

By the Committee on Community Affairs; and Senator Calatayud

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1 A bill to be entitled
2 An act relating to affordable housing; amending ss.
3 125.01055 and 166.04151, F.S.; deleting a provision
4 related to the authorization of multifamily and mixed-
5 use residential development uses in any area zoned for
6 industrial use; prohibiting counties and
7 municipalities, respectively, from restricting the
8 floor area ratio of certain proposed developments
9 under certain circumstances; providing that the
10 density or floor area ratio of certain developments,
11 bonuses, variances, or other special exceptions are
12 not included in the calculation of the currently
13 allowed density or floor area ratio by counties and
14 municipalities, respectively; revising prohibitions
15 relating to counties' and municipalities' restrictions
16 of the height of certain proposed developments,
17 respectively; authorizing counties and municipalities,
18 respectively, to restrict the height of proposed
19 developments under certain circumstances; providing
20 that certain factors may not be taken into account in
21 the calculation of the currently allowed height;
22 prohibiting the administrative approval by counties
23 and municipalities, respectively, of a proposed
24 development within a specified proximity to a military
25 installation; requiring counties and municipalities,
26 respectively, to maintain a certain policy on their
27 websites; requiring counties and municipalities,
28 respectively, to consider reducing parking
29 requirements under certain circumstances; requiring

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30 counties and municipalities, respectively, to reduce
31 or eliminate parking requirements for certain proposed
32 mixed-use developments that meet certain requirements;
33 defining the term "major transportation hub";
34 providing certain requirements for developments
35 located within a transit-oriented development or area;
36 making technical changes; providing requirements for
37 developments authorized as a transit-oriented
38 development or area; revising applicability;
39 authorizing specified developments to be treated as a
40 conforming use; amending s. 196.1978, F.S.; revising
41 the definition of the term "newly constructed";
42 defining the term "substantial rehabilitation";
43 revising conditions for when multifamily projects are
44 considered property used for a charitable purpose and
45 are eligible to receive an ad valorem property tax
46 exemption; making technical changes; requiring
47 property appraisers to make certain exemptions from ad
48 valorem property taxes; providing the method for
49 determining the value of a unit for certain purposes;
50 requiring property appraisers to review certain
51 applications and make certain determinations;
52 authorizing property appraisers to request and review
53 additional information; authorizing property
54 appraisers to grant exemptions only under certain
55 conditions; revising requirements for property owners
56 seeking a certification notice from the Florida
57 Housing Finance Corporation; providing that a certain
58 determination by the corporation does not constitute

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59 an exemption; specifying requirements for a market
60 value analysis; conforming provisions to changes made
61 by the act; providing for retroactive application;
62 amending s. 333.03, F.S.; excluding certain proposed
63 developments from specified airport zoning provisions;
64 amending s. 420.507, F.S.; revising the enumerated
65 powers of the Florida Housing Finance Corporation;
66 amending s. 420.5096, F.S.; making technical changes;
67 amending s. 420.518, F.S.; specifying conditions under
68 which the Florida Housing Finance Corporation may
69 preclude applicants from corporation programs;
70 providing an appropriation; providing an effective
71 date.

72

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

74

75 Section 1. Subsection (7) of section 125.01055, Florida
76 Statutes, is amended, and subsection (8) is added to that
77 section, to read:

78 125.01055 Affordable housing.—

79 (7) (a) A county must authorize multifamily and mixed-use
80 residential as allowable uses in any area zoned for commercial,
81 ~~industrial~~, or mixed use if at least 40 percent of the
82 residential units in a proposed multifamily ~~rental~~ development
83 are rental units that, for a period of at least 30 years, are
84 affordable as defined in s. 420.0004. Notwithstanding any other
85 law, local ordinance, or regulation to the contrary, a county
86 may not require a proposed multifamily development to obtain a
87 zoning or land use change, special exception, conditional use

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88 approval, variance, or comprehensive plan amendment for the
89 building height, zoning, and densities authorized under this
90 subsection. For mixed-use residential projects, at least 65
91 percent of the total square footage must be used for residential
92 purposes.

