



MEMBER CAPITAL NEWS

February 07, 2020

LEGISLATIVE NEWS - WEEK 4

RECAP OF 2020 SESSION

Budget News –

The House and Senate took one more step to completing their respective budget bills this week. Full Appropriations Committees voted out their budget bills that will be taken up and voted out by the full membership next week. The Senate ([SB 2500](#)) and House ([APC1](#)) have filed their General Appropriations Act and Implementing and Conforming bills. The Senate PCB budget lists a figure for total spending of \$92,832,199,570 while the House lists a figure of \$91,370,013,658. Both bills are above last year's spending.

The Senate took up 69 budget amendments that were obviously preapproved and passed them in groups with little discussion. Among the amendments passed was the Florida Supportive Housing Coalition Community Dialogue Technical Assistance funding offered by Senator Hutson. The House meanwhile passed 3 technical amendments.

The Senate maintained its position of fully utilizing Affordable Housing Trust Funds for affordable housing (\$387 million) while the House maintained utilizing only 38% (\$147 million). While several members complemented Senator Hutson for his position of full funding, several House Democrats spoke out about the sweep. Representative Carlos Smith (Winter Park) and Representative Richard Stark (Weston) spoke about the housing crisis and requested Appropriations Chair Cummings to follow the Senate and the Governor's positions.

The chambers also have significant differences in taking money out of trust funds. While the Senate would sweep \$107 million from trust funds, the House would divert \$404.5 million. In addition to money from the affordable-housing trust fund, the House targets \$80 million from a Department of Environmental Protection trust fund and \$60 million in trust funds from the Agency for Health Care Administration. The Senate proposes taking \$65 million from the Department of Environmental trust fund and \$15 million from the Agency for Health Care Administration.

On the health and human side of the budget, the Republican-controlled House and Senate are split about whether to permanently eliminate Medicaid retroactive eligibility for seniors and people with disabilities.

The House Appropriations Committee on Wednesday approved a bill ([HB 5201](#)) that would make the change permanent. The Senate wants to extend the change for only one year, including it in a budget "implementing" bill for the 2020-2021 fiscal year.

Federal law directs state Medicaid programs to provide 90 days of retroactive coverage to give people time to apply for Medicaid following traumatic incidents or diagnoses of illnesses. That way, people can gather needed information, such as proof of age, citizenship, sources of income, and assets. But state lawmakers in 2018 agreed to change Florida's policy. Instead of giving patients up to three months, the new policy requires people to apply for the Medicaid program in the same month they seek health care.; a move that saved \$104 million.

Attached are House and Senate side-by-side analysis related to housing and mental health/substance abuse budget funded issues.

Bills – House and Senate members were also busy passing substantive bills as mid-session nears. House Subcommittees will stop meeting after next week so bills not passed through subcommittees are most likely dead for this year.

Several housing bills passed committees including Senator Mayfield's [SB 306](#) which prevents the annual sweep of the housing trusts fund. Although dead in the House the legislation keeps the discussion on the table and is a rallying point for the Democrats and some Republicans. Other bills moving this week include housing bills to try to control local impact fees such as [SB 856](#) and the House companion to Senator Hutson's bill [HB 1339](#).

Next week the House and Senate Chambers will pass their final Appropriations bills leading into the Legislature's Conference Committees to negotiate the difference as the 2020 Session nears its final weeks. Legislators will begin spending less time in Committees and more time in Session.

HOUSE - SESSION WEEK 5 & 6

[House Weekly Calendar 2/10-14](#)

[House Weekly Calendar 2/17-21](#)

SENATE - SESSION WEEK 5 & 6

[Senate Weekly Calendar 2/10-14](#)

[Senate Weekly 2/17-21](#)

2020 BILLS FOLLOWED BY FSHC

* New bills & updates highlighted in Red

Housing Related Bills

[SB 68](#)/[HB163](#) Homelessness: SB 68 requires \$10 million of housing trust funds be transferred annually to the Grants and Donations Trust Fund within the Department of Children and Families for funding challenge grants. HB 163 does not. Both bills expand membership of the Council on Homelessness to include a representative of Florida Housing Coalition and Secretary of the Department of Elderly Affairs, and updates terminology. SB 68 passed Senate Children, Families, and Elder Affairs, 10/22/19, now in Appropriations Subcommittee on Health and Human Services. **HB 163 passed House Health Care Appropriations Subcommittee. 2/4.**

[SB 306](#)/[HB 381](#) State Funds; Exempting the State Housing Trust Fund and the Local Government Housing Trust Fund from a provision authorizing the Legislature to transfer unappropriated cash balances from specified trust funds to the Budget Stabilization Fund and the General Revenue Fund. **SB 306 passed Infrastructure and Security 2/4.** HB 381 still in Transportation & Tourism Appropriations Subcommittee.

