | <u>source,</u> | |
| 30 | | |
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| 1 | (c) Require persons to affirm the truth of statements | 3.58 |
| 2 | made in any application for a loan under this section or in | |
| 3 | any contract documents submitted to the department; and | 3.59 |
| 4 | (d) Adopt and enforce rules consistent with this | 3.61 |
| 5 | section. | 3.62 |
| 6 | Section 6. This act shall take effect July 1, 1987. | 3.63 |

HOUSE SUMMARY

10 Modifies definitions of "eligible persons" and "project"
 11 applicable to the Florida Housing Finance Agency Act.
 12 Provides income targeting for the use of taxable bond
 13 proceeds. Designates the Florida Housing Finance Agency
 14 as the state housing credit agency with responsibility
 for allocation of federal low-income housing tax credits.
 15 Repeals provisions relating to allocation of certain
 16 limited federally tax-subsidized instruments for housing
 17 finance.

18 Specifies security requirements applicable to recipients
 19 of loans under the community-based organization loan
 20 program for developing affordable housing. Provides for
 21 foreclosure or other action upon default on a loan.
 22 Provides for transfer of title to the state of land which
 23 is not developed for housing. Provides for disposition
 24 of such property.

By the Committee on Housing and Representatives Jamerson and Goode

This publication was produced at an average cost of 1.5 cents per single page in compliance with the Rules and for the information of members of the Legislature and the public.

1 A bill to be entitled
 2 An act relating to housing; amending s.
 3 420.503, F.S., relating to the Florida Housing
 4 Finance Agency; modifying definitions of
 5 "eligible persons" and "project"; creating s.
 6 420.5099, F.S., designating said agency as the
 7 state housing credit agency with responsibility
 8 for allocation of federal low-income housing
 9 tax credits; amending ss. 420.604, 420.608, and
 10 420.609, F.S., relating to the Florida
 11 Affordable Housing Act of 1986; extending the
 12 pilot program; expanding the inventory of
 13 publicly owned lands and buildings; extending
 14 the Affordable Housing Study Commission;
 15 providing an appropriation to the Florida
 16 Affordable Housing Trust Fund; repealing s.
 17 420.5097, F.S., relating to certain limited
 18 federally tax-subsidized instruments providing
 19 allocations for housing finance; providing an
 20 effective date.

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

23
 24 Section 1. Subsections (5) and (12) of section
 25 420.503, Florida Statutes, 1986 Supplement, are amended to
 26 read:

27 420.503 Definitions.--As used in this part, the
 28 following words and terms have the following meanings unless
 29 the context indicates another or different meaning or intent:

30 (5) "Eligible persons" means one or more natural
 31 persons or a family, irrespective of race, creed, national

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| 1 | origin, or sex, determined by the agency pursuant to a rule to | 1.20 |
| 2 | be of low, moderate, or middle <u>income</u> . Such <u>determination</u> | 1.21 |
| 3 | <u>shall not preclude any person or family earning up to 150</u> | |
| 4 | <u>percent of the state or county median family income from</u> | 1.22 |
| 5 | <u>participating in programs. Persons 65 years of age or older</u> | 1.23 |
| 6 | <u>shall be defined as eligible persons regardless of income</u> In | 1.24 |
| 7 | <u>determining the income standards of eligible persons for its</u> | |
| 8 | <u>various programs, the agency may take into account the</u> | 1.25 |
| 9 | <u>following factors</u> ,-requiring-such-assistance-as-is-made | 1.26 |
| 10 | available-pursuant-to-this-part-on-account-of-insufficient | |
| 11 | personal-or-family-income-to-afford-decent,-safe-and-sanitary | 1.27 |
| 12 | housing,-taking-into-consideration-such-facts-as: | 1.28 |
| 13 | <u>(a) Requirements mandated by federal law.</u> | 1.1us |
| 14 | <u>(b) Variations in circumstances in the different areas</u> | 1.1us |
| 15 | <u>of the state.</u> | 1.31 |
| 16 | <u>(c) Whether the determination is for rental housing or</u> | 1.1us |
| 17 | <u>homeownership purposes.</u> | 1.33 |
| 18 | <u>(d) The need for family size adjustments to accomplish</u> | 1.1us |
| 19 | <u>the purposes set forth in this act.</u> | 1.35 |
| 20 | (a)--The-amount-of-the-total-income-and-assets-of-such | 1.38 |
| 21 | persons-and-families-which-is-available-for-housing-needs- | 1.39 |
| 22 | (b)--The-size-of-the-family- | 1.41 |
| 23 | (c)--The-cost-and-condition-of-available-housing | 1.1os |
| 24 | facilities- | |
| 25 | (d)--The-ability-of-such-persons-and-families-to | 1.1os |
| 26 | compete-successfully-in-the-normal-private-housing-market-and | 1.44 |
| 27 | to-pay-the-amounts-at-which-private-enterprise-is-providing | 1.45 |
| 28 | decent,-safe,-and-sanitary-housing- | |
| 29 | (e)--if-appropriate,-those-standards-established-for | 1.47 |
| 30 | various-federal-programs-determining-eligibility-based-on | 1.48 |
| 31 | income-of-such-persons-and-families- | |

