

20161534er

1  
2 An act relating to housing assistance; amending s.  
3 420.503, F.S.; redefining the term "service provider";  
4 amending s. 420.507, F.S.; revising the powers that  
5 the Florida Housing Finance Corporation may exercise  
6 in developing and administering the State Apartment  
7 Incentive Loan Program; deleting a specified timeframe  
8 in which the corporation may preclude certain  
9 applicants or affiliates of an applicant from further  
10 participation in any of the corporation's programs;  
11 authorizing the corporation to reserve a specified  
12 minimum percentage of its annual appropriation from  
13 the State Housing Trust Fund for certain housing  
14 projects, subject to certain requirements; amending s.  
15 420.5087, F.S.; requiring that State Apartment  
16 Incentive Loan Program funds be made available through  
17 a competitive solicitation process, subject to certain  
18 requirements; requiring program funds be made  
19 available for use by certain sponsors during the first  
20 6 months of loan or loan guarantee availability,  
21 subject to certain requirements; revising requirements  
22 related to all state apartment incentive loans, with  
23 the exception of certain loans made to housing  
24 communities for the elderly; deleting provisions  
25 related to the reservation of funds related to certain  
26 tenant groups; conforming a cross-reference; amending  
27 s. 420.511, F.S.; deleting a requirement that the  
28 corporation's business plan and annual report  
29 recognize certain fiscal periods; amending s. 420.622,

20161534er

30 F.S.; requiring that the State Office on Homelessness  
31 coordinate among certain agencies and providers to  
32 produce a statewide consolidated inventory for the  
33 state's entire system of homeless programs which  
34 incorporates regionally developed plans; requiring the  
35 office, in consultation with the designated lead  
36 agencies for a local homeless continuum of care and  
37 with the Council on Homelessness, to develop the  
38 system and process of data collection from all lead  
39 agencies, subject to certain requirements; deleting  
40 the requirement that the Council on Homelessness  
41 explore the potential of creating a statewide Homeless  
42 Management Information System and encourage future  
43 participation of certain award or grant recipients;  
44 requiring the State Office on Homelessness to accept  
45 and administer moneys appropriated to it to provide  
46 annual Challenge Grants to certain lead agencies of  
47 homeless assistance continuums of care; removing the  
48 requirement that levels of grant awards be based upon  
49 the total population within the continuum of care  
50 catchment area and reflect the differing degrees of  
51 homelessness in the respective areas; revising the  
52 requirement that a lead agency document the commitment  
53 of local government and private organizations to  
54 provide matching funds or in-kind support in an amount  
55 equal to the grant requested; authorizing expenditures  
56 of leveraged funds or resources only for eligible  
57 activities, subject to certain requirements; revising  
58 the preference given to certain lead agencies that

20161534er

59 have demonstrated the ability to leverage federal  
60 homeless-assistance funding under the Stewart B.  
61 McKinney Act; requiring the State Office on  
62 Homelessness, in conjunction with the Council on  
63 Homelessness, to establish specific objectives by  
64 which it may evaluate the outcomes of certain lead  
65 agencies; requiring that certain funding through the  
66 State Office on Homelessness be distributed to lead  
67 agencies based on their performance and achievement of  
68 specified objectives; revising the factors that may be  
69 included as criteria for evaluating the performance of  
70 lead agencies; authorizing the State Office on  
71 Homelessness to administer moneys appropriated to it  
72 for distribution among certain local homeless  
73 continuums of care; amending s. 420.624, F.S.;  
74 revising requirements for the local homeless  
75 assistance continuum of care plan; providing that the  
76 components of a continuum of care plan should include  
77 Rapid ReHousing; requiring that specified components  
78 of a continuum of care plan be coordinated and  
79 integrated with other specified services and programs;  
80 creating s. 420.6265, F.S.; providing legislative  
81 findings and intent relating to Rapid ReHousing;  
82 providing a Rapid ReHousing methodology; amending s.  
83 420.9071, F.S.; redefining the terms "local housing  
84 incentive strategies" and "rent subsidies"; conforming  
85 cross-references; amending s. 420.9072, F.S.;  
86 increasing the number of days within which a review  
87 committee is required to review a local housing

20161534er

88 assistance plan or plan revision after receiving it;  
89 prohibiting a county or an eligible municipality from  
90 expending its portion of the local housing  
91 distribution to provide ongoing rent subsidies;  
92 specifying exceptions; amending s. 420.9075, F.S.;  
93 providing that a certain partnership process of the  
94 State Housing Initiatives Partnership Program should  
95 involve lead agencies of local homeless assistance  
96 continuums of care; encouraging counties and eligible  
97 municipalities to develop a strategy within their  
98 local housing assistance plans which provides program  
99 funds for reducing homelessness; authorizing local  
100 governments to create certain regional partnerships to  
101 address homeless housing needs identified in local  
102 housing assistance plans; revising criteria and  
103 administrative procedures governing each local housing  
104 assistance plan; revising the criteria that apply to  
105 awards made to sponsors or persons for the purpose of  
106 providing housing; requiring that a specified report  
107 submitted by counties and municipalities include a  
108 description of efforts to reduce homelessness;  
109 revising the manner in which a certain share that the  
110 corporation distributes directly to a participating  
111 eligible municipality is calculated; conforming cross-  
112 references; amending s. 420.9076, F.S.; revising  
113 requirements related to the creation and appointment  
114 of members of affordable housing advisory committees;  
115 revising requirements related to a report submitted by  
116 each advisory committee to the local governing body on

20161534er

117 affordable housing incentives; requiring the  
118 corporation, after issuance of a notice of  
119 termination, to distribute directly to a participating  
120 eligible municipality a county's share under certain  
121 circumstances calculated in a specified manner;  
122 creating s. 420.9089, F.S.; providing legislative  
123 findings and intent; amending s. 421.04, F.S.;

124 prohibiting a housing authority from applying to the  
125 Federal Government to seize projects, units, or  
126 vouchers of another established housing authority;  
127 amending s. 421.05, F.S.; exempting authorities from  
128 s. 215.425, F.S.; amending s. 421.091, F.S.; requiring  
129 a full financial accounting and audit of public  
130 housing agencies to be submitted to the Federal  
131 Government pursuant to certain requirements; exempting  
132 housing authorities from specified reporting  
133 requirements; providing an effective date.

