

1                   A bill to be entitled  
2           An act relating to affordable housing; amending 83.56,  
3           F.S.; revising provisions for terminating a rental  
4           agreement that involves rent subsidies received from a  
5           local, state, or national government; amending s.  
6           420.507, F.S.; authorizing the Florida Housing Finance  
7           Corporation to set aside a portion of its federal and  
8           state funding to fund housing for economic development  
9           initiatives, veterans' housing, and housing for other  
10          special needs populations; authorizing the use of  
11          competitive requests for proposal to fund projects;  
12          amending s. 421.02, F.S.; revising a declaration of  
13          necessity; providing that access to essential  
14          commercial goods and services for persons of low  
15          income served by housing authorities is a public use;  
16          amending s. 421.03, F.S.; reordering and revising  
17          definitions applicable to the Housing Authorities Law;  
18          revising the definition of the term "housing project";  
19          defining the term "essential commercial goods and  
20          services"; amending s. 421.06, F.S., relating to a  
21          prohibition on commissioners or employees from  
22          acquiring interests in housing projects and to  
23          required disclosure of interests in specified  
24          properties; providing application to commercial  
25          projects; amending s. 421.08, F.S.; prohibiting the  
26          use of eminent domain for certain purposes; expanding  
27          certain powers of housing authorities to include  
28          certain commercial projects providing essential goods

29 and services; providing for the use of revenues  
30 received from such projects; amending s. 421.09, F.S.;  
31 conforming a cross-reference; reenacting and amending  
32 s. 421.21, F.S., relating to tax exemptions applicable  
33 to housing authorities created pursuant to certain  
34 federal programs; amending s. 421.32, F.S.; conforming  
35 a cross-reference; amending s. 422.02, F.S.; revising  
36 a declaration of necessity; providing that there  
37 exists a shortage of access to essential commercial  
38 goods and services necessary for daily living for  
39 persons of low income; amending s. 422.04, F.S.;  
40 expanding certain powers of state public bodies to  
41 include certain commercial projects providing  
42 essential goods and services; amending s. 423.01,  
43 F.S.; revising and providing findings and declarations  
44 of property of tax exemption for housing authorities  
45 relating to access to essential commercial goods and  
46 services necessary for daily living for persons of low  
47 income; amending s. 423.02, F.S.; clarifying that  
48 activities and property of certain persons are not  
49 exempt from taxes and special assessments; providing  
50 that real property of a housing authority that is used  
51 to provide access to essential commercial goods and  
52 services is exempt from ad valorem taxes and special  
53 assessments; amending s. 624.46226, F.S.; revising  
54 requirements for public housing authorities to form  
55 self-insurance funds; providing organizational and

CS/CS/CS/HB 933

2012

56 | editorial changes for purposes of clarifying various  
57 | provisions; providing an effective date.

58

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

60

61 | Section 1. Subsection (5) of section 83.56, Florida  
62 | Statutes, is amended to read:

63 | 83.56 Termination of rental agreement.—

64 | (5) If the landlord accepts rent with actual knowledge of  
65 | a noncompliance by the tenant or accepts performance by the  
66 | tenant of any other provision of the rental agreement that is at  
67 | variance with its provisions, or if the tenant pays rent with  
68 | actual knowledge of a noncompliance by the landlord or accepts  
69 | performance by the landlord of any other provision of the rental  
70 | agreement that is at variance with its provisions, the landlord  
71 | or tenant waives his or her right to terminate the rental  
72 | agreement or to bring a civil action for that noncompliance, but  
73 | not for any subsequent or continuing noncompliance. Any tenant  
74 | who wishes to defend against an action by the landlord for  
75 | possession of the unit for noncompliance of the rental agreement  
76 | or of relevant statutes shall comply with the provisions in s.  
77 | 83.60(2). The court may not set a date for mediation or trial  
78 | unless the provisions of s. 83.60(2) have been met, but shall  
79 | enter a default judgment for removal of the tenant with a writ  
80 | of possession to issue immediately if the tenant fails to comply  
81 | with s. 83.60(2). This subsection does not apply to that portion  
82 | of rent subsidies received from a local, state, or national  
83 | government or an agency of local, state, or national government;

84 however, waiver will occur if an action has not been instituted  
85 within 45 days after the landlord has actual knowledge of the  
86 noncompliance.