| | | |
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| 1 | The personal or family income so determined by the agency may | 1:10s |
| 2 | vary among different areas in the state, in accordance with | 1:52 |
| 3 | the size of the family unit and according to whether the | |
| 4 | determination is for rental or homeownership purposes. | 1:53 |
| 5 | (12) "Project" means any work or improvement located | 1:55 |
| 6 | or to be located in the state, including real property, | |
| 7 | buildings, and any other real and personal property, designed | 1:56 |
| 8 | and intended for the primary purpose of providing decent, | 1:57 |
| 9 | safe, and sanitary residential housing for four or more | 1:58 |
| 10 | <u>families, at least 60 percent of whom who</u> are eligible | 1:59 |
| 11 | persons, whether new construction, the acquisition of existing | 1:60 |
| 12 | residential housing, or the remodeling, improvement, | |
| 13 | rehabilitation, or reconstruction of existing housing, | 1:61 |
| 14 | together with such related nonhousing facilities as the agency | 1:62 |
| 15 | determines to be necessary, convenient, or desirable. | 1:63 |
| 16 | Section 2. Section 420.5099, Florida Statutes, is | 1:64 |
| 17 | created to read: | |
| 18 | <u>420.5099 Allocation of the low-income housing tax</u> | 1:1us |
| 19 | <u>credit.--</u> | 1:66 |
| 20 | <u>(1) The Florida Housing Finance Agency is designated</u> | 1:1us |
| 21 | <u>the housing credit agency for the state within the meaning of</u> | 1:68 |
| 22 | <u>Section 42(h)(7)(4) of the Internal Revenue Code of 1986 and</u> | 1:69 |
| 23 | <u>shall have the responsibility and authority to establish</u> | |
| 24 | <u>procedures necessary for proper allocation and distribution of</u> | 1:70 |
| 25 | <u>low-income housing tax credits and shall exercise all powers</u> | |
| 26 | <u>necessary to administer the allocation of such credits.</u> | 1:71 |
| 27 | <u>(2) The agency shall adopt allocation procedures that</u> | 1:1us |
| 28 | <u>will ensure the maximum use of available tax credits in order</u> | 1:73 |
| 29 | <u>to encourage development of low-income housing in the state,</u> | 1:74 |
| 30 | <u>taking into consideration the timeliness of the application,</u> | |
| 31 | <u>the location of the proposed housing project, the relative</u> | 1:75 |

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| 1 | <u>need in the area for low-income housing and the availability</u> | |
| 2 | <u>of such housing, the economic feasibility of the project, and</u> | 1.76 |
| 3 | <u>the ability of the applicant to proceed to completion of the</u> | 1.77 |
| 4 | <u>project in the calendar year for which the credit is sought.</u> | |
| 5 | (3) <u>The agency may request such information from</u> | 1:1us |
| 6 | <u>applicants as will enable it to make the allocations according</u> | 1.79 |
| 7 | <u>to the guidelines set forth in subsection (2), including, but</u> | 1.80 |
| 8 | <u>not limited to, the information required to be provided the</u> | |
| 9 | <u>agency by chapter 91-21, Florida Administrative Code.</u> | 1.81 |
| 10 | (4) <u>The executive director of the agency shall</u> | 1:1us |
| 11 | <u>administer the allocation procedures and determine allocations</u> | 1.83 |
| 12 | <u>on behalf of the agency. Any applicant disputing the amount</u> | 1.84 |
| 13 | <u>of an allocation or the denial of a request for an allocation</u> | |
| 14 | <u>may request an appeal to the governing board of the agency.</u> | 2.3 |
| 15 | Section 3. Subsections (2) and (4) of section 420.604, | 2.4 |
| 16 | Florida Statutes, 1986 Supplement, are amended to read: | 2.6 |
| 17 | 420.604 Florida Affordable Housing Demonstration | 2.8 |
| 18 | Program.-- | 2.9 |
| 19 | (2) CREATION; ADMINISTRATION.--There is created the | 2.11 |
| 20 | Florida Affordable Housing Demonstration Program, to be | 2.13 |
| 21 | administered by the Department of Community Affairs. This | 2.14 |
| 22 | special program is created as a <u>3-year</u> 2-year pilot program to | |
| 23 | encourage the construction and rehabilitation of low-cost | 2.17 |
| 24 | housing units affordable to very low-income, low-income, and | 2.18 |
| 25 | moderate-income persons. The department shall work with local | 2.19 |
| 26 | governments, community-based organizations, and others | 2.20 |
| 27 | interested in the development of local strategies to | |
| 28 | facilitate the provisions of this part. | 2.21 |
| 29 | (4) DEMONSTRATION AREAS.--By August 31, <u>1987</u> 1986 , the | 2.22 |
| 30 | secretary of the department, using available data, shall | 2.24 |
| 31 | designate from-four-to seven demonstration areas for inclusion | 2.26 |