93 (b) A county may not restrict the density or floor area
94 ratio of a proposed development authorized under this subsection
95 below the highest currently allowed density or floor area ratio
96 on any unincorporated land in the county where residential
97 development is allowed under the county's land development
98 regulations. The currently allowed density or floor area ratio
99 does not include the density or floor area ratio of any
100 development that meets the requirements of this subsection or
101 any bonus, variance, or other special exception for density or
102 floor area ratio provided in the county's land development
103 regulations as an incentive for development.

104 (c) A county may not restrict the height of a proposed
105 development authorized under this subsection below the highest
106 currently allowed height for a commercial or residential
107 building development located in its jurisdiction within one-
108 quarter ± mile of the proposed development or 3 stories,
109 whichever is higher. If the height of each building on property
110 adjacent to the proposed development is 3 stories or less, the
111 county may restrict the height of the proposed development to
112 135 percent of the tallest building on property adjacent to the
113 proposed development or 3 stories, whichever is higher. The
114 currently allowed height does not include the height of any
115 development that meets the requirements of this subsection or
116 any bonus, variance, or other special exception for height

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117 provided in the county's land development regulations as an
118 incentive for development.

119 (d) A proposed development authorized under this subsection
120 must be administratively approved and no further action by the
121 board of county commissioners is required if the development
122 satisfies the county's land development regulations for
123 multifamily developments in areas zoned for such use and is
124 otherwise consistent with the comprehensive plan, with the
125 exception of provisions establishing allowable densities,
126 height, and land use. Such land development regulations include,
127 but are not limited to, regulations relating to setbacks and
128 parking requirements. A proposed development located within one-
129 quarter mile of a military installation identified in s.
130 163.3175(2) may not be administratively approved. Each county
131 shall maintain on its website a policy containing procedures and
132 expectations for administrative approval pursuant to this
133 subsection.

134 (e)1. A county must consider reducing parking requirements
135 for a proposed development authorized under this subsection if
136 the development is located within one-quarter ~~one-half~~ mile of a
137 ~~major~~ transit stop, as defined in the county's land development
138 code, and the ~~major~~ transit stop is accessible from the
139 development.

140 2. A county must reduce parking requirements for a proposed
141 development authorized under this subsection if the development
142 is located within one-half mile of a major transportation hub
143 that is accessible from the development by safe, pedestrian-
144 friendly means, such as sidewalks, crosswalks, elevated
145 pedestrian or bike paths, or other multimodal design features.

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146 3. A county must eliminate parking requirements for a
147 proposed mixed-use residential development authorized under this
148 subsection within an area recognized by the county as a transit-
149 oriented development or area, as provided in paragraph (g).

150 4. For purposes of this paragraph, the term "major
151 transportation hub" means any transit station, whether bus,
152 train, or light rail, which is served by public transit with a
153 mix of other transportation options.

154 (f) For proposed multifamily developments in an
155 unincorporated area zoned for commercial ~~or industrial~~ use which
156 is within the boundaries of a multicounty independent special
157 district that was created to provide municipal services and is
158 not authorized to levy ad valorem taxes, and less than 20
159 percent of the land area within such district is designated for
160 commercial ~~or industrial~~ use, a county must authorize, as
161 provided in this subsection, such development only if the
162 development is mixed-use residential.

163 (g) A development authorized under this section which is
164 located within a transit-oriented development or area, as
165 recognized by the county, must be mixed-use residential and
166 otherwise comply with requirements of the county's regulations
167 applicable to the transit-oriented development or area except
168 for use, height, density, and floor area ratio as provided in
169 this section or as otherwise agreed to by the county and the
170 applicant for the development.

171 (h) Except as otherwise provided in this subsection, a
172 development authorized under this subsection must comply with
173 all applicable state and local laws and regulations.

174 (i) ~~(h)~~ This subsection does not apply to airport-impacted

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175 ~~areas as provided in s. 333.03 property defined as recreational~~
176 ~~and commercial working waterfront in s. 342.201(2)(b) in any~~
177 ~~area zoned as industrial.~~

178 (j)~~(i)~~ This subsection expires October 1, 2033.