87 Section 2. Subsection (48) is added to section 420.507,  
88 Florida Statutes, to read:

89 420.507 Powers of the corporation.—The corporation shall  
90 have all the powers necessary or convenient to carry out and  
91 effectuate the purposes and provisions of this part, including  
92 the following powers which are in addition to all other powers  
93 granted by other provisions of this part:

94 (48) To utilize up to 10 percent of its annual allocation  
95 of low-income housing tax credits, allocation of nontaxable  
96 revenue bonds, and State Apartment Incentive Loan Program funds  
97 appropriated by the Legislature and available to allocate by  
98 request for proposals or other competitive solicitation funding  
99 for high-priority affordable housing projects, such as housing  
100 to support economic development and job creation initiatives,  
101 housing for veterans and their families, and other special needs  
102 populations in communities throughout the state as determined by  
103 the corporation on an annual basis.

104 Section 3. Section 421.02, Florida Statutes, is amended to  
105 read:

106 421.02 Finding and declaration of necessity.—It is hereby  
107 declared that:

108 (1) There exist in the state insanitary or unsafe dwelling  
109 accommodations and that persons of low income are forced to  
110 reside in such insanitary or unsafe accommodations; that within  
111 the state there is a shortage of safe or sanitary dwelling

112 accommodations available at rents which persons of low income  
 113 can afford and that such persons are forced to occupy  
 114 overcrowded and congested dwelling accommodations; that such the  
 115 ~~aforsaid~~ conditions cause an increase in and spread of disease  
 116 and crime and constitute a menace to the health, safety, morals,  
 117 and welfare of the residents of the state and impair economic  
 118 values; and that these conditions necessitate excessive and  
 119 disproportionate expenditures of public funds for crime  
 120 prevention and punishment, public health, welfare and safety,  
 121 fire and accident protection, and other public services and  
 122 facilities.

123 (2) Blighted areas in the state cannot be revitalized, nor  
 124 can the shortage of safe and sanitary dwellings for persons of  
 125 low income be relieved, solely through the operation of private  
 126 enterprise.

127 (3) The clearance, replanning, and reconstruction of the  
 128 areas in which insanitary or unsafe housing conditions exist,  
 129 ~~and~~ the providing of safe and sanitary dwelling accommodations,  
 130 and the access to essential commercial goods and services  
 131 necessary for daily living for persons of low income, including  
 132 the acquisition by a housing authority of property to be used  
 133 for or in connection with housing projects or appurtenant  
 134 thereto, are exclusively public uses and purposes for which  
 135 public money may be spent and private property acquired and are  
 136 governmental functions of public concern.

137 (4) An important public purpose is served by providing  
 138 access to essential commercial goods and services necessary for  
 139 daily living for persons served by public housing authorities as

140 those persons often have limited transportation capacity and  
 141 significant family demands. Issues such as limited  
 142 transportation capacity and significant family demands  
 143 complicate daily living and make access to essential commercial  
 144 goods and services difficult.

145 (5)-(4) The necessity in the public interest for the  
 146 provisions hereinafter enacted, ~~is hereby declared as~~ a matter  
 147 of legislative determination.

148 Section 4. Section 421.03, Florida Statutes, is amended to  
 149 read:

150 421.03 Definitions. ~~As used~~ The following terms, wherever  
 151 ~~used or referred to~~ in this part, except where the context  
 152 clearly indicates otherwise, the term shall have the following  
 153 ~~respective meanings for the purposes of this part, unless a~~  
 154 ~~different meaning clearly appears from the context:~~

155 (1)-(6) "Area of operation":

156 (a) In the case of a housing authority of a city having a  
 157 population of less than 25,000, includes ~~shall include~~ such city  
 158 and the area within 5 miles of its ~~the~~ territorial boundaries  
 159 ~~thereof.~~; and

160 (b) In the case of a housing authority of a city having a  
 161 population of 25,000 or more includes ~~shall include~~ such city  
 162 and the area within 10 miles from its ~~the~~ territorial  
 163 boundaries. ~~thereof; provided~~ However, ~~that~~ the area of  
 164 operation of a housing authority of a ~~any~~ city may ~~shall~~ not  
 165 include any area that ~~which~~ lies within the territorial  
 166 boundaries of another ~~some other~~ city as herein defined; and may  
 167 ~~further provided that the area of operation shall not extend~~

168 outside ~~of~~ the boundaries of the county in which the city is  
 169 located, and ~~a no~~ housing authority has no ~~shall have any~~ power  
 170 or jurisdiction outside ~~of~~ the county in which the city is  
 171 located.

172 ~~(2)(1)~~ "Authority" or "housing authority" means a ~~shall~~  
 173 ~~mean any of the public corporation corporations~~ created pursuant  
 174 to ~~by~~ s. 421.04.