134  
135 Be It Enacted by the Legislature of the State of Florida:

136  
137 Section 1. Subsection (36) of section 420.503, Florida  
138 Statutes, is amended to read:

139 420.503 Definitions.—As used in this part, the term:

140 (36) "Service provider," except as otherwise defined in s.  
141 420.512(5), means a law firm, investment bank, certified public  
142 accounting firm, auditor, trustee bank, credit underwriter,  
143 homeowner loan servicer, or any other provider of services to  
144 the corporation which offers to perform or performs services to  
145 the corporation or other provider for fees in excess of \$35,000

20161534er

146 ~~\$25,000~~ in the aggregate during any fiscal year of the  
147 corporation. The term includes the agents, officers, principals,  
148 and professional employees of the service provider.

149 Section 2. Paragraphs (a) and (b) of subsection (22) of  
150 section 420.507, Florida Statutes, are amended, present  
151 paragraphs (d) through (i) of that subsection are redesignated  
152 as (e) through (j), respectively, a new paragraph (d) is added  
153 to that subsection, subsection (35) of that section is amended,  
154 and subsection (50) is added to that section, to read:

155 420.507 Powers of the corporation.—The corporation shall  
156 have all the powers necessary or convenient to carry out and  
157 effectuate the purposes and provisions of this part, including  
158 the following powers which are in addition to all other powers  
159 granted by other provisions of this part:

160 (22) To develop and administer the State Apartment  
161 Incentive Loan Program. In developing and administering that  
162 program, the corporation may:

163 (a) Make first, second, and other subordinated mortgage  
164 loans including variable or fixed rate loans subject to  
165 contingent interest for all State Apartment Incentive Loans  
166 provided in this chapter based upon available cash flow of the  
167 projects. The corporation shall make loans exceeding 25 percent  
168 of project cost only to nonprofit organizations and public  
169 bodies that are able to secure grants, donations of land, or  
170 contributions from other sources and to projects meeting the  
171 criteria of subparagraph 1. Mortgage loans shall be made  
172 available at the following rates of interest:

173 1. Zero to 3 percent interest for sponsors of projects that  
174 set aside at least 80 percent of their total units for residents

20161534er

175 qualifying as farmworkers, commercial fishing workers, the  
176 homeless as defined in s. 420.621, or persons with special needs  
177 as defined in s. 420.0004(13) over the life of the loan.

178 2. Zero to 3 percent interest based on the pro rata share  
179 of units set aside for homeless residents or persons with  
180 special needs if the total of such units is less than 80 percent  
181 of the units in the borrower's project.

182 3. One to 9 percent interest for sponsors of projects  
183 targeted at populations other than farmworkers, commercial  
184 fishing workers, ~~the homeless persons~~, or persons with special  
185 needs.

186 (b) Make loans exceeding 25 percent of project cost when  
187 the project serves extremely-low-income persons or projects as  
188 provided in paragraph (d).

189 (d) In counties or rural areas of counties that do not have  
190 existing units set aside for homeless persons, forgive  
191 indebtedness for loans provided to create permanent rental  
192 housing units for persons who are homeless, as defined in s.  
193 420.621(5), or for persons residing in time-limited transitional  
194 housing or institutions as a result of a lack of permanent,  
195 affordable housing. Such developments must be supported by a  
196 local homeless assistance continuum of care developed under s.  
197 420.624; be developed by nonprofit applicants; be small  
198 properties as defined by corporation rule; and be a project in  
199 the local housing assistance continuum of care plan recognized  
200 by the State Office on Homelessness.

201 (35) To preclude from further participation in any of the  
202 corporation's programs, ~~for a period of up to 2 years~~, any  
203 applicant or affiliate of an applicant which has made a material

20161534er

204 misrepresentation or engaged in fraudulent actions in connection  
205 with any application for a corporation program.

206 (50) To reserve a minimum of 5 percent of its annual  
207 appropriation from the State Housing Trust Fund for housing  
208 projects designed and constructed to serve persons who have a  
209 disabling condition, as defined in s. 420.0004, with first  
210 priority given to projects serving persons who have a  
211 developmental disability, as defined in s. 393.063. Funding  
212 shall be provided as forgivable loans through a competitive  
213 solicitation. Private nonprofit organizations whose primary  
214 mission includes serving persons with a disabling condition  
215 shall be eligible for these funds. In evaluating proposals for  
216 these funds, the corporation shall consider the extent to which  
217 funds from local and other sources will be used by the applicant  
218 to leverage the funds provided under this section; employment  
219 opportunities and supports that will be available to residents  
220 of the proposed housing; a plan for residents to effectively  
221 access community-based services, resources, and amenities; and  
222 partnerships with other supportive services agencies.

223 Section 3. Subsections (1) and (3), paragraphs (b), (f),  
224 and (k) of subsection (6), and subsection (10) of section  
225 420.5087, Florida Statutes, are amended to read:

226 420.5087 State Apartment Incentive Loan Program.—There is  
227 hereby created the State Apartment Incentive Loan Program for  
228 the purpose of providing first, second, or other subordinated  
229 mortgage loans or loan guarantees to sponsors, including for-  
230 profit, nonprofit, and public entities, to provide housing  
231 affordable to very-low-income persons.

232 (1) Program funds shall be made available through a



20161534er

233 competitive solicitation process ~~distributed over successive 3-~~  
234 ~~year periods~~ in a manner that meets the need and demand for  
235 very-low-income housing throughout the state. That need and  
236 demand must be determined by using the most recent statewide  
237 low-income rental housing market studies conducted every 3 years  
238 ~~available at the beginning of each 3-year period~~. However, at  
239 least 10 percent of the program funds, as calculated on an  
240 annual basis, ~~distributed during a 3-year period~~ must be made  
241 available ~~allocated~~ to each of the following categories of  
242 counties, ~~as determined by using the population statistics~~  
243 published in the most recent edition of the Florida Statistical  
244 Abstract:

- 245 (a) Counties that have a population of 825,000 or more.  
246 (b) Counties that have a population of more than 100,000  
247 but less than 825,000.  
248 (c) Counties that have a population of 100,000 or less.

249  
250 Any increase in funding required to reach the 10-percent minimum  
251 shall be taken from the county category that has the largest  
252 portion of the funding allocation. The corporation shall adopt  
253 rules that ~~which~~ establish an equitable process for distributing  
254 any portion of the 10 percent of program funds made available  
255 ~~allocated~~ to the county categories specified in this subsection  
256 which remains unallocated ~~at the end of a 3-year period~~.  
257 Counties that have a population of 100,000 or less shall be  
258 given preference under these rules.