179 (8) Any development authorized under paragraph (7)(a) must
180 be treated as a conforming use even after the expiration of
181 subsection (7) and the development's affordability period as
182 provided in paragraph (7)(a), notwithstanding the county's
183 comprehensive plan, future land use designation, or zoning. If
184 at any point during the development's affordability period the
185 development violates the affordability period requirement
186 provided in paragraph (7)(a), the development must be allowed a
187 reasonable time to cure such violation. If the violation is not
188 cured within a reasonable time, the development must be treated
189 as a nonconforming use.

190 Section 2. Subsection (7) of section 166.04151, Florida
191 Statutes, is amended, and subsection (8) is added to that
192 section, to read:

193 166.04151 Affordable housing.—

194 (7)(a) A municipality must authorize multifamily and mixed-
195 use residential as allowable uses in any area zoned for
196 commercial, ~~industrial~~, or mixed use if at least 40 percent of
197 the residential units in a proposed multifamily ~~rental~~
198 development are rental units that, for a period of at least 30
199 years, are affordable as defined in s. 420.0004. Notwithstanding
200 any other law, local ordinance, or regulation to the contrary, a
201 municipality may not require a proposed multifamily development
202 to obtain a zoning or land use change, special exception,
203 conditional use approval, variance, or comprehensive plan

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204 amendment for the building height, zoning, and densities
205 authorized under this subsection. For mixed-use residential
206 projects, at least 65 percent of the total square footage must
207 be used for residential purposes.

208 (b) A municipality may not restrict the density or floor
209 area ratio of a proposed development authorized under this
210 subsection below the highest currently allowed density or floor
211 area ratio on any land in the municipality where residential
212 development is allowed under the municipality's land development
213 regulations. The currently allowed density or floor area ratio
214 does not include the density or floor area ratio of any
215 development that meets the requirements of this subsection or
216 any bonus, variance, or other special exception for density or
217 floor area ratio provided in the municipality's land development
218 regulations as an incentive for development.

219 (c) A municipality may not restrict the height of a
220 proposed development authorized under this subsection below the
221 highest currently allowed height for a commercial or residential
222 building development located in its jurisdiction within one-
223 quarter ± mile of the proposed development or 3 stories,
224 whichever is higher. If the height of each building on property
225 adjacent to the proposed development is 3 stories or less, the
226 municipality may restrict the height to 135 percent of the
227 tallest building on property adjacent to the proposed
228 development or 3 stories, whichever is higher. The currently
229 allowed height does not include the height of any development
230 that meets the requirements of this subsection or any bonus,
231 variance, or other special exception for height provided in the
232 municipality's land development regulations as an incentive for

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233 development.

234 (d) A proposed development authorized under this subsection
235 must be administratively approved and no further action by the
236 governing body of the municipality is required if the
237 development satisfies the municipality's land development
238 regulations for multifamily developments in areas zoned for such
239 use and is otherwise consistent with the comprehensive plan,
240 with the exception of provisions establishing allowable
241 densities, height, and land use. Such land development
242 regulations include, but are not limited to, regulations
243 relating to setbacks and parking requirements. A proposed
244 development located within one-quarter mile of a military
245 installation identified in s. 163.3175(2) may not be
246 administratively approved. Each municipality shall maintain on
247 its website a policy containing procedures and expectations for
248 administrative approval pursuant to this subsection.

249 (e)1. A municipality must consider reducing parking
250 requirements for a proposed development authorized under this
251 subsection if the development is located within one-quarter ~~one-~~
252 ~~half~~ mile of a ~~major~~ transit stop, as defined in the
253 municipality's land development code, and the ~~major~~ transit stop
254 is accessible from the development.

255 2. A municipality must reduce parking requirements for a
256 proposed development authorized under this subsection if the
257 development is located within one-half mile of a major
258 transportation hub that is accessible from the development by
259 safe, pedestrian-friendly means, such as sidewalks, crosswalks,
260 elevated pedestrian or bike paths, or other multimodal design
261 features.

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262 3. A municipality must eliminate parking requirements for a
263 proposed mixed-use residential development authorized under this
264 subsection within an area recognized by the municipality as a
265 transit-oriented development or area, as provided in paragraph
266 (g).

267 4. For purposes of this paragraph, the term "major
268 transportation hub" means any transit station, whether bus,
269 train, or light rail, which is served by public transit with a
270 mix of other transportation options.