175 ~~(3)(2)~~ "City" means ~~shall mean~~ any city or town of the  
 176 state having a population of more than 2,500, according to the  
 177 last preceding federal or state census. The term means ~~"The~~  
 178 ~~city" shall mean~~ the particular city for which a particular  
 179 housing authority is created.

180 ~~(4)(5)~~ "Clerk" means ~~shall mean~~ the clerk of the city or  
 181 the officer of the city charged with the duties customarily  
 182 imposed on the clerk ~~thereof~~.

183 ~~(5)(11)~~ "Debentures" means ~~shall mean~~ any notes, interim  
 184 certificates, debentures, revenue certificates, or other  
 185 obligations issued by an authority pursuant to this chapter.

186 ~~(6)~~ "Essential commercial goods and services" means goods,  
 187 such as groceries and clothing, and services, such as child  
 188 care, K-12 education, financial services, job training and  
 189 placement, and laundry facilities, that are collocated with  
 190 dwelling accommodations of a housing authority, that are  
 191 necessary for daily living, and that may be difficult for  
 192 persons of low income to access unless collocated with the  
 193 housing project where they live and substantially serving  
 194 persons of low income.

195 (7) "Federal Government" means ~~shall include~~ the United

196 ~~States Government, the Federal Emergency Administration of~~  
 197 ~~Public Works or any department, commission, other agency, or~~  
 198 ~~other instrumentality thereof, corporate or otherwise, of the~~  
 199 ~~United States.~~

200 ~~(8)(3)~~ "Governing body" means ~~shall mean~~ the city council,  
 201 the commission, or other legislative body charged with governing  
 202 the city, as the case may be.

203 (9) "Housing project" means ~~shall mean~~ any work or  
 204 undertaking:

205 (a) To demolish, clear, or remove buildings from any slum  
 206 area, which; ~~such work or undertaking~~ may embrace the adaption  
 207 of such area to public purposes, including parks or other  
 208 recreational or community purposes; ~~or~~

209 (b) To provide decent, safe, and sanitary urban or rural  
 210 dwellings, apartments, or other living accommodations for  
 211 persons of low income, which; ~~such work or undertaking~~ may  
 212 include buildings, land, equipment, facilities, and other real  
 213 or personal property for necessary, convenient, or desirable  
 214 appurtenances, streets, sewers, water service, parks, site  
 215 preparation, gardening, administrative, community, health,  
 216 recreational, educational, welfare, or other purposes; ~~or~~

217 (c) To provide access to essential commercial goods and  
 218 services; or

219 (d) ~~(e)~~ To accomplish a combination of the foregoing.

220  
 221 The term "~~housing project~~" also applies ~~may be applied~~ to the  
 222 planning of the buildings and improvements, the acquisition of  
 223 property, the demolition of existing structures, the

224 construction, reconstruction, alteration, and repair of the  
 225 improvements, and all other work in connection therewith.

226 (10)~~(4)~~ "Mayor" means ~~shall mean~~ the mayor of the city or  
 227 the officer thereof charged with the duties customarily imposed  
 228 on the mayor or executive head of the city.

229 (11)~~(13)~~ "Obligee of the authority" or "obligee" includes  
 230 ~~shall include~~ any holder of debentures, trustee or trustees for  
 231 any such holders, or lessor demising to the authority property  
 232 used in connection with a housing project, or any assignee or  
 233 assignees of such lessor's interest or any part thereof, and the  
 234 Federal Government when it is a party to any contract with the  
 235 authority.

236 (12)~~(10)~~ "Persons of low income" means ~~shall mean~~ persons  
 237 or families who lack the amount of income which is necessary, as  
 238 determined by the authority undertaking the housing project, to  
 239 enable them, without financial assistance, to live in decent,  
 240 safe and sanitary dwellings, without overcrowding.

241 (13)~~(12)~~ "Real property" includes ~~shall include~~ all lands,  
 242 including improvements and fixtures thereon, and property of any  
 243 nature appurtenant thereto, or used in connection therewith, and  
 244 every estate, interest and right, legal or equitable, therein,  
 245 including terms for years and liens by way of judgment, mortgage  
 246 or otherwise and the indebtedness secured by such liens.

247 (14)~~(8)~~ "Slum" means ~~shall mean~~ any area where dwellings  
 248 predominate which, by reason of dilapidation, overcrowding,  
 249 faulty arrangement or design, lack of ventilation, light or  
 250 sanitary facilities, or any combination of these factors, are  
 251 detrimental to safety, health and morals.