[CS/SB 364](#)/[CS/CS/CSHB 39](#) Independent Living Task Force: Establishing the Independent Living Task Force within Florida Housing; requiring the corporation to use existing and available resources to administer and support the activities of the task force; requiring the task force to submit a report to the Governor and the Legislature by December 1, 2020. CS/SB 364 still in Rules. CS/CS/CS HB39 on House Calendar.

[SB 374](#)/[HB 175](#)- Housing Discrimination: Removes housing discrimination as cause of action for relief & damages stemming from violations of Florida Civil Rights Act of 1992; revises timeframe & conditions under which aggrieved person may commence civil action to enforce specified rights. HB 175 passed Government Operations & Technology Appropriations Subcommittee 1/28, **now in Judiciary Committee. SB 374 passed Rules Committee 2/5, placed on calendar.**

[SB 502](#): Emergency Mitigation and Response: Establishing the Hurricane Michael Recovery Task Force to make recommendations to the Legislature regarding additional assistance needed in the response to recovery from and mitigation of the effects of Hurricane Michael. Subject to the

appropriation of funds, creating the Hurricane Housing Recovery Program to provide funds to local governments for certain affordable housing recovery efforts, etc. APPROPRIATION: \$1,085,000.

[CS/SB 998/CS/HB 1339](#) – Housing: Implements changes to affordable housing including authorizing a board of county commissioners to approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use; requiring counties, municipalities, and special districts to include certain data relating to impact fees in their annual financial reports; reduces “workforce housing” under the Loan Program from 140% to 80% or from 150% to 120% in areas of critical need; deletes the term “public-private partnership”; decreases to 50% the number of units that have to be set aside for “workforce housing”; sets aside 5% of SHIP funds to provide counties and municipalities for the construction of transitional housing for persons aging out of foster care. Such housing must be constructed on a campus that provides housing for persons aging out of foster care. The corporation must consult with the Department of Children and Families to create minimum criteria for such housing. SB 998 amended 1/13/20, still in Infrastructure and Security. [HB 1339 passed Local, Federal & Veterans Affairs 2/3 amended to conform to CS/SB 998.](#)

[CS/SB 856/HB 1459](#): Affordable Housing Tax Reductions: Authorizes counties, municipalities, & special districts to waive impact fees for certain nonprofit corporations for specified purposes; provides tax reduction to entities that provide affordable housing to identified groups; provides criteria for receiving reduction; provides formula for determining amount of reduction; requires taxpayer who receives reduction to file annual report. HB 1459 now in Local, Federal & Veterans Affairs Subcommittee. [SB 856 passed Community Affairs 2/3 as amended to include supportive housing language.](#)

[SB 1066/CS/CS/HB 637](#): Impact Fees: Revises conditions that counties, municipalities, & special districts must satisfy before enacting an ordinance or passing resolutions; provides that impact fee credits are assignable & transferrable under certain conditions; requires certain counties & municipalities to establish impact fee review committees. HB 637 passed Local, Federal & Veterans Affairs Subcommittee 1/14/20 as amended, [passed Ways & Means Committee 2/3.](#) SB 1066 referred to Community Affairs.

[SB 1084/CS/CS/HB 209](#)- Emotional Support Animals: Prohibits discrimination in rental of dwelling to person with disability or disability-related need who has emotional support animal; prohibits landlord from requiring such person to pay extra compensation; provides exception; authorizes landlord to request certain written documentation; specifies person with disability or disability-related need is liable for damage done by emotional support animal; revises definition of "handicap." [CS/HB 209 on Judiciary Committee 1/30 – Temporarily Postponed. SB 1084 passed Agriculture 1/14/20, on Committee agenda Innovation, Industry & Technology. 2/3 – not considered.](#)