259 (3) During the first 6 months of loan or loan guarantee  
260 availability, program funds shall be made available ~~reserved~~ for  
261 use by sponsors who provide the housing set-aside required in

20161534er

262 subsection (2) for the tenant groups designated in this  
263 subsection. The ~~reservation of funds~~ made available to each of  
264 these groups shall be determined using the most recent statewide  
265 very-low-income rental housing market study available at the  
266 time of publication of each notice of fund availability required  
267 by paragraph (6) (b). The ~~reservation of funds~~ made available  
268 within each notice of fund availability to the tenant groups in  
269 paragraphs (b)-(e) ~~(a), (b), and (e)~~ may not be less than 10  
270 percent of the funds available at that time. Any increase in  
271 funding required to reach the required ~~10-percent~~ minimum must  
272 be taken from the tenant group that would receive ~~has~~ the  
273 largest percentage of available funds in accordance with the  
274 study ~~reservation~~. The ~~reservation of funds~~ made available  
275 within each notice of fund availability to the tenant group in  
276 paragraph (a) ~~(e)~~ may not be less than 5 percent of the funds  
277 available at that time. ~~The reservation of funds within each~~  
278 ~~notice of fund availability to the tenant group in paragraph (d)~~  
279 ~~may not be more than 10 percent of the funds available at that~~  
280 ~~time~~. The tenant groups are:

- 281 (a) Commercial fishing workers and farmworkers;
- 282 (b) Families;
- 283 (c) Persons who are homeless;
- 284 (d) Persons with special needs; and
- 285 (e) Elderly persons. Ten percent of the amount made  
286 available ~~reserved~~ for the elderly shall ~~be reserved~~ to provide  
287 loans to sponsors of housing for the elderly for the purpose of  
288 making building preservation, health, or sanitation repairs or  
289 improvements which are required by federal, state, or local  
290 regulation or code, or lifesafety or security-related repairs or

20161534er

291 improvements to such housing. Such a loan may not exceed  
292 \$750,000 per housing community for the elderly. In order to  
293 receive the loan, the sponsor of the housing community must make  
294 a commitment to match at least 5 percent of the loan amount to  
295 pay the cost of such repair or improvement. The corporation  
296 shall establish the rate of interest on the loan, which may not  
297 exceed 3 percent, and the term of the loan, which may not exceed  
298 15 years; however, if the lien of the corporation's encumbrance  
299 is subordinate to the lien of another mortgagee, then the term  
300 may be made coterminous with the longest term of the superior  
301 lien. The term of the loan shall be based on a credit analysis  
302 of the applicant. The corporation may forgive indebtedness for a  
303 share of the loan attributable to the units in a project  
304 reserved for extremely-low-income elderly by nonprofit  
305 organizations, as defined in s. 420.0004(5), where the project  
306 has provided affordable housing to the elderly for 15 years or  
307 more. The corporation shall establish, by rule, the procedure  
308 and criteria for receiving, evaluating, and competitively  
309 ranking all applications for loans under this paragraph. A loan  
310 application must include evidence of the first mortgagee's  
311 having reviewed and approved the sponsor's intent to apply for a  
312 loan. A nonprofit organization or sponsor may not use the  
313 proceeds of the loan to pay for administrative costs, routine  
314 maintenance, or new construction.

315 (6) On all state apartment incentive loans, except loans  
316 made to housing communities for the elderly to provide for  
317 lifesafety, building preservation, health, sanitation, or  
318 security-related repairs or improvements, the following  
319 provisions shall apply:

20161534er

320 (b) The corporation shall publish a notice of fund  
321 availability in a publication of general circulation throughout  
322 the state. Such notice shall be published at least 60 days prior  
323 to the application deadline and shall provide notice of the  
324 availability ~~temporary reservations~~ of funds established in  
325 subsection (3).

326 (f) The review committee established by corporation rule  
327 pursuant to this subsection shall make recommendations to the  
328 board of directors of the corporation regarding program  
329 participation under the State Apartment Incentive Loan Program.  
330 The corporation board shall make the final decisions regarding  
331 which applicants shall become program participants based on the  
332 scores received in the competitive process, further review of  
333 applications, and the recommendations of the review committee.  
334 The corporation board shall approve or reject applications for  
335 loans and shall determine the tentative loan amount available to  
336 each applicant selected for participation in the program. The  
337 actual loan amount shall be determined pursuant to rule adopted  
338 pursuant to s. 420.507(22)(i) ~~s. 420.507(22)(h)~~.

339 (k) Rent controls shall ~~not be allowed on any project~~  
340 ~~except as required in conjunction with the issuance of tax-~~  
341 ~~exempt bonds or federal low-income housing tax credits and~~  
342 ~~except when the sponsor has committed to set aside units for~~  
343 ~~extremely low-income persons, in which case rents shall be set~~  
344 ~~restricted~~ at the income set-aside levels committed to by the  
345 sponsor at the level applicable income limitations established  
346 by the corporation for federal low-income tax credits.

347 ~~(10)(a) Notwithstanding subsection (3), for the 2015-2016~~  
348 ~~fiscal year, the reservation of funds for the tenant groups~~

20161534er

349 ~~within each notice of fund availability shall be:~~

350 ~~1. Not less than 10 percent of the funds available at that~~  
351 ~~time for the following tenant groups:~~

352 ~~a. Families;~~

353 ~~b. Persons who are homeless;~~

354 ~~c. Persons with special needs; and~~

355 ~~d. Elderly persons.~~

356 ~~2. Not less than 5 percent of the funds available at that~~  
357 ~~time for the commercial fishing workers and farmworkers tenant~~  
358 ~~group.~~

359 ~~(b) This subsection expires July 1, 2016.~~

360 Section 4. Subsection (5) of section 420.511, Florida  
361 Statutes, is amended to read:

362 420.511 Strategic business plan; long-range program plan;  
363 annual report; audited financial statements.—

364 (5) The Auditor General shall conduct an operational audit  
365 of the accounts and records of the corporation and provide a  
366 written report on the audit to the President of the Senate and  
367 the Speaker of the House of Representatives by December 1, 2016.

368 ~~Both the corporation's business plan and annual report must~~  
369 ~~recognize the different fiscal periods under which the~~  
370 ~~corporation, the state, the Federal Government, and local~~  
371 ~~governments operate.~~

372 Section 5. Paragraphs (a) and (b) of subsection (3) and  
373 subsections (4), (5), and (6) of section 420.622, Florida  
374 Statutes, are amended, and subsection (10) is added to that  
375 section, to read:

376 420.622 State Office on Homelessness; Council on  
377 Homelessness.—

20161534er

378 (3) The State Office on Homelessness, pursuant to the  
379 policies set by the council and subject to the availability of  
380 funding, shall:

381 (a) Coordinate among state, local, and private agencies and  
382 providers to produce a statewide consolidated inventory program  
383 ~~and financial plan~~ for the state's entire system of homeless  
384 programs which incorporates regionally developed plans. Such  
385 programs include, but are not limited to:

386 1. Programs authorized under the Stewart B. McKinney  
387 Homeless Assistance Act of 1987, 42 U.S.C. ss. 11371 et seq.,  
388 and carried out under funds awarded to this state; and

389 2. Programs, components thereof, or activities that assist  
390 persons who are homeless or at risk for homelessness.