252 Section 5. Section 421.06, Florida Statutes, is amended to  
 253 read:

254 421.06 Commissioners or employees prohibited from  
 255 acquiring interests in housing projects and required to disclose  
 256 interests in specified properties; exception.—Except for the  
 257 leasehold interest held by a tenant-commissioner in the housing  
 258 project in which he or she is a tenant, a ~~no~~ commissioner or  
 259 employee of an authority may not ~~shall~~ acquire any interest,  
 260 direct or indirect, in any housing project or in any property  
 261 included or planned to be included in any project, or ~~nor shall~~  
 262 ~~he or she~~ have any interest, direct or indirect, in any contract  
 263 or proposed contract for materials or services to be furnished  
 264 or used in connection with any housing project. If a  
 265 commissioner or employee of an authority owns or controls an  
 266 interest, direct or indirect, in any property included or  
 267 planned to be included in any housing project, he or she shall  
 268 immediately disclose the same in writing to the authority. Such  
 269 disclosure shall be entered upon the minutes of the authority.  
 270 Failure so to disclose such interest constitutes misconduct in  
 271 office. This section applies to any commercial project  
 272 authorized in this chapter.

273 Section 6. Section 421.08, Florida Statutes, is amended to  
 274 read:

275 421.08 Powers of authority.—  
 276 (1) An authority shall constitute a public body corporate  
 277 and politic, exercising the public and essential governmental  
 278 functions set forth in this chapter, and having all the powers  
 279 necessary or convenient to carry out and effectuate the purpose

280 and provisions of this chapter, including the following powers  
 281 in addition to others ~~herein~~ granted in this chapter:

282 (a)~~(1)~~ To sue and be sued; to have a seal and to alter it  
 283 ~~the same~~ at pleasure; to have perpetual succession; to make and  
 284 execute contracts and other instruments necessary or convenient  
 285 to the exercise of the powers of the authority; to appear in  
 286 court through any of its officers, agents, or employees, for the  
 287 exclusive purpose of filing eviction papers; and to make and  
 288 from time to time amend and repeal bylaws, rules and  
 289 regulations, not inconsistent with this chapter, to carry into  
 290 effect the powers and purposes of the authority.

291 (b)~~(2)~~ Within its area of operation, to prepare, carry  
 292 out, acquire, lease, and operate housing projects and; to  
 293 provide for the construction, reconstruction, improvement,  
 294 alteration, or repair of any housing project or any part  
 295 thereof.

296 (c)~~(3)~~ To arrange or contract for the furnishing by any  
 297 person or agency, public or private, of services, privileges,  
 298 works, or facilities for, or in connection with, a housing  
 299 project or the occupants thereof; ~~provided, however, that~~

300 1. Notwithstanding any other power or provision in this  
 301 chapter, the authority may ~~shall~~ not construct, lease, control,  
 302 purchase, or otherwise establish, in connection with or as a  
 303 part of any housing project or any other real or any other  
 304 property under its control, any system, work, facilities,  
 305 plants, or other equipment for the purpose of furnishing utility  
 306 service of any kind to such projects or to any tenant or  
 307 occupant thereof if ~~in the event that~~ a system, work, facility,

308 | plant, or other equipment for the furnishing of the same utility  
 309 | service is being ~~actually~~ operated by a municipality or private  
 310 | concern in the area of operation or the city or the territory  
 311 | immediately adjacent thereto; ~~provided, further,~~ but this does  
 312 | not ~~that nothing herein shall be construed to~~ prohibit the  
 313 | construction or acquisition by the authority of any system,  
 314 | work, facilities, or other equipment for the sole and only  
 315 | purpose of receiving utility services from any such municipality  
 316 | or such private concern and then distributing such utility  
 317 | services to the project and to the tenants and occupants  
 318 | thereof. ~~;~~ ~~and,~~

319 | 2. Notwithstanding ~~anything to the contrary contained in~~  
 320 | ~~this chapter or in~~ any other provision of law, the authority may  
 321 | ~~to~~ include, in any contract let in connection with a project,  
 322 | stipulations requiring that the contractor and any  
 323 | subcontractors comply with requirements as to minimum wages and  
 324 | maximum hours of labor, ~~and comply~~ with any conditions which the  
 325 | Federal Government may have attached to its financial aid of the  
 326 | project.