[CS/SB 1642](#) - Tax Exemptions; Revising the affordable housing property exemption to exempt from ad valorem taxation property used to provide affordable housing to eligible persons or families meeting the extremely-low-income, very-low-income, low-income, moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3). [CS/SB 1642 passed Commerce and Tourism 2/4.](#)

Mental Health/Substance Abuse Related Bills

[SB 706/HB 939](#): Insurance Coverage Parity for Mental Health and Substance Use Disorders: Requires Medicaid managed care plans to submit annual report to AHCA relating to parity between mental health & substance use disorder benefits & medical & surgical benefits; provides removes provisions relating to optional coverage for mental & nervous disorders; requires OIR to implement & enforce certain federal law. HB 939 in Health Market Reform Subcommittee. SB 706 referred to Banking & Insurance.

[SB 1326](#): Department of Children and Families; Citing this act as the “DCF Accountability Act”; providing for the creation of the Office of Quality Assurance and Improvement in the Department of Children and Families; extending the timeframe within which a protective investigation is required to

commence; requiring certain sheriffs to adopt Florida's Child Welfare Practice Model; providing for the calculation of the allocation of core plus funds, etc. Passed Appropriations Subcommittee on Health & Human Services 1/28, **now in Appropriations**.

[CS/SB 1440/CS/HB 945](#)- Children's Mental Health: Requires DCF & AHCA to identify certain children & adolescents who use crisis stabilization; requires managing entities & other relevant entities to develop plans promoting coordinated system of care for certain services; requires DCF & AHCA to assess quality of care provided in crisis stabilization units & submit report to Governor & Legislature. **HB 945 passed Health Care Appropriations Subcommittee 2/4, now in Health & Human Services Committee. SB 1440 passed Children, Families & Elder Affairs as amended 2/4.**

[SB 1554/CS/HB 1081](#): Substance Abuse and Mental Health – 2020: Revises the definition of “mental illness to exclude dementia and traumatic brain injury; sets priorities as to who receives services, addresses substance abuse licenses. **CS/HB 1081 now in Health Care Appropriations. SB 1554 referred.**

[SB 1678/CS/HB 1071](#): Substance Abuse and Mental Health: Revises provisions related to substance abuse and mental health, including requirements for Criminal Justice, Mental Health, & Substance Abuse Reinvestment Grant Program; community action treatment teams; eligibility requirements for DCF-funded services; priority of services for specified individuals; requirements for funding; requirements for school substance abuse prevention partnership grants; and other department requirements. **HB 1071 passed Children, Families & Seniors Subcommittee 1/29 as amended, now in Health Care Appropriations. SB 1678 referred to Children, Families & Elder Affairs.**

Housing Project Bills

[HB 2259](#)- Housing Solutions Council (HSC) - Housing That Works: Provides a \$250,000 appropriation to HSC in City of Stuart/Martin County to manage the development of multifamily workforce housing and to educate and collaborate with local community leaders to create innovative housing solutions to solve the need for affordable housing for low to moderate-income earners who make just over the eligibility threshold for government subsidies. In Appropriations Committee.

[HB 2337](#) - Embrace Families Solutions' Pathways to Home Supportive Housing for Child Welfare Involved Families: Provides an appropriation of \$488,074 to secure permanent housing for 20 child-welfare involved families, with the intent to prevent children from entering/re-entering the child welfare system. In Appropriations Committee.

[HB 2341](#)- Changing The Narratives' Ending Youth Homelessness Initiative: Provides an appropriation of \$855,000 to develop a pilot project in 2 counties to provide housing & supportive services for 100 transition-aged or at-risk youth between 16-24 years of age in 100 days utilizing the Housing First model along with other innovative & effective models such as Rapid Rehousing & Host Home. In Appropriations Committee.

[HB 2343](#)- Zebra Coalition's Youth Housing Project: Provides an appropriation \$955 to develop Bridge (transitional) housing for LGBTQ+ youth ages 13-24 who are identified as homeless. Zebra Coalition currently provides housing for 11 youth in scattered sites. The goal is to build and/or lease a stand-alone building that will provide housing for approximately 25 youth in one location in Central Florida. In Health Care Appropriations Subcommittee.

[HB 2515/SB 1293](#) - Homelessness Collaborative of Broward County - Rapid Rehousing: Provides \$400,000 for an appropriation for the Homelessness Collaborative of Broward County.