271 (f) A municipality that designates less than 20 percent of
272 the land area within its jurisdiction for commercial ~~or~~
273 ~~industrial~~ use must authorize a proposed multifamily development
274 as provided in this subsection in areas zoned for commercial ~~or~~
275 ~~industrial~~ use only if the proposed multifamily development is
276 mixed-use residential.

277 (g) A development authorized under this section which is
278 located within a transit-oriented development or area, as
279 recognized by the municipality, must be mixed-use residential
280 and otherwise comply with requirements of the municipality's
281 regulations applicable to the transit-oriented development or
282 area except for use, height, density, and floor area ratio as
283 provided in this section or as otherwise agreed to by the
284 municipality and the applicant for the development.

285 (h) Except as otherwise provided in this subsection, a
286 development authorized under this subsection must comply with
287 all applicable state and local laws and regulations.

288 (i) ~~(h)~~ This subsection does not apply to airport-impacted
289 areas as provided in s. 333.03 ~~property defined as recreational~~
290 ~~and commercial working waterfront in s. 342.201(2)(b) in any~~

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291 ~~area zoned as industrial.~~

292 ~~(j)(i)~~ This subsection expires October 1, 2033.

293 Section 3. Subsection (3) of section 196.1978, Florida
294 Statutes, is amended to read:

295 196.1978 Affordable housing property exemption.—

296 (3) (a) As used in this subsection, the term:

297 1. "Corporation" means the Florida Housing Finance
298 Corporation.

299 2. "Newly constructed" means an improvement or the
300 substantial rehabilitation of an existing improvement to real
301 property which was substantially completed within 5 years before
302 the date of an applicant's first submission of a request for a
303 certification notice ~~or an application for an exemption~~ pursuant
304 to this subsection ~~section, whichever is earlier.~~

305 3. "Substantially completed" has the same meaning as in s.
306 192.042(1).

307 4. "Substantial rehabilitation" means the repair or
308 restoration of a unit which increases the market value of such
309 unit by at least 40 percent.

310 (b) Notwithstanding ss. 196.195 and 196.196, portions of
311 property in a multifamily project are considered property used
312 for a charitable purpose and are eligible to receive an ad
313 valorem property tax exemption if such portions meet all of the
314 following conditions:

315 1. Provide affordable housing to natural persons or
316 families meeting the income limitations provided in paragraph
317 (d) ~~.~~

318 2. a. Are within a newly constructed multifamily project
319 that contains more than 70 units dedicated to housing natural

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320 persons or families meeting the income limitations provided in
321 paragraph (d); or

322 b. Are within a newly constructed multifamily project in an
323 area of critical state concern, as designated by s. 380.0552 or
324 chapter 28-36, Florida Administrative Code, which contains more
325 than 10 units dedicated to housing natural persons or families
326 meeting the income limitations provided in paragraph (d). ~~and~~

327 3. Are rented for an amount that does not exceed the amount
328 as specified by the most recent multifamily rental programs
329 income and rent limit chart posted by the corporation and
330 derived from the Multifamily Tax Subsidy Projects Income Limits
331 published by the United States Department of Housing and Urban
332 Development or 90 percent of the fair market value rent as
333 determined by a rental market study meeting the requirements of
334 paragraph (1) ~~(m)~~, whichever is less.

335 (c) If a unit that in the previous year received ~~qualified~~
336 ~~for~~ the exemption under this subsection and was occupied by a
337 tenant is vacant on January 1, the vacant unit is eligible for
338 the exemption if the use of the unit is restricted to providing
339 affordable housing that would otherwise meet the requirements of
340 this subsection and a reasonable effort is made to lease the
341 unit to eligible persons or families.

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

343 a. Seventy-five percent of the assessed value of the units
344 in multifamily projects that meet the requirements of this
345 subsection and are ~~Qualified property~~ used to house natural
346 persons or families whose annual household income is greater
347 than 80 percent but not more than 120 percent of the median
348 annual adjusted gross income for households within the

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349 metropolitan statistical area or, if not within a metropolitan
350 statistical area, within the county in which the person or
351 family resides; ~~and, must receive an ad valorem property tax~~
352 ~~exemption of 75 percent of the assessed value.~~

353 b.2. From ad valorem property taxes the units in
354 multifamily projects that meet the requirements of this
355 subsection and are ~~Qualified property~~ used to house natural
356 persons or families whose annual household income does not
357 exceed 80 percent of the median annual adjusted gross income for
358 households within the metropolitan statistical area or, if not
359 within a metropolitan statistical area, within the county in
360 which the person or family resides, ~~is exempt from ad valorem~~
361 property taxes.