327 | (d)(4) To lease or rent any dwellings, houses,  
 328 | accommodations, lands, buildings, structures, or facilities  
 329 | embraced in any housing project and, subject to the limitations  
 330 | contained in this chapter, to establish and revise the rents or  
 331 | charges therefor; to own, hold, and improve real or personal  
 332 | property; to purchase, lease, obtain options upon, acquire by  
 333 | gift, grant, bequest, devise, or otherwise any real or personal  
 334 | property or any interest therein; to acquire by the exercise of  
 335 | the power of eminent domain any real property, except real

336 property to be used to provide access to essential commercial  
337 goods and services; to sell, lease, exchange, transfer, assign,  
338 pledge, or dispose of any real or personal property or any  
339 interest therein; to insure or provide for the insurance of any  
340 real or personal property or operations of the authority against  
341 any risks or hazards; and to procure or agree to the procurement  
342 of insurance or guarantees from the Federal Government of the  
343 payment of any such debts or parts thereof, whether or not  
344 incurred by the ~~said~~ authority, including the power to pay  
345 premiums on any such insurance.

346 (e) ~~(5)~~ To invest any funds held in reserves or sinking  
347 funds, or any funds not required for immediate disbursement, in  
348 property or securities in which savings banks may legally invest  
349 funds subject to their control and; ~~to~~ purchase its debentures  
350 at a price not exceeding ~~more than~~ the principal amount thereof  
351 and accrued interest, with all debentures so purchased to be  
352 canceled.

353 (f) ~~(6)~~ Within its area of operation: to investigate into  
354 living, dwelling, and housing conditions and into the means and  
355 methods of improving such conditions; to determine where slum  
356 areas exist or where there is a shortage of decent, safe, and  
357 sanitary dwelling accommodations for persons of low income; to  
358 make studies and recommendations relating to the problem of  
359 clearing, replanning, and reconstruction of slum areas and the  
360 problem of providing dwelling accommodations for persons of low  
361 income; to administer fair housing ordinances and other  
362 ordinances as adopted by cities, counties, or other authorities  
363 who wish to contract for administrative services and to

364 cooperate with the city, the county, or the state or any  
 365 political subdivision thereof in action taken in connection with  
 366 such problems; and to engage in research, studies, and  
 367 experimentation on the subject of housing.

368 (g) ~~(7)~~ Acting through one or more commissioners or other  
 369 person or persons designated by the authority: + to conduct  
 370 examinations and investigations and to hear testimony and take  
 371 proof under oath at public or private hearings on any matter  
 372 material for its information; to administer oaths, issue  
 373 subpoenas requiring the attendance of witnesses or the  
 374 production of books and papers, and ~~to~~ issue commissions for the  
 375 examination of witnesses who are outside ~~of~~ the state, ~~or~~ or unable  
 376 to attend before the authority, or excused from attendance; and  
 377 to make available to appropriate agencies, including those  
 378 charged with the duty of abating or requiring the correction of  
 379 nuisances or like conditions, or of demolishing unsafe or  
 380 insanitary structures within its area of operation, its findings  
 381 and recommendations with regard to any building or property  
 382 where conditions exist which are dangerous to the public health,  
 383 morals, safety, or welfare.

384 (h) ~~(8)~~ ~~(a)~~ To organize for the purpose of creating a for-  
 385 profit or not-for-profit corporation, limited liability company,  
 386 or other similar business entity pursuant to all applicable laws  
 387 of this state in which the housing authority may hold an  
 388 ownership interest or participate in its governance in order to  
 389 develop, acquire, lease, construct, rehabilitate, manage, or  
 390 operate multifamily or single-family residential projects and  
 391 commercial projects that allow access to essential goods and

392 services for persons of low income residing in such residential  
393 projects.

394 1. These projects may include nonresidential uses and may  
395 use public and private funds to serve individuals or families  
396 who meet the applicable income requirements of the state or  
397 federal program involved; whose income does not exceed 150  
398 percent of the applicable median income for the area, as  
399 established by the United States Department of Housing and Urban  
400 Development; and who, in the determination of the housing  
401 authority, lack sufficient income or assets to enable them to  
402 purchase or rent a decent, safe, and sanitary dwelling. These  
403 corporations, limited liability companies, or other business  
404 entities may join partnerships, joint ventures, or limited  
405 liability companies pursuant to applicable laws or may otherwise  
406 engage with business entities in developing, acquiring, leasing,  
407 constructing, rehabilitating, managing, or operating such  
408 projects.

409 2.~~(b)~~ The creation by a housing authority of such a  
410 corporation, limited liability company, or other business entity  
411 that is properly registered pursuant to all applicable laws  
412 before the effective date of this act is ratified and validated  
413 if the creation of such corporation, limited liability company,  
414 or other business entity would have been valid had this act been  
415 in effect at the time such corporation, limited liability  
416 company, or other business entity was created and registered.

