

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCS for HB 1009 Affordable Housing

**SPONSOR(S):** Military & Local Affairs Policy Committee

**TIED BILLS:** **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Military & Local Affairs Policy Committee		Rojas	Hoagland
1)				
2)				
3)				
4)				
5)				

**SUMMARY ANALYSIS**

The Proposed Committee Substitute (PCS) revises statutes which govern the implementation of affordable housing practices and procedures statewide by the Florida Housing Finance Corporation (FHFC). The FHFC is the state entity primarily responsible for encouraging the construction of affordable housing in Florida.

The PCS revises the state housing strategy in s. 420.003, F.S., to provide targeted assistance for persons with special needs and includes an analysis of persons with special needs in the strategy's periodic review and report and provides for the distribution of housing funds for multifamily rental housing to be administered to address the housing needs of persons most in need of housing. Specifically, the PCS:

- Includes persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan (SAIL) Program.
- Extends low interest mortgage loans for the SAIL Program to sponsors of projects who set aside units for persons with special needs.
- Establishes a threshold of SAIL funds for persons with special needs to ten percent of the funds available at that time.
- Adds projects that reserve units for persons with special needs to the scoring system for evaluation and competitive ranking of applications submitted in SAIL Program.

The PCS creates two new definitions to enact the newly established state housing strategies.

- *Disabling condition* means a diagnosable substance abuse disorder, serious mental illness, developmental disability, or chronic physical illness or disability, or the co-occurrence of two or more of these conditions, and a determination that the condition is: Expected to be of long-continued and indefinite duration; Not expected to impair the ability of the person with special needs to live independently with appropriate supports.
- *Person with special needs* means an adult person requiring independent living services in order to maintain housing or to develop independent living skills. This individual must also have a disabling condition; be a young adult existing foster care; a survivor of domestic violence; or a person receiving benefits under Social Security Disability Insurance (SSDI) program; or Supplemental Social Security (SSI) program; or veterans disability benefit; or other extremely-low income household requiring independent living services in order to maintain housing or develop independent living skills.

This PCS has no fiscal impact.

## HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

Currently under ch. 420, F.S., the only existing set-aside or prioritization requirements for affordable housing are for commercial fishing workers, farm-workers, elderly, and homeless. Current law does not specifically address affordable housing for persons with disabilities, youth aging out of foster care, disabled veterans and survivors of domestic violence who are groups at great of becoming homeless.

##### Effect of the PCS

The PCS revises the state housing strategy in s. 420.003, F.S., to provide targeted assistance for persons with special needs and includes an analysis of persons with special needs in the strategy's periodic review and report and provides for the distribution of housing funds for multifamily rental housing to be administered to address the housing needs of persons most in need of housing. Specifically, the PCS:

- Includes persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan (SAIL) Program.
- Extends low interest mortgage loans for the SAIL Program to sponsors of projects who set aside units for persons with special needs.
- Establishes a threshold of SAIL funds for persons with special needs to ten percent of the funds available at that time.
- Adds projects that reserve units for persons with special needs to the scoring system for evaluation and competitive ranking of applications submitted in SAIL Program.

The PCS creates two new definitions to enact the newly established state housing strategies.

- *"Disabling Condition"* means a diagnosable substance abuse disorder, serious mental illness, development disability, or chronic physical illness or disability, or the co-occurrence of two or more of these conditions, and a determination that the condition is:
  - Expected to be of long-continued and indefinite duration;
  - Not expected to impair the ability of the person with special needs to live independently with appropriate supports.
- *"Person with special needs"* means an adult person requiring independent living services in order to maintain housing or to develop independent living skills. This individual must also have a disabling condition; be a young adult existing foster care; a survivor of domestic violence; or a person receiving benefits under Social Security Disability Insurance (SSDI) program; or Supplemental Social Security (SSI) program; or veterans disability benefit; or other extremely-low income

household requiring independent living services in order to maintain housing or develop independent living skills.

**B. SECTION DIRECTORY:**

**Section 1:** Creates subparagraph 10. and amends subsection (4) of s. 420.003, F.S., providing additional policy guidelines under the state housing strategy for the development of programs for housing production or rehabilitation; including the needs of persons with special needs in the strategy's periodic review and report

**Section 2:** Creates subsections 420.003(7) and (13), F.S., defining the terms "disabling condition" and "person with special needs"

**Section 3:** Amends s. 420.507, F.S., extends low interest mortgage loans for the SAIL Program to sponsors of projects who set aside units for persons with special needs.

**Section 4:** Amends s. 420.5087, F.S., includes persons with special needs as a tenant group for specified purposes of the SAIL Program.

**Section 5:** Provides an effective date.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None

2. Expenditures:

None

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None

2. Expenditures:

None

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

The bill provides targeted affordable housing assistance for persons with "*special needs*" as defined by statute.

**D. FISCAL COMMENTS:**

None

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

N/A

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

#### **IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES**