362 2. When determining the value of a unit for purposes of
363 applying an exemption pursuant to this paragraph, the property
364 appraiser must include in such valuation the proportionate share
365 of the residential common areas, including the land, fairly
366 attributable to such unit.

367 (e) To be eligible to receive an exemption under this
368 subsection, a property owner must submit an application on a
369 form prescribed by the department by March 1 for the exemption,
370 accompanied by a certification notice from the corporation to
371 the property appraiser. The property appraiser shall review the
372 application and determine whether the applicant meets all of the
373 requirements of this subsection and is entitled to an exemption.
374 A property appraiser may request and review additional
375 information necessary to make such determination. A property
376 appraiser may grant an exemption only for a property for which
377 the corporation has issued a certification notice and which the

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378 property appraiser determines is entitled to an exemption.

379 (f) To receive a certification notice, a property owner
380 must submit a request to the corporation ~~for certification~~ on a
381 form provided by the corporation which includes all of the
382 following:

383 1. The most recently completed rental market study meeting
384 the requirements of paragraph (l) ~~(m)~~.

385 2. A list of the units for which the property owner seeks
386 an exemption.

387 3. The rent amount received by the property owner for each
388 unit for which the property owner seeks an exemption. If a unit
389 is vacant and qualifies for an exemption under paragraph (c),
390 the property owner must provide evidence of the published rent
391 amount for each vacant unit.

392 4. If the units for which the property owner seeks an
393 exemption have been substantially rehabilitated but have not
394 been certified previously by the corporation pursuant to
395 paragraph (g), a market value analysis meeting the requirements
396 of paragraph (m) demonstrating that the units meet the
397 definition of substantial rehabilitation in subparagraph (a)4.
398 After receiving an initial certification notice for
399 substantially rehabilitated units, a property owner is not
400 required to submit a new market value analysis when requesting
401 certification notices for subsequent years.

402 5. A sworn statement, under penalty of perjury, from the
403 applicant restricting the property for a period of not less than
404 3 years to housing persons or families who meet the income
405 limitations under this subsection.

406 (g) The corporation shall review the request for a a

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407 certification notice and certify whether a property ~~that~~ meets
408 the ~~eligibility~~ criteria of paragraphs (b) and (c) ~~this~~
409 ~~subsection~~. A determination by the corporation regarding a
410 request for a certification notice does not constitute a grant
411 of an exemption pursuant to this subsection or final agency
412 action pursuant to chapter 120.

413 1. If the corporation determines that the property meets
414 the ~~eligibility~~ criteria ~~for an exemption under this subsection~~,
415 the corporation must send a certification notice to the property
416 owner and the property appraiser.

417 2. If the corporation determines that the property does not
418 meet the ~~eligibility~~ criteria, the corporation must notify the
419 property owner and include the reasons for such determination.

420 (h) The corporation shall post on its website the deadline
421 to submit a request for a certification notice. The deadline
422 must allow adequate time for a property owner to submit a timely
423 application for exemption to the property appraiser.

424 ~~(i) The property appraiser shall review the application and~~
425 ~~determine if the applicant is entitled to an exemption. A~~
426 ~~property appraiser may grant an exemption only for a property~~
427 ~~for which the corporation has issued a certification notice.~~

428 ~~(j)~~ If the property appraiser determines that for any year
429 during the immediately previous 10 years a person who was not
430 entitled to an exemption under this subsection was granted such
431 an exemption, the property appraiser must serve upon the owner a
432 notice of intent to record in the public records of the county a
433 notice of tax lien against any property owned by that person in
434 the county, and that property must be identified in the notice
435 of tax lien. Any property owned by the taxpayer and situated in

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436 this state is subject to the taxes exempted by the improper
437 exemption, plus a penalty of 50 percent of the unpaid taxes for
438 each year and interest at a rate of 15 percent per annum. If an
439 exemption is improperly granted as a result of a clerical
440 mistake or an omission by the property appraiser, the property
441 owner improperly receiving the exemption may not be assessed a
442 penalty or interest.