417 3.~~(e)~~ Proceedings or acts performed by a housing authority  
418 or a corporation, limited liability company, or other business  
419 entity authorized pursuant to subparagraph 2. ~~paragraph (b)~~ are

420 ratified and validated if such proceedings or acts were in  
 421 furtherance of the purposes set forth in this chapter and would  
 422 have been valid had this act been in effect at the time such  
 423 proceedings or acts were performed.

424 (i)~~(9)~~ Notwithstanding s. 112.061, to the governing board  
 425 of an authority may approve and implement policies for per diem,  
 426 travel, and other expenses of its officials, officers, board  
 427 members, employees, and authorized persons in a manner  
 428 consistent with federal guidelines.

429 (j)~~(10)~~ To exercise all or any part or combination of  
 430 powers ~~herein~~ granted in this section. ~~No~~ Provisions of law  
 431 relating with respect to acquisition, operation, or disposition  
 432 of property by other public bodies do not apply ~~shall be~~  
 433 ~~applicable~~ to an authority unless the Legislature ~~shall~~  
 434 specifically states so ~~state~~.

435 (2) Any revenue received by a housing authority from  
 436 commercial projects that provide access to essential goods and  
 437 services necessary for daily living of persons residing in  
 438 housing projects must be used exclusively to upgrade and improve  
 439 living conditions in the housing project or to preserve and  
 440 rehabilitate public or affordable housing managed by the housing  
 441 authority.

442 Section 7. Subsection (2) of section 421.09, Florida  
 443 Statutes, is amended to read:

444 421.09 Operation not for profit.—

445 (2) This section does not prohibit or restrict the  
 446 activities or operations of a business entity created under s.  
 447 421.08(1)(h) ~~421.08(8)~~.

448 Section 8. Section 421.21, Florida Statutes, is reenacted  
 449 and amended to read:

450 421.21 Aid from Federal Government; tax exemptions.—

451 (1) In addition to the powers conferred upon an authority  
 452 by other provisions of this chapter, an authority is empowered  
 453 to borrow money or accept grants or other financial assistance  
 454 from the Federal Government for or in aid of any housing project  
 455 within its area of operation, to take over or lease or manage  
 456 any housing project or undertaking constructed or owned by the  
 457 Federal Government, and to these ends, to comply with such  
 458 conditions and enter into such trust indentures, leases or  
 459 agreements as may be necessary, convenient or desirable. It is  
 460 the purpose and intent of this chapter to authorize every  
 461 authority to do any and all things necessary or desirable to  
 462 secure the financial aid or cooperation of the Federal  
 463 Government in the undertaking, construction, maintenance, or  
 464 operation of any housing project by such authority.

465 (2) In addition to the powers conferred upon an authority  
 466 by subsection (1) and other provisions of this chapter, an  
 467 authority is empowered to borrow money or accept grants or other  
 468 financial assistance from the Federal Government under s. 202 of  
 469 the Housing Act of 1959 (Pub. L. No. 86-372) or any law or  
 470 program of the United States Department of Housing and Urban  
 471 Development, which provides for direct federal loans in the  
 472 maximum amount, as defined therein, for the purpose of assisting  
 473 certain nonprofit corporations to provide housing and related  
 474 facilities for elderly families and elderly persons.

475 (a) Housing authorities created under this section are

476 authorized to execute mortgages, notes, bills, or other forms of  
 477 indebtedness together with any agreements, contracts, or other  
 478 instruments required by the United States Department of Housing  
 479 and Urban Development in connection with loans made for the  
 480 purposes set forth in this subsection.

481 (b) This provision relating to housing facilities for the  
 482 elderly is cumulative and in addition to the powers given to  
 483 housing authorities under this chapter. All powers granted  
 484 generally by law to housing authorities in Florida relating to  
 485 issuance of trust indentures, debentures, and other methods of  
 486 raising capital ~~shall~~ apply also to housing authorities in  
 487 connection with their participation in programs of the United  
 488 States Department of Housing and Urban Development.

489 (3) It is the legislative intent that the tax exemption of  
 490 housing authorities provided by chapter 423, ~~shall~~ specifically  
 491 applies ~~apply~~ to any housing authority created under this  
 492 section.