391 (b) Collect, maintain, and make available information  
392 concerning persons who are homeless or at risk for homelessness,  
393 including demographics information, current services and  
394 resources available, the cost and availability of services and  
395 programs, and the met and unmet needs of this population. All  
396 entities that receive state funding must provide access to all  
397 data they maintain in summary form, with no individual  
398 identifying information, to assist the council in providing this  
399 information. The State Office on Homelessness, in consultation  
400 with the designated lead agencies for a local homeless continuum  
401 of care and with the Council on Homelessness, shall develop the  
402 system and process of data collection from all lead agencies for  
403 the purpose of analyzing trends and assessing impacts in the  
404 statewide homeless delivery system. Any statewide homelessness  
405 survey and database system must comply with all state and  
406 federal statutory and regulatory confidentiality requirements

20161534er

407 ~~The council shall explore the potential of creating a statewide~~  
408 ~~Management Information System (MIS), encouraging the future~~  
409 ~~participation of any bodies that are receiving awards or grants~~  
410 ~~from the state, if such a system were adopted, enacted, and~~  
411 ~~accepted by the state.~~

412 (4) The State Office on Homelessness, with the concurrence  
413 of the Council on Homelessness, shall ~~may~~ accept and administer  
414 moneys appropriated to it to provide annual "Challenge Grants"  
415 to lead agencies of homeless assistance continuums of care  
416 designated by the State Office on Homelessness pursuant to s.  
417 420.624. The department shall establish varying levels of grant  
418 awards up to \$500,000 per lead agency. ~~Award levels shall be~~  
419 ~~based upon the total population within the continuum of care~~  
420 ~~catchment area and reflect the differing degrees of homelessness~~  
421 ~~in the catchment planning areas.~~ The department, in consultation  
422 with the Council on Homelessness, shall specify a grant award  
423 level in the notice of the solicitation of grant applications.

424 (a) To qualify for the grant, a lead agency must develop  
425 and implement a local homeless assistance continuum of care plan  
426 for its designated catchment area. The continuum of care plan  
427 must implement a coordinated assessment or central intake system  
428 to screen, assess, and refer persons seeking assistance to the  
429 appropriate service provider. The lead agency shall also  
430 document the commitment of local government or ~~and~~ private  
431 organizations to provide matching funds or in-kind support in an  
432 amount equal to the grant requested. Expenditures of leveraged  
433 funds or resources, including third-party cash or in-kind  
434 contributions, are authorized only for eligible activities  
435 committed on one project which have not been used as leverage or

20161534er

436 match for any other project or program and must be certified  
437 through a written commitment.

438 (b) Preference must be given to those lead agencies that  
439 have demonstrated the ability of their continuum of care to  
440 provide quality services to homeless persons and the ability to  
441 leverage federal homeless-assistance funding under the Stewart  
442 B. McKinney Act with local government funding or ~~and~~ private  
443 funding for the provision of services to homeless persons.

444 (c) Preference must be given to lead agencies in catchment  
445 areas with the greatest need for the provision of housing and  
446 services to the homeless, relative to the population of the  
447 catchment area.

448 (d) The grant may be used to fund any of the housing,  
449 program, or service needs included in the local homeless  
450 assistance continuum of care plan. The lead agency may allocate  
451 the grant to programs, services, or housing providers that  
452 implement the local homeless assistance continuum care plan. The  
453 lead agency may provide subgrants to a local agency to implement  
454 programs or services or provide housing identified for funding  
455 in the lead agency's application to the department. A lead  
456 agency may spend a maximum of 8 percent of its funding on  
457 administrative costs.

458 (e) The lead agency shall submit a final report to the  
459 department documenting the outcomes achieved by the grant in  
460 enabling persons who are homeless to return to permanent housing  
461 thereby ending such person's episode of homelessness.

462 (5) The State Office on Homelessness, with the concurrence  
463 of the Council on Homelessness, may administer moneys  
464 appropriated to it to provide homeless housing assistance grants



20161534er

465 annually to lead agencies for local homeless assistance  
466 continuum of care, as recognized by the State Office on  
467 Homelessness, to acquire, construct, or rehabilitate  
468 transitional or permanent housing units for homeless persons.  
469 These moneys shall consist of any sums that the state may  
470 appropriate, as well as money received from donations, gifts,  
471 bequests, or otherwise from any public or private source, which  
472 are intended to acquire, construct, or rehabilitate transitional  
473 or permanent housing units for homeless persons.

474 (a) Grant applicants shall be ranked competitively.  
475 Preference must be given to applicants who leverage additional  
476 private funds and public funds, particularly federal funds  
477 designated for the acquisition, construction, or rehabilitation  
478 of transitional or permanent housing for homeless persons; who  
479 acquire, build, or rehabilitate the greatest number of units; or  
480 ~~and~~ who acquire, build, or rehabilitate in catchment areas  
481 having the greatest need for housing for the homeless relative  
482 to the population of the catchment area.

483 (b) Funding for any particular project may not exceed  
484 \$750,000.

485 (c) Projects must reserve, for a minimum of 10 years, the  
486 number of units acquired, constructed, or rehabilitated through  
487 homeless housing assistance grant funding to serve persons who  
488 are homeless at the time they assume tenancy.

489 (d) No more than two grants may be awarded annually in any  
490 given local homeless assistance continuum of care catchment  
491 area.

492 (e) A project may not be funded which is not included in  
493 the local homeless assistance continuum of care plan, as

20161534er

494 recognized by the State Office on Homelessness, for the  
495 catchment area in which the project is located.

496 (f) The maximum percentage of funds that the State Office  
497 on Homelessness and each applicant may spend on administrative  
498 costs is 5 percent.

499 (6) The State Office on Homelessness, in conjunction with  
500 the Council on Homelessness, shall establish performance  
501 measures and specific objectives by which it may ~~to~~ evaluate the  
502 effective performance and outcomes of lead agencies that receive  
503 grant funds. Challenge Grants made through the State Office on  
504 Homelessness shall be distributed to lead agencies based on  
505 their overall performance and their achievement of specified  
506 objectives. Each lead agency for which grants are made under  
507 this section shall provide the State Office on Homelessness a  
508 thorough evaluation of the effectiveness of the program in  
509 achieving its stated purpose. In evaluating the performance of  
510 the lead agencies, the State Office on Homelessness shall base  
511 its criteria upon the program objectives, goals, and priorities  
512 that were set forth by the lead agencies in their proposals for  
513 funding. Such criteria may include, but are not ~~be~~ limited to,  
514 the number of persons or households that are no longer homeless,  
515 the rate of recidivism to homelessness, and the number of  
516 persons who obtain gainful employment ~~homeless individuals~~  
517 ~~provided shelter, food, counseling, and job training.~~

518 (10) The State Office on Homelessness may administer moneys  
519 appropriated to it for distribution among the 28 local homeless  
520 continuums of care designated by the Department of Children and  
521 Families.