443 (j)~~(k)~~ Units subject to an agreement with the corporation
444 pursuant to chapter 420 recorded in the official records of the
445 county in which the property is located to provide housing to
446 natural persons or families meeting the extremely-low-income,
447 very-low-income, or low-income limits specified in s. 420.0004
448 are not eligible for this exemption.

449 (k)~~(l)~~ Property receiving an exemption pursuant to s.
450 196.1979 is not eligible for this exemption.

451 (l)~~(m)~~ A rental market study submitted as required by
452 subparagraph (f)1. ~~paragraph (f)~~ must identify the fair market
453 value rent of each unit for which a property owner seeks an
454 exemption. Only a certified general appraiser as defined in s.
455 475.611 may issue a rental market study. The certified general
456 appraiser must be independent of the property owner who requests
457 the rental market study. In preparing the rental market study, a
458 certified general appraiser shall comply with the standards of
459 professional practice pursuant to part II of chapter 475 and use
460 comparable property within the same geographic area and of the
461 same type as the property for which the exemption is sought. A
462 rental market study must have been completed within 3 years
463 before submission of the application.

464 (m) A market value analysis submitted as required by

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465 subparagraph (f)4. must identify the change in the market value
466 of the unit attributable to the rehabilitation of the unit,
467 expressed as a percentage of the market value before the
468 rehabilitation, for each unit that has undergone rehabilitation.
469 Only a certified general appraiser as defined in s. 475.611 may
470 issue a market value analysis. The certified general appraiser
471 must be independent of the property owner who requests the
472 market value analysis. In preparing the market value analysis, a
473 certified general appraiser shall comply with the standards of
474 professional practice pursuant to part II of chapter 475 and use
475 comparable property within the same geographic area and of the
476 same type as the property for which the exemption is sought.

477 (n) The corporation may adopt rules to implement this
478 section.

479 (o) This subsection first applies to the 2024 tax roll and
480 is repealed December 31, 2059.

481 Section 4. The amendments made by this act to s. 196.1978,
482 Florida Statutes, are intended to be remedial and clarifying in
483 nature and apply retroactively to January 1, 2024.

484 Section 5. Present subsection (5) of section 333.03,
485 Florida Statutes, is redesignated as subsection (6), and a new
486 subsection (5) is added to that section, to read:

487 333.03 Requirement to adopt airport zoning regulations.—

488 (5) Sections 125.01055(7) and 166.04151(7) do not apply to
489 any of the following:

490 (a) A proposed development within 10,000 feet of the
491 nearest point of any existing airport runway or planned airport
492 runway identified in the local government's airport master plan.

493 (b) A proposed development within any airport noise zone

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494 identified in the federal land use compatibility table.

495 (c) A proposed development that exceeds maximum height
496 restrictions identified in the political subdivision's airport
497 zoning regulation adopted pursuant to this section.

498 Section 6. Subsection (35) of section 420.507, Florida
499 Statutes, is amended to read:

500 420.507 Powers of the corporation.—The corporation shall
501 have all the powers necessary or convenient to carry out and
502 effectuate the purposes and provisions of this part, including
503 the following powers which are in addition to all other powers
504 granted by other provisions of this part:

505 (35) To preclude any applicant, sponsor, or affiliate of an
506 applicant or sponsor from further participation in any of the
507 corporation's programs as provided in s. 420.518, ~~any applicant~~
508 ~~or affiliate of an applicant which has made a material~~
509 ~~misrepresentation or engaged in fraudulent actions in connection~~
510 ~~with any application for a corporation program.~~

511 Section 7. Subsection (3) of section 420.5096, Florida
512 Statutes, is amended to read:

513 420.5096 Florida Hometown Hero Program.—

514 (3) For loans made available pursuant to s.
515 420.507(23)(a)1. or 2., the corporation may underwrite and make
516 those mortgage loans through the program to persons or families
517 who have household incomes that do not exceed 150 percent of the
518 state median income or local median income, whichever is
519 greater. A borrower must be seeking to purchase a home as a
520 primary residence; must be a first-time homebuyer and a Florida
521 resident; and must be employed full-time by a Florida-based
522 employer. The borrower must provide documentation of full-time

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523 employment, or full-time status for self-employed individuals,
524 ~~of 35 hours or more per week.~~ The requirement to be a first-time
525 homebuyer does not apply to a borrower who is an active duty
526 servicemember of a branch of the armed forces or the Florida
527 National Guard, as defined in s. 250.01, or a veteran.