493 Section 9. Section 421.32, Florida Statutes, is amended to  
 494 read:

495 421.32 Rural housing projects.—County housing authorities  
 496 and regional housing authorities are specifically empowered and  
 497 authorized to borrow money, accept grants, and exercise their  
 498 other powers to provide housing for farmers of low income and  
 499 domestic farm labor as defined in s. 514 of the Federal Housing  
 500 Act of 1949. In connection with such projects, any such housing  
 501 authority may enter into such leases or purchase agreements,  
 502 accept such conveyances and rent or sell dwellings forming part  
 503 of such projects to or for farmers of low income, as such

504 housing authority deems necessary in order to ensure ~~assure~~ the  
 505 achievement of the objectives of this law. Such leases,  
 506 agreements, or conveyances may include such covenants as the  
 507 housing authority deems appropriate regarding such dwellings and  
 508 the tracts of land described in any such instrument, which  
 509 covenants shall be deemed to run with the land where the housing  
 510 authority deems it necessary and the parties to such instrument  
 511 so stipulate. In providing housing for farmers of low income,  
 512 county housing authorities and regional housing authorities are  
 513 ~~shall not be~~ subject to the limitations provided in ss.  
 514 421.08(1)(c) ~~421.08(3)~~ and 421.10(3). ~~Nothing contained in~~ This  
 515 section may not ~~shall~~ be construed as limiting any other powers  
 516 of any housing authority.

517 Section 10. Section 422.02, Florida Statutes, is amended  
 518 to read:

519 422.02 Finding and declaration of necessity.—It has been  
 520 found and declared in the Housing Authorities Law that there  
 521 exist in the state unsafe and insanitary housing conditions and  
 522 a shortage of safe and sanitary dwelling accommodations and  
 523 access to essential commercial goods and services necessary for  
 524 daily living for persons of low income; that these conditions  
 525 necessitate excessive and disproportionate expenditures of  
 526 public funds for crime prevention and punishment, public health,  
 527 welfare and safety, fire and accident protection, and other  
 528 public services and facilities; and that the public interest  
 529 requires the remedying of these conditions. It is found and  
 530 declared that the assistance herein provided for the remedying  
 531 of the conditions set forth in the Housing Authorities Law

532 constitutes a public use and purpose and an essential  
 533 governmental function for which public moneys may be spent and  
 534 other aid given; that it is a proper public purpose for any  
 535 state public body to aid any housing authority operating within  
 536 its boundaries or jurisdiction or any housing project located  
 537 therein, as the state public body derives immediate benefits and  
 538 advantages from such an authority or project; and that the  
 539 provisions hereinafter enacted are necessary in the public  
 540 interest.

541 Section 11. Section 422.04, Florida Statutes, is amended  
 542 to read:

543 422.04 Cooperation in undertaking housing projects.—

544 (1) For the purpose of aiding and cooperating in the  
 545 planning, undertaking, construction, or operation of housing  
 546 projects located within the area in which it is authorized to  
 547 act, any state public body may, upon such terms, with or without  
 548 consideration, as it may determine:

549 (a) Dedicate, sell, convey, or lease any of its property  
 550 to a housing authority or the Federal Government.

551 (b) Cause parks; playgrounds; recreational, community,  
 552 educational, water, sewer, or drainage facilities; commercial  
 553 projects that allow access to essential goods and services for  
 554 persons of low income residing in housing projects; or any other  
 555 works, ~~which~~ it is otherwise empowered to undertake, to be  
 556 furnished adjacent to or in connection with housing projects.

557 (c) Furnish, dedicate, close, pave, install, grade,  
 558 regrade, plan, or replan streets, roads, roadways, alleys,  
 559 sidewalks, or other places ~~which~~ it is otherwise empowered to

560 undertake.~~†~~

561 (d) Plan or replan, zone or rezone any part of such state  
 562 public body; make exceptions from building regulations and  
 563 ordinances; and, with respect to any city or town, ~~also may~~  
 564 change its map.~~†~~

565 (e) Enter into agreements, which may extend over any  
 566 period, notwithstanding any provision or rule of law to the  
 567 contrary, with a housing authority or the Federal Government  
 568 respecting action to be taken by such state public body pursuant  
 569 to any of the powers granted by this chapter.~~†~~

570 (f) Do any and all things, necessary, or convenient to aid  
 571 and cooperate in the planning, undertaking, construction, or  
 572 operation of such housing projects.~~†~~

573 (g) Purchase or legally invest in any of the debentures of  
 574 a housing authority and exercise all of the rights of any holder  
 575 of such debentures.~~†~~

576 (h) Not require any changes to be made in a housing  
 577 project or the manner of its construction or take any other  
 578 action relating to such construction with respect to any housing  
 579 project which a housing authority has acquired or taken over  
 580 from the Federal Government and which the housing authority by  
 581 resolution has found and declared to have been constructed in a  
 582 manner that will promote the public interest and afford  
 583 necessary safety, sanitation, and other protection.~~†~~ ~~no state~~  
 584 ~~public body shall require any changes to be made in the housing~~  
 585 ~~project or the manner of its construction or take any other~~  
 586 ~~action relating to such construction;~~

587 (i) Incur the entire expense of ~~In connection with~~ any

588 public improvements made by the a state public body in  
 589 exercising the powers herein granted, ~~such state public body may~~  
 590 ~~incur the entire expense thereof.~~

591 (2) Any law or statute to the contrary notwithstanding,  
 592 any sale, conveyance, lease, or agreement provided for in this  
 593 section may be made by a state public body without appraisal,  
 594 public notice, advertisement, or public bidding.