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| 1 | in the demonstration project, based upon the following | 2.28 |
| 2 | criteria: | |
| 3 | (a) The level of need in the community to be served | 2.30 |
| 4 | for housing for very low-income, low-income, and moderate- | 2.31 |
| 5 | income persons. | 2.32 |
| 6 | (b) Commitment of the local government having | 2.33 |
| 7 | jurisdiction to provide cost-saving incentives to developers | 2.34 |
| 8 | or sponsors of housing affordable to very low-income, low- | 2.35 |
| 9 | income, and moderate-income persons, as provided in paragraph | |
| 10 | (1)(c). | |
| 11 | (c) The existence of active community-based | 2.39 |
| 12 | organizations in the area to be served. | |
| 13 | (d) Geographic distribution of the demonstration areas | 2.40 |
| 14 | throughout the state to ensure that such demonstration areas | 2.41 |
| 15 | shall include areas consisting of or located within: | |
| 16 | 1. Both urban and rural counties; | 2.44 |
| 17 | 2. Both coastal and noncoastal counties; | 2.45 |
| 18 | 3. Counties with both high and low rates of growth; | 2.47 |
| 19 | and | |
| 20 | 4. Counties with various populations, including | 2.49 |
| 21 | counties with populations of less than 100,000; counties with | |
| 22 | populations of 100,000 or more, but less than 250,000; | 2.50 |
| 23 | counties with populations of 250,000 or more, but less than | |
| 24 | 500,000; and counties with populations of over 500,000. | 2.52 |
| 25 | Section 4. Subsections (2) and (3) of section 420.608, | 2.53 |
| 26 | Florida Statutes, 1986 Supplement, are amended to read: | 2.55 |
| 27 | 420.608 Inventory of publicly owned lands and | 2.57 |
| 28 | buildings.-- | |
| 29 | (2) PURPOSE.--It is the purpose of this section to | 2.60 |
| 30 | provide for: | |
| 31 | | |

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| 1 | (a) The analysis of the inventory of state-owned lands | 2.62 |
| 2 | prepared by the Department of Natural Resources, where | |
| 3 | available, and of other information available on publicly | 2.64 |
| 4 | owned lands and buildings for the purpose of identifying in | |
| 5 | demonstration-areas-designated-pursuant-to-s-420:604 those | 2.65 |
| 6 | publicly owned lands and buildings which may be suitable for | 2.66 |
| 7 | the development of housing for very low-income, low-income, | |
| 8 | and moderate-income persons. | 2.67 |
| 9 | (b)--The-making-of-a-determination-as-to-the | 1:10s |
| 10 | feasibility-of-conducting-such-an-inventory-on-a | 2.69 |
| 11 | comprehensive-statewide-basis. | 2.70 |
| 12 | <u>(b)(c)</u> The development of recommendations for | 1:11us |
| 13 | statutory or other regulatory changes which may be needed for | 2.74 |
| 14 | the identification and disposition of publicly owned lands and | |
| 15 | buildings suitable for housing for very low-income, low- | 2.75 |
| 16 | income, and moderate-income persons. | |
| 17 | (3) INVENTORY OF PUBLICLY OWNED LANDS AND BUILDINGS.-- | 2.76 |
| 18 | (a) The Department of Community Affairs shall contract | 2.78 |
| 19 | with an appropriate person, association, corporation, or other | 2.79 |
| 20 | entity, public or private, to conduct an inventory, withn the | |
| 21 | demonstration-areas-designated-pursuant-to-s-420:604 of | 2.82 |
| 22 | publicly owned lands and publicly owned buildings suitable for | 2.84 |
| 23 | the development of affordable housing for very low-income, | |
| 24 | low-income, and moderate-income persons. The-department-may | 1:10s |
| 25 | in-its-discretion-require-under-such-contract-that-an | |
| 26 | inventory-be-conducted-in-areas-outside-the-demonstration | 3.4 |
| 27 | areas-if-funds-are-available-for-such-purpose. | |
| 28 | (b) Notwithstanding the provisions of s. 253.002, the | 3.5 |
| 29 | Department of Natural Resources shall review all information | 3.7 |
| 30 | collected on state-owned lands and buildings and shall provide | |
| 31 | such information to the Department of Community Affairs. In | 3.9 |