522 Section 6. Subsections (3), (7), and (8) of section

20161534er

523 420.624, Florida Statutes, are amended to read:

524 420.624 Local homeless assistance continuum of care.—

525 (3) Communities or regions seeking to implement a local  
526 homeless assistance continuum of care are encouraged to develop  
527 and annually update a written plan that includes a vision for  
528 the continuum of care, an assessment of the supply of and demand  
529 for housing and services for the homeless population, and  
530 specific strategies and processes for providing the components  
531 of the continuum of care. The State Office on Homelessness, in  
532 conjunction with the Council on Homelessness, shall include in  
533 the plan a methodology for assessing performance and outcomes.

534 The State Office on Homelessness shall supply a standardized  
535 format for written plans, including the reporting of data.

536 (7) The components of a continuum of care plan should  
537 include:

538 (a) Outreach, intake, and assessment procedures in order to  
539 identify the service and housing needs of an individual or  
540 family and to link them with appropriate housing, services,  
541 resources, and opportunities;

542 (b) Emergency shelter, in order to provide a safe, decent  
543 alternative to living in the streets;

544 (c) Transitional housing;

545 (d) Supportive services, designed to assist with the  
546 development of the skills necessary to secure and retain  
547 permanent housing;

548 (e) Permanent supportive housing;

549 (f) Rapid ReHousing, as specified in s. 420.6265;

550 (g) Permanent housing;

551 (h) Linkages and referral mechanisms among all

20161534er

552 components to facilitate the movement of individuals and  
553 families toward permanent housing and self-sufficiency;  
554 (i)~~(h)~~ Services and resources to prevent housed persons  
555 from becoming or returning to homelessness; and  
556 (j)~~(i)~~ An ongoing planning mechanism to address the needs  
557 of all subgroups of the homeless population, including but not  
558 limited to:  
559 1. Single adult males;  
560 2. Single adult females;  
561 3. Families with children;  
562 4. Families with no children;  
563 5. Unaccompanied children and youth;  
564 6. Elderly persons;  
565 7. Persons with drug or alcohol addictions;  
566 8. Persons with mental illness;  
567 9. Persons with dual or multiple physical or mental  
568 disorders;  
569 10. Victims of domestic violence; and  
570 11. Persons living with HIV/AIDS.  
571 (8) Continuum of care plans must promote participation by  
572 all interested individuals and organizations and may not exclude  
573 individuals and organizations on the basis of race, color,  
574 national origin, sex, handicap, familial status, or religion.  
575 Faith-based organizations must be encouraged to participate. To  
576 the extent possible, these components must ~~should~~ be coordinated  
577 and integrated with other mainstream health, social services,  
578 and employment programs for which homeless populations may be  
579 eligible, including Medicaid, State Children's Health Insurance  
580 Program, Temporary Assistance for Needy Families, Food

20161534er

581 Assistance Program, and services funded through the Mental  
582 Health and Substance Abuse Block Grant, the Workforce Investment  
583 Act, and the welfare-to-work grant program.

584 Section 7. Section 420.6265, Florida Statutes, is created  
585 to read:

586 420.6265 Rapid ReHousing.—

587 (1) LEGISLATIVE FINDINGS AND INTENT.—

588 (a) The Legislature finds that Rapid ReHousing is a  
589 strategy of using temporary financial assistance and case  
590 management to quickly move an individual or family out of  
591 homelessness and into permanent housing.

592 (b) The Legislature also finds that public and private  
593 solutions to homelessness in the past have focused on providing  
594 individuals and families who are experiencing homelessness with  
595 emergency shelter, transitional housing, or a combination of  
596 both. While emergency shelter and transitional housing programs  
597 may provide critical access to services for individuals and  
598 families in crisis, the programs often fail to address their  
599 long-term needs.

600 (c) The Legislature further finds that most households  
601 become homeless as a result of a financial crisis that prevents  
602 individuals and families from paying rent or a domestic conflict  
603 that results in one member being ejected or leaving without  
604 resources or a plan for housing.

605 (d) The Legislature further finds that Rapid ReHousing is  
606 an alternative approach to the current system of emergency  
607 shelter or transitional housing which tends to reduce the length  
608 of time a person is homeless and has proven to be cost  
609 effective.

20161534er

610       (e) It is therefore the intent of the Legislature to  
611 encourage homeless continuums of care to adopt the Rapid  
612 ReHousing approach to preventing homelessness for individuals  
613 and families who do not require the intense level of supports  
614 provided in the permanent supportive housing model.

615       (2) RAPID REHOUSING METHODOLOGY.—

616       (a) The Rapid ReHousing response to homelessness differs  
617 from traditional approaches to addressing homelessness by  
618 focusing on each individual's or family's barriers to housing.  
619 By using this approach, communities can significantly reduce the  
620 amount of time that individuals and families are homeless and  
621 prevent further episodes of homelessness.

622       (b) In Rapid ReHousing, an individual or family is  
623 identified as being homeless, temporary assistance is provided  
624 to allow the individual or family to obtain permanent housing as  
625 quickly as possible, and, if needed, assistance is provided to  
626 allow the individual or family to retain housing.

627       (c) The objective of Rapid ReHousing is to provide  
628 assistance for as short a term as possible so that the  
629 individual or family receiving assistance does not develop a  
630 dependency on the assistance.

631       Section 8. Subsections (16), (25), and (26) of section  
632 420.9071, Florida Statutes, are amended to read:

633       420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
634 term:

635       (16) "Local housing incentive strategies" means local  
636 regulatory reform or incentive programs to encourage or  
637 facilitate affordable housing production, which include at a  
638 minimum, assurance that permits ~~as defined in s. 163.3164~~ for

20161534er

639 affordable housing projects are expedited to a greater degree  
640 than other projects, as provided in s. 163.3177(6)(f)3.; an  
641 ongoing process for review of local policies, ordinances,  
642 regulations, and plan provisions that increase the cost of  
643 housing prior to their adoption; and a schedule for implementing  
644 the incentive strategies. Local housing incentive strategies may  
645 also include other regulatory reforms, such as those enumerated  
646 in s. 420.9076 or those recommended by the affordable housing  
647 advisory committee in its triennial evaluation of the  
648 implementation of affordable housing incentives, and adopted by  
649 the local governing body.