528 Section 8. Section 420.518, Florida Statutes, is amended to
529 read:

530 420.518 Preclusion from participation in corporation
531 programs ~~Fraudulent or material misrepresentation.~~

532 (1) An applicant, a sponsor, or an affiliate of an
533 applicant or a sponsor may be precluded from participation in
534 any corporation program if the applicant or affiliate of the
535 applicant has:

536 (a) Made a material misrepresentation or engaged in
537 fraudulent actions in connection with any corporation program.

538 (b) Been convicted or found guilty of, or entered a plea of
539 guilty or nolo contendere to, regardless of adjudication, a
540 crime in any jurisdiction which directly relates to the
541 financing, construction, or management of affordable housing or
542 the fraudulent procurement of state or federal funds. The record
543 of a conviction certified or authenticated in such form as to be
544 admissible in evidence under the laws of the state shall be
545 admissible as prima facie evidence of such guilt.

546 (c) Been excluded from any federal funding program related
547 to the provision of housing, including debarment from
548 participation in federal housing programs by the United States
549 Department of Housing and Urban Development.

550 (d) Been excluded from any federal or Florida procurement
551 programs.

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552 (e) Offered or given consideration, other than the
553 consideration to provide affordable housing, with respect to a
554 local contribution.

555 (f) Demonstrated a pattern of noncompliance and a failure
556 to correct any such noncompliance after notice from the
557 corporation in the construction, operation, or management of one
558 or more developments funded through a corporation program.

559 (g) Materially or repeatedly violated any condition imposed
560 by the corporation in connection with the administration of a
561 corporation program, including a land use restriction agreement,
562 an extended use agreement, or any other financing or regulatory
563 agreement with the corporation.

564 (2) Upon a determination by the board of directors of the
565 corporation that an applicant or affiliate of the applicant be
566 precluded from participation in any corporation program, the
567 board may issue an order taking any or all of the following
568 actions:

569 (a) Preclude such applicant or affiliate from applying for
570 funding from any corporation program for a specified period. The
571 period may be a specified period of time or permanent in nature.
572 With regard to establishing the duration, the board shall
573 consider the facts and circumstances, inclusive of the
574 compliance history of the applicant or affiliate of the
575 applicant, the type of action under subsection (1), and the
576 degree of harm to the corporation's programs that has been or
577 may be done.

578 (b) Revoke any funding previously awarded by the
579 corporation for any development for which construction or
580 rehabilitation has not commenced.

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581 (3) Before any order issued under this section can be
582 final, an administrative complaint must be served on the
583 applicant, affiliate of the applicant, or its registered agent
584 that provides notification of findings of the board, the
585 intended action, and the opportunity to request a proceeding
586 pursuant to ss. 120.569 and 120.57.

587 (4) Any funding, allocation of federal housing credits,
588 credit underwriting procedures, or application review for any
589 development for which construction or rehabilitation has not
590 commenced may be suspended by the corporation upon the service
591 of an administrative complaint on the applicant, affiliate of
592 the applicant, or its registered agent. The suspension shall be
593 effective from the date the administrative complaint is served
594 until an order issued by the corporation in regard to that
595 complaint becomes final.

596 Section 9. For the 2024-2025 fiscal year, from the funds
597 received and deposited into the General Revenue Fund from the
598 state's allocation from the federal Coronavirus State Fiscal
599 Recovery Fund created under the American Rescue Plan Act of
600 2021, Pub. L. No. 117-2, the sum of \$100 million in nonrecurring
601 funds is appropriated to the State Housing Trust Fund for use by
602 the Florida Housing Finance Corporation to implement the Florida
603 Hometown Hero Program established in s. 420.5096, Florida
604 Statutes.

605 Section 10. This act shall take effect upon becoming a law.