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| 1 | addition, the Departments of Transportation, Corrections, and | |
| 2 | General Services shall provide the department such information | 3.10 |
| 3 | as they may have available on lands or buildings in their | |
| 4 | inventories which may be suitable for development for | 3.12 |
| 5 | affordable housing. | |
| 6 | (c) Upon completion of such activities, the department | 3.14 |
| 7 | shall report to the Legislature as to the existence of such | 3.15 |
| 8 | lands and buildings considered appropriate for development of | |
| 9 | housing affordable to very low-income, low-income, and | 3.16 |
| 10 | moderate-income persons. In addition, the department shall | 3.19 |
| 11 | make a determination as to the feasibility of conducting such | 3.20 |
| 12 | an inventory on a comprehensive statewide basis and shall | 3.22 |
| 13 | develop recommendations for statutory or other regulatory | 3.23 |
| 14 | changes appropriate for the disposition of property suitable | |
| 15 | for affordable housing. | |
| 16 | Section 5. Subsections (3) and (6) of section 420.609, | 3.24 |
| 17 | Florida Statutes, 1986 Supplement, are amended to read: | 3.26 |
| 18 | 420.609 Affordable Housing Study Commission.--Because | 3.27 |
| 19 | the Legislature firmly supports affordable housing in Florida | 3.29 |
| 20 | for all economic classes: | 3.30 |
| 21 | (3) The commission shall be appointed no later than | 3.31 |
| 22 | August 1, 1986, and shall continue in existence until its | 3.32 |
| 23 | duties are concluded, but no later than June 30, <u>1989</u> 1988 . | 1.1us |
| 24 | (6) The commission shall prepare and submit to the | 3.34 |
| 25 | Governor, the President of the Senate, and the Speaker of the | 3.35 |
| 26 | House of Representatives: | |
| 27 | (a) By March 1, 1987 <u>and 1988</u> , a an interim report | 3.37 |
| 28 | describing its progress; and | 3.38 |
| 29 | (b) By December 31, <u>1988</u> 1987 , a final report | 3.39 |
| 30 | detailing its findings and making specific program, | 3.42 |
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| 1 | legislative, and funding recommendations and any other | |
| 2 | recommendations it deems appropriate. | 3.43 |
| 3 | Section 6. <u>There is hereby appropriated from the</u> | 3.44 |
| 4 | <u>General Revenue Fund to the Florida Affordable Housing Trust</u> | 3.45 |
| 5 | <u>Fund the sum of \$19.67 million, which shall be allocated as</u> | |
| 6 | <u>follows:</u> | 3.46 |
| 7 | (1) <u>The sum of \$19,000,000 shall be allocated to</u> | 1:lus |
| 8 | <u>implement the affordable housing loan program established</u> | 3.49 |
| 9 | <u>pursuant to s. 420.605, Florida Statutes, subject to the</u> | |
| 10 | <u>following conditions:</u> | 3.50 |
| 11 | (a) <u>At least \$17,500,000 of this amount shall be</u> | 1:lus |
| 12 | <u>loaned to applicants who make application under, and are</u> | 3.52 |
| 13 | <u>selected in accordance with, the provisions of s. 420.604(4)</u> | |
| 14 | <u>and (5), Florida Statutes.</u> | 3.53 |
| 15 | (b) <u>Except for moneys which may be loaned pursuant to</u> | 1:lus |
| 16 | <u>paragraph (a), no more than \$1,500,000 of this amount may be</u> | 3.55 |
| 17 | <u>loaned directly to very low-income or low-income persons as</u> | |
| 18 | <u>provided in s. 420.605(2)(c), Florida Statutes.</u> | 3.56 |
| 19 | (2) <u>The sum of \$80,000 shall be allocated to implement</u> | 1:lus |
| 20 | <u>the community-based organization training and technical</u> | 3.58 |
| 21 | <u>assistance program established pursuant to s. 420.606, Florida</u> | |
| 22 | <u>Statutes.</u> | 3.59 |
| 23 | (3) <u>The sum of \$420,000 shall be allocated to</u> | 1:lus |
| 24 | <u>implement the community-based organization loan program</u> | 3.61 |
| 25 | <u>established pursuant to s. 420.607, Florida Statutes.</u> | |
| 26 | (4) <u>The sum of \$100,000 shall be allocated to</u> | 1:lus |
| 27 | <u>implement the provisions providing for inventory of publicly</u> | 3.63 |
| 28 | <u>owned lands and buildings under s. 420.608, Florida Statutes.</u> | 3.64 |
| 29 | (5) <u>The sum of \$40,000 shall be allocated to implement</u> | 1:lus |
| 30 | <u>s. 420.609, Florida Statutes, which provides for establishment</u> | 3.66 |
| 31 | <u>of the Affordable Housing Study Commission.</u> | 3.67 |