650 (25) "Recaptured funds" means funds that are recouped by a  
651 county or eligible municipality in accordance with the recapture  
652 provisions of its local housing assistance plan pursuant to s.  
653 420.9075(5)(j) ~~s. 420.9075(5)(h)~~ from eligible persons or  
654 eligible sponsors, which funds were not used for assistance to  
655 an eligible household for an eligible activity, when there is a  
656 default on the terms of a grant award or loan award.

657 (26) "Rent subsidies" means ongoing monthly rental  
658 assistance. ~~The term does not include initial assistance to~~  
659 ~~tenants, such as grants or loans for security and utility~~  
660 ~~deposits.~~

661 Section 9. Paragraph (b) of subsection (3) and subsection  
662 (7) of section 420.9072, Florida Statutes, are amended to read:

663 420.9072 State Housing Initiatives Partnership Program.—The  
664 State Housing Initiatives Partnership Program is created for the  
665 purpose of providing funds to counties and eligible  
666 municipalities as an incentive for the creation of local housing  
667 partnerships, to expand production of and preserve affordable

20161534er

668 housing, to further the housing element of the local government  
669 comprehensive plan specific to affordable housing, and to  
670 increase housing-related employment.

671 (3)

672 (b) Within 45 ~~30~~ days after receiving a plan, the review  
673 committee shall review the plan and either approve it or  
674 identify inconsistencies with the requirements of the program.  
675 The corporation shall assist a local government in revising its  
676 plan if it initially proves to be inconsistent with program  
677 requirements. A plan that is revised by the local government to  
678 achieve consistency with program requirements shall be reviewed  
679 within 45 ~~30~~ days after submission. The deadlines for submitting  
680 original and revised plans shall be established by corporation  
681 rule; however, the corporation shall not require submission of a  
682 new local housing assistance plan to implement amendments to  
683 this act until the currently effective plan expires.

684 (7) (a) A county or an eligible municipality must expend its  
685 portion of the local housing distribution only to implement a  
686 local housing assistance plan or as provided in this subsection.  
687 ~~A county or an eligible municipality may not expend its portion~~  
688 ~~of the local housing distribution to provide rent subsidies;~~  
689 ~~however, this does not prohibit the use of funds for security~~  
690 ~~and utility deposit assistance.~~

691 (b) A county or an eligible municipality may not expend its  
692 portion of the local housing distribution to provide ongoing  
693 rent subsidies, except for:

- 694 1. Security and utility deposit assistance.  
695 2. Eviction prevention not to exceed 6 months' rent.  
696 3. A rent subsidy program for very-low-income households



20161534er

697 with at least one adult who is a person with special needs as  
698 defined in s. 420.0004 or homeless as defined in s. 420.621. The  
699 period of rental assistance may not exceed 12 months for any  
700 eligible household.

701 Section 10. Paragraph (a) of subsection (2) of section  
702 420.9075, Florida Statutes, is amended, paragraphs (f) and (g)  
703 are added to subsection (3) of that section, paragraph (e) of  
704 subsection (4) of that section is amended, present paragraph (b)  
705 of subsection (5) of that section is redesignated as paragraph  
706 (c), present paragraphs (c) through (l) of that subsection are  
707 redesignated as paragraphs (e) through (n), respectively, new  
708 paragraphs (b) and (d) are added to that subsection, present  
709 paragraph (l) of that subsection is amended, paragraph (i) is  
710 added to subsection (10) of that section, and paragraph (b) of  
711 subsection (13) of that section is amended, to read:

712 420.9075 Local housing assistance plans; partnerships.—

713 (2) (a) Each county and each eligible municipality  
714 participating in the State Housing Initiatives Partnership  
715 Program shall encourage the involvement of appropriate public  
716 sector and private sector entities as partners in order to  
717 combine resources to reduce housing costs for the targeted  
718 population. This partnership process should involve:

- 719 1. Lending institutions.
- 720 2. Housing builders and developers.
- 721 3. Nonprofit and other community-based housing and service  
722 organizations.
- 723 4. Providers of professional services relating to  
724 affordable housing.
- 725 5. Advocates for low-income persons, including, but not

20161534er

726 limited to, homeless people, the elderly, and migrant  
727 farmworkers.

728 6. Real estate professionals.

729 7. Other persons or entities who can assist in providing  
730 housing or related support services.

731 8. Lead agencies of local homeless assistance continuums of  
732 care.

733 (3)

734 (f) Each county and each eligible municipality is  
735 encouraged to develop a strategy within its local housing  
736 assistance plan which provides program funds for reducing  
737 homelessness.

738 (g) Local governments may create regional partnerships  
739 across jurisdictional boundaries through the pooling of  
740 appropriated funds to address homeless housing needs identified  
741 in local housing assistance plans.

742 (4) Each local housing assistance plan is governed by the  
743 following criteria and administrative procedures:

744 (e) The staff or entity that has administrative authority  
745 for implementing a local housing assistance plan assisting  
746 rental developments shall annually monitor and determine tenant  
747 eligibility or, to the extent another governmental entity or  
748 corporation program provides periodic ~~the same~~ monitoring and  
749 determination, a municipality, county, or local housing  
750 financing authority may rely on such monitoring and  
751 determination of tenant eligibility. However, any loan or grant  
752 in the original amount of \$10,000 ~~3,000~~ or less is ~~shall not be~~  
753 subject to these annual monitoring and determination of tenant  
754 eligibility requirements.

20161534er

755 (5) The following criteria apply to awards made to eligible  
756 sponsors or eligible persons for the purpose of providing  
757 eligible housing:

758 (b) Up to 25 percent of the funds made available in each  
759 county and eligible municipality from the local housing  
760 distribution may be reserved for rental housing for eligible  
761 persons or for the purposes enumerated in s. 420.9072(7)(b).

762 (d) Each local government must use a minimum of 20 percent  
763 of its local housing distribution to serve persons with special  
764 needs as defined in s. 420.0004. A local government must certify  
765 that it will meet this requirement through existing approved  
766 strategies in the local housing assistance plan or submit a new  
767 local housing assistance plan strategy for this purpose to the  
768 corporation for approval to ensure that the plan meets this  
769 requirement. The first priority of these special needs funds  
770 must be to serve persons with developmental disabilities as  
771 defined in s. 393.063, with an emphasis on home modifications,  
772 including technological enhancements and devices, which will  
773 allow homeowners to remain independent in their own homes and  
774 maintain their homeownership.