595 Section 12. Section 423.01, Florida Statutes, is amended  
 596 to read:

597 423.01 Finding and declaration of property of tax  
 598 exemption for housing authorities.—It has been found and  
 599 declared in the Housing Authorities Law and the Housing  
 600 Cooperation Law that:

601 (1) There exist in the state housing conditions that ~~which~~  
 602 constitute a menace to the health, safety, morals, and welfare  
 603 of the residents of the state;

604 (2) These conditions necessitate excessive and  
 605 disproportionate expenditures of public funds for crime  
 606 prevention and punishment, public health, welfare and safety,  
 607 fire and accident prevention, and other public services and  
 608 facilities;

609 (3) The public interest requires the remedying of these  
 610 conditions by the creation of housing authorities to undertake  
 611 projects for slum clearance and for providing safe and sanitary  
 612 dwelling accommodations and access to essential commercial goods  
 613 and services necessary for daily living for persons who lack  
 614 sufficient income to enable them to live in decent, safe, and  
 615 sanitary dwellings without overcrowding; ~~and~~

616           (4) Facilities made available by housing authorities to  
 617 provide access to essential goods and services necessary for  
 618 daily living for persons residing in housing projects are a  
 619 critical component of those housing projects and constitute a  
 620 public use and a governmental function; and

621           (5)-(4) Such housing projects, including all property of a  
 622 housing authority used for or in connection therewith or  
 623 appurtenant thereto and all property used to provide access to  
 624 essential goods and services necessary for daily living for  
 625 persons residing in such housing projects, are exclusively for  
 626 public uses and municipal purposes and not for profit, and are  
 627 governmental functions of state concern. As a matter of  
 628 legislative determination, it is found and declared that the  
 629 property and debentures of a housing authority are of such  
 630 character as may be exempt from taxation.

631           Section 13. Section 423.02, Florida Statutes, is amended  
 632 to read:

633           423.02 Housing projects exempted from taxes and  
 634 assessments; payments in lieu thereof.—The housing projects,  
 635 including all property of housing authorities used for or in  
 636 connection therewith or appurtenant thereto, of housing  
 637 authorities are ~~shall be~~ exempt from all taxes and special  
 638 assessments of the state or any city, town, county, or political  
 639 subdivision of the state. ~~provided,~~ However, ~~that~~ in lieu of  
 640 such taxes or special assessments, a housing authority may agree  
 641 to make payments to any city, town, county, or political  
 642 subdivision of the state for services, improvements, or  
 643 facilities furnished by such city, town, county, or political

644 subdivision for the benefit of a housing project owned by the  
645 housing authority, but ~~in no event shall~~ such payments may not  
646 exceed the estimated cost ~~to such city, town, county or~~  
647 ~~political subdivision~~ of the services, improvements, or  
648 facilities to be so furnished by the city, town, county, or  
649 political subdivision of the state. This section does not exempt  
650 the activities or property of a person who provides essential  
651 commercial goods and services. However, the real property of a  
652 housing authority that is used to provide access to essential  
653 commercial goods and services is exempt from ad valorem taxes  
654 and special assessments.

655 Section 14. Paragraph (a) of subsection (1) of section  
656 624.46226, Florida Statutes, is amended to read:

657 624.46226 Public housing authorities self-insurance funds;  
658 exemption for taxation and assessments.—

659 (1) Notwithstanding any other provision of law, any two or  
660 more public housing authorities in the state as defined in  
661 chapter 421 may form a self-insurance fund for the purpose of  
662 pooling and spreading liabilities of its members as to any one  
663 or combination of casualty risk or real or personal property  
664 risk of every kind and every interest in such property against  
665 loss or damage from any hazard or cause and against any loss  
666 consequential to such loss or damage, provided the self-  
667 insurance fund that is created:

668 (a) Has annual normal premiums in excess of \$4 ~~\$5~~ million.

669 Section 15. This act shall take effect July 1, 2012.