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| 1 | <u>(6) The sum of \$30,000 shall be allocated to implement</u> | 1:1us |
| 2 | <u>s. 410.501, Florida Statutes, which provides for establishment</u> | 3.69 |
| 3 | <u>of a multidisciplinary advisory group on housing for the</u> | |
| 4 | <u>elderly.</u> | 3.70 |
| 5 | <u>An amount up to 2 percent of the amounts allocated as described</u> | 1:1us |
| 6 | <u>in subsections (1)-(6) may be retained by the Department of</u> | 3.73 |
| 7 | <u>Community Affairs to accomplish the purposes of the Florida</u> | |
| 8 | <u>Affordable Housing Act of 1986, including the provision of</u> | 3.74 |
| 9 | <u>training and technical assistance other than that provided</u> | 3.75 |
| 10 | <u>pursuant to s. 420.606, Florida Statutes, as created herein.</u> | |
| 11 | <u>An amount up to 0.5 percent of the amounts allocated as</u> | 3.76 |
| 12 | <u>described in subsection (1)-(6) may be retained by the Florida</u> | 3.77 |
| 13 | <u>Housing Finance Agency to accomplish the purpose of the Florida</u> | |
| 14 | <u>Affordable Housing Act of 1986, including administration of the</u> | 3.78 |
| 15 | <u>affordable housing loan program pursuant to s. 420.605, Florida</u> | 3.79 |
| 16 | <u>Statutes, as provided herein. Moneys allocated to the programs</u> | 3.80 |
| 17 | <u>described in subsections (1)-(5) which remain unexpended and</u> | |
| 18 | <u>unencumbered 1 year from the effective date of this act may be</u> | 3.81 |
| 19 | <u>transferred between programs in the discretion of the Secretary</u> | 3.82 |
| 20 | <u>of Community Affairs, upon approval of the Executive Order of</u> | |
| 21 | <u>the Governor in consultation with the chairmen of the House and</u> | 3.83 |
| 22 | <u>Senate Legislative Appropriations Committees.</u> | 3.84 |
| 23 | <u>Section 7. Section 420.5097, Florida Statutes, created</u> | 4.1 |
| 24 | <u>as section 420.5095, Florida Statutes, by chapters 84-274 and</u> | 4.2 |
| 25 | <u>84-344, Laws of Florida, is hereby repealed.</u> | 4.3 |
| 26 | <u>Section 8. This act shall take effect July 1, 1987.</u> | 4.3 |
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| 1 | ***** | 1:hbs |
| 2 | HOUSE SUMMARY | 1:hbs |
| 3 | Modifies definitions of "eligible persons" and "project" | 4.6 |
| 4 | under the Florida Housing Finance Agency. Designates | 4.8 |
| 5 | said agency as the state housing credit agency with | 4.9 |
| 6 | responsibility for allocation of federal low-income | 4.10 |
| 7 | housing tax credits. Extends from 2 years to 3 years the | 4.12 |
| 8 | demonstration pilot program under the Florida Affordable | 4.14 |
| 9 | Housing Act of 1986. Expands beyond the demonstration | 4.15 |
| 10 | area the inventory of publicly owned lands and buildings | 4.17 |
| 11 | under said act. Postpones for 1 year reports and | 4.18 |
| 12 | termination of the Affordable Housing Study Commission. | |
| 13 | Appropriates \$19.67 million to the Florida Affordable | |
| 14 | Housing Trust Fund, and provides for allocation. Repeals | |
| 15 | provisions relating to certain limited federally tax- | |
| 16 | subsidized instruments providing allocations for housing | |
| 17 | finance. | |
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