775 (n)~~(l)~~ Funds from the local housing distribution not used  
776 to meet the criteria established in paragraph (a) or paragraph  
777 (c) ~~(b)~~ or not used for the administration of a local housing  
778 assistance plan must be used for housing production and finance  
779 activities, including, but not limited to, financing  
780 preconstruction activities or the purchase of existing units,  
781 providing rental housing, and providing home ownership training  
782 to prospective home buyers and owners of homes assisted through  
783 the local housing assistance plan.

20161534er

784           1. Notwithstanding the provisions of paragraphs (a) and (c)  
785 ~~(b)~~, program income as defined in s. 420.9071(24) may also be  
786 used to fund activities described in this paragraph.

787           2. When preconstruction due-diligence activities conducted  
788 as part of a preservation strategy show that preservation of the  
789 units is not feasible and will not result in the production of  
790 an eligible unit, such costs shall be deemed a program expense  
791 rather than an administrative expense if such program expenses  
792 do not exceed 3 percent of the annual local housing  
793 distribution.

794           3. If both an award under the local housing assistance plan  
795 and federal low-income housing tax credits are used to assist a  
796 project and there is a conflict between the criteria prescribed  
797 in this subsection and the requirements of s. 42 of the Internal  
798 Revenue Code of 1986, as amended, the county or eligible  
799 municipality may resolve the conflict by giving precedence to  
800 the requirements of s. 42 of the Internal Revenue Code of 1986,  
801 as amended, in lieu of following the criteria prescribed in this  
802 subsection with the exception of paragraphs (a) and (g) ~~(e)~~ of  
803 this subsection.

804           4. Each county and each eligible municipality may award  
805 funds as a grant for construction, rehabilitation, or repair as  
806 part of disaster recovery or emergency repairs or to remedy  
807 accessibility or health and safety deficiencies. Any other  
808 grants must be approved as part of the local housing assistance  
809 plan.

810           (10) Each county or eligible municipality shall submit to  
811 the corporation by September 15 of each year a report of its  
812 affordable housing programs and accomplishments through June 30

20161534er

813 immediately preceding submittal of the report. The report shall  
814 be certified as accurate and complete by the local government's  
815 chief elected official or his or her designee. Transmittal of  
816 the annual report by a county's or eligible municipality's chief  
817 elected official, or his or her designee, certifies that the  
818 local housing incentive strategies, or, if applicable, the local  
819 housing incentive plan, have been implemented or are in the  
820 process of being implemented pursuant to the adopted schedule  
821 for implementation. The report must include, but is not limited  
822 to:

823 (i) A description of efforts to reduce homelessness.

824 (13)

825 (b) If, as a result of its review of the annual report, the  
826 corporation determines that a county or eligible municipality  
827 has failed to implement a local housing incentive strategy, or,  
828 if applicable, a local housing incentive plan, it shall send a  
829 notice of termination of the local government's share of the  
830 local housing distribution by certified mail to the affected  
831 county or eligible municipality.

832 1. The notice must specify a date of termination of the  
833 funding if the affected county or eligible municipality does not  
834 implement the plan or strategy and provide for a local response.  
835 A county or eligible municipality shall respond to the  
836 corporation within 30 days after receipt of the notice of  
837 termination.

838 2. The corporation shall consider the local response that  
839 extenuating circumstances precluded implementation and grant an  
840 extension to the timeframe for implementation. Such an extension  
841 shall be made in the form of an extension agreement that

20161534er

842 provides a timeframe for implementation. The chief elected  
843 official of a county or eligible municipality or his or her  
844 designee shall have the authority to enter into the agreement on  
845 behalf of the local government.

846 3. If the county or the eligible municipality has not  
847 implemented the incentive strategy or entered into an extension  
848 agreement by the termination date specified in the notice, the  
849 local housing distribution share terminates, and any uncommitted  
850 local housing distribution funds held by the affected county or  
851 eligible municipality in its local housing assistance trust fund  
852 shall be transferred to the Local Government Housing Trust Fund  
853 to the credit of the corporation to administer.

854 4.a. If the affected local government fails to meet the  
855 timeframes specified in the agreement, the corporation shall  
856 terminate funds. The corporation shall send a notice of  
857 termination of the local government's share of the local housing  
858 distribution by certified mail to the affected local government.  
859 The notice shall specify the termination date, and any  
860 uncommitted funds held by the affected local government shall be  
861 transferred to the Local Government Housing Trust Fund to the  
862 credit of the corporation to administer.

863 b. If the corporation terminates funds to a county, but an  
864 eligible municipality receiving a local housing distribution  
865 pursuant to an interlocal agreement maintains compliance with  
866 program requirements, the corporation shall thereafter  
867 distribute directly to the participating eligible municipality  
868 its share calculated in the manner provided in ss. 420.9072  
869 and 420.9073.

870 c. Any county or eligible municipality whose local

20161534er

871 distribution share has been terminated may subsequently elect to  
872 receive directly its local distribution share by adopting the  
873 ordinance, resolution, and local housing assistance plan in the  
874 manner and according to the procedures provided in ss. 420.907-  
875 420.9079.

876 Section 11. Subsection (2), paragraph (a) of subsection  
877 (4), and paragraph (b) of subsection (7) of section 420.9076,  
878 Florida Statutes, are amended to read:

879 420.9076 Adoption of affordable housing incentive  
880 strategies; committees.-

881 (2) The governing board of a county or municipality shall  
882 appoint the members of the affordable housing advisory committee  
883 ~~by resolution~~. Pursuant to the terms of any interlocal  
884 agreement, a county and municipality may create and jointly  
885 appoint an advisory committee ~~to prepare a joint plan~~. The local  
886 action ordinance adopted pursuant to s. 420.9072 which creates  
887 the advisory committee and appoints ~~or the resolution appointing~~  
888 the advisory committee members must name at least 8 but not more  
889 than 11 ~~provide for 11~~ committee members and specify their  
890 terms. The committee must consist of one representative from at  
891 least six of the categories below ~~include~~:

892 (a) A ~~One~~ citizen who is actively engaged in the  
893 residential home building industry in connection with affordable  
894 housing.

895 (b) A ~~One~~ citizen who is actively engaged in the banking or  
896 mortgage banking industry in connection with affordable housing.

897 (c) A ~~One~~ citizen who is a representative of those areas of  
898 labor actively engaged in home building in connection with  
899 affordable housing.

20161534er

900           (d) A ~~One~~ citizen who is actively engaged as an advocate  
901 for low-income persons in connection with affordable housing.

902           (e) A ~~One~~ citizen who is actively engaged as a for-profit  
903 provider of affordable housing.

904           (f) A ~~One~~ citizen who is actively engaged as a not-for-  
905 profit provider of affordable housing.

906           (g) A ~~One~~ citizen who is actively engaged as a real estate  
907 professional in connection with affordable housing.

908           (h) A ~~One~~ citizen who actively serves on the local planning  
909 agency pursuant to s. 163.3174. If the local planning agency is  
910 comprised of the governing board of the county or municipality,  
911 the governing board may appoint a designee who is knowledgeable  
912 in the local planning process.

913           (i) A ~~One~~ citizen who resides within the jurisdiction of  
914 the local governing body making the appointments.

915           (j) A ~~One~~ citizen who represents employers within the  
916 jurisdiction.

917           (k) A ~~One~~ citizen who represents essential services  
918 personnel, as defined in the local housing assistance plan.

919  
920 ~~If a county or eligible municipality whether due to its small~~  
921 ~~size, the presence of a conflict of interest by prospective~~  
922 ~~appointees, or other reasonable factor, is unable to appoint a~~  
923 ~~citizen actively engaged in these activities in connection with~~  
924 ~~affordable housing, a citizen engaged in the activity without~~  
925 ~~regard to affordable housing may be appointed. Local governments~~  
926 ~~that receive the minimum allocation under the State Housing~~  
927 ~~Initiatives Partnership Program may elect to appoint an~~  
928 ~~affordable housing advisory committee with fewer than 11~~



20161534er

929 ~~representatives if they are unable to find representatives who~~  
930 ~~meet the criteria of paragraphs (a) (k).~~

931 (4) Triennially, the advisory committee shall review the  
932 established policies and procedures, ordinances, land  
933 development regulations, and adopted local government  
934 comprehensive plan of the appointing local government and shall  
935 recommend specific actions or initiatives to encourage or  
936 facilitate affordable housing while protecting the ability of  
937 the property to appreciate in value. The recommendations may  
938 include the modification or repeal of existing policies,  
939 procedures, ordinances, regulations, or plan provisions; the  
940 creation of exceptions applicable to affordable housing; or the  
941 adoption of new policies, procedures, regulations, ordinances,  
942 or plan provisions, including recommendations to amend the local  
943 government comprehensive plan and corresponding regulations,  
944 ordinances, and other policies. At a minimum, each advisory  
945 committee shall submit a report to the local governing body that  
946 includes recommendations on, and triennially thereafter  
947 evaluates the implementation of, affordable housing incentives  
948 in the following areas:

949 (a) The processing of approvals of development orders or  
950 ~~permits, as defined in s. 163.3164,~~ for affordable housing  
951 projects is expedited to a greater degree than other projects,  
952 as provided in s. 163.3177(6)(f)3.

953  
954 The advisory committee recommendations may also include other  
955 affordable housing incentives identified by the advisory  
956 committee. Local governments that receive the minimum allocation  
957 under the State Housing Initiatives Partnership Program shall

20161534er

958 perform the initial review but may elect to not perform the  
959 triennial review.

960 (7) The governing board of the county or the eligible  
961 municipality shall notify the corporation by certified mail of  
962 its adoption of an amendment of its local housing assistance  
963 plan to incorporate local housing incentive strategies. The  
964 notice must include a copy of the approved amended plan.

965 (b) If a county fails to timely adopt an amended local  
966 housing assistance plan to incorporate local housing incentive  
967 strategies but an eligible municipality receiving a local  
968 housing distribution pursuant to an interlocal agreement within  
969 the county does timely adopt an amended local housing assistance  
970 plan to incorporate local housing incentive strategies, the  
971 corporation, after issuance ~~receipt~~ of a notice of termination,  
972 shall thereafter distribute directly to the participating  
973 eligible municipality its share calculated in the manner  
974 provided in s. 420.9073 ~~s. 420.9072~~.

975 Section 12. Section 420.9089, Florida Statutes, is created  
976 to read:

977 420.9089 National Housing Trust Fund.—The Legislature finds  
978 that more funding for housing to assist individuals and families  
979 who are experiencing homelessness or who are at risk of  
980 homelessness is needed and encourages the state entity  
981 designated to administer funds made available to the state from  
982 the National Housing Trust Fund to propose an allocation plan  
983 that includes strategies to reduce homelessness and the risk of  
984 homelessness in this state. These strategies shall be in  
985 addition to strategies developed under s. 420.5087.

986 Section 13. Subsection (4) is added to section 421.04,

20161534er

987 Florida Statutes, to read:

988 421.04 Creation of housing authorities.—

989 (4) Regardless of the date of its creation, a housing  
990 authority may not apply to the Federal Government to seize any  
991 projects, units, or vouchers of another established housing  
992 authority, irrespective of each housing authority's areas of  
993 operation.

994 Section 14. Subsection (2) of section 421.05, Florida  
995 Statutes, is amended to read:

996 421.05 Appointment, qualifications, and tenure of  
997 commissioners; hiring of employees.—

998 (2) The powers of each authority shall be vested in the  
999 commissioners thereof in office from time to time. A majority of  
1000 the commissioners shall constitute a quorum of the authority for  
1001 the purpose of conducting its business and exercising its powers  
1002 and for all other purposes. Action may be taken by the authority  
1003 upon a vote of a majority of the commissioners present, unless  
1004 in any case the bylaws of the authority require a larger number.  
1005 The mayor with the concurrence of the governing body shall  
1006 designate ~~which of the commissioners appointed shall be the~~  
1007 first chair from among the appointed commissioners, but when the  
1008 office of the chair of the authority thereafter becomes vacant,  
1009 the authority shall select a chair from among the ~~its~~  
1010 commissioners. An authority shall also select from among the ~~its~~  
1011 commissioners a vice chair, ~~and~~ and it may employ a secretary, who  
1012 shall be the executive director, technical experts, and such  
1013 other officers, agents, and employees, permanent and temporary,  
1014 as it may require and shall determine their qualifications,  
1015 duties, and compensation. Accordingly, authorities are exempt

20161534er

1016 from s. 215.425. ~~For such legal services as it may require,~~ An  
1017 authority may call upon the chief law officer of the city or may  
1018 employ its own counsel and legal staff for legal services. An  
1019 authority may delegate to one or more of its agents or employees  
1020 such powers or duties as it may deem proper.

1021 Section 15. Subsection (1) of section 421.091, Florida  
1022 Statutes, is amended to read:

1023 421.091 Financial accounting and investments; fiscal year.—

1024 (1) A complete and full financial accounting and audit in  
1025 accordance with federal audit standards of public housing  
1026 agencies shall be made biennially by a certified public  
1027 accountant and submitted to the Federal Government in accordance  
1028 with its policies. Housing authorities are otherwise exempt from  
1029 the reporting requirements of s. 218.32. ~~A copy of such audit~~  
1030 ~~shall be filed with the governing body and with the Auditor~~  
1031 ~~General.~~

1032 Section 16. This act shall take effect July 1, 2016.