[HB 2659/SB 1186](#)- Homeless Veteran Housing Assistance in Brevard County: Provides an appropriation of \$190,000 to support two agency programs: Street Outreach and Transitional Housing. The primary goals for these programs are to locate homeless/at-risk veterans and convert them through personalized case management and supportive housing to self-sufficient citizens again. Programs align with the mission to eliminate homelessness among veterans in Central FL. In Appropriations Committee. **In Senate Budget \$190,000.**

[SB 1345](#) College Food and Housing: Provides \$340,000. With this appropriation, colleges will be able to increase their efforts in combatting food and housing insecurity on campus. Campus food pantries will be able to provide additional resources for students. Additional emergency housing can also be provided for students who find themselves homeless.

[HB 3553/SB 1810](#) - Florida Supportive Housing Coalition Community Dialogue Technical Assistance Program: Provides \$100,000 to educate local governments and other community leaders as to the value of developing affordable and supportive housing for persons with disabling conditions or experiencing homelessness. In Appropriations Committee. **In Senate budget \$100,000.**

[HB 3709/SB 2086](#): Windley Key & Key Heights Affordable Housing Project. Provides \$1 million for 20 units of affordable housing in the upper Keys. These buildings would help replace units that were destroyed during the impact of Hurricane Irma. **In House budget \$1,000,000; In Senate budget \$250,000.**

[HB 4033](#) - Provides an appropriation of \$875,000 for the St. Lucie County Homeless Veterans Assistance Center to be used entirely for site, infrastructure and development, impact and permit fees, planning & engineering, and construction of a 12 to 24-month housing facility. In Appropriations Committee.

[HB 4131/SB 2490](#) – Tampa Hillsborough Homeless Initiative – Shared Housing. Provides \$3,500,000 to increase the number of affordable units for people emerging from homelessness. This includes engaging community residents and partners to improve housing stock and economic opportunities by developing and owning ADUs, rehabilitating foreclosed properties and purchasing rental properties. **In Senate budget \$250,000.**

[HB 4231/SB 1349](#) - Housing First for Homeless Persons with Mental Illness. Provides \$434,319 to quickly divert homeless detainees with serious mental illnesses, who have a history of arrest or frequent police interactions, into community supportive housing. Referrals are made by the 11th Judicial Circuit Criminal Mental Health Project, area police departments, specialized homeless outreach teams, and jail diversion behavioral health treatment providers. **In Senate budget \$250,000.**

[HB 4301/SB 1811](#)- The Transition House Homeless Veterans Program: Provides an appropriation of \$500,000 to provide substance abuse and mental health services to those clients that are unable to afford these services. Specifically, Veterans that are homeless and chronically homeless, as well as those that have been released from incarceration. **In House budget \$100,000.**

[HB 4347](#) - Preservation of Naturally Occurring Affordable Housing: Provides an appropriation of \$1,000,000 to the Preservation of Naturally Occurring Affordable Housing, Dade Heritage Trust. Now in Transportation & Tourism Appropriations Subcommittee.

[HB 4385/SB 1599](#) - Permanent Supportive Housing - CASL (Renaissance Manor): Provides an appropriation of \$1,465,058 to CASL to provide PSH in Lee County. **In House budget \$500,000; in Senate budget \$1,250,000.**

[HB 4413/SB 1368](#) - Pasco County Housing Authority Veterans and Mental Illness Housing Community: Provides an appropriation of \$2,000,000 to develop a 77unit housing project that will provide safe sanitary housing for homeless or at risk of being homeless veterans and their families and people with mental illness. The target population is homeless or at risk of being homeless veterans, their families, and mentally ill people. The expected number of people to be housed is 24. In Appropriations Committee.

[HB 4545/1349](#) - Miami-Dade County Homeless Trust - Bridge Housing for Specialized Outreach: Provides an appropriation of \$562,000 to expand the bridge housing-model which is to prioritize severely mentally ill, unsheltered clients, for immediate permanent placement and ultimately, into other supportive units. As clients stabilize, acquire benefits, and required documentation, they would be moved from the bridge units into other permanent destinations, including but not limited to

Assisted Living Facilities, skilled nursing facilities, reunification with family or friends, CoC PSH, VASH or other permanent housing. In Appropriations Committee.

[HB 4547/SB 2310](#) - Miami Bridge Youth and Family Services - Host Homes for Homeless Youth Program: Appropriates \$200,500 to seek permanent housing and services for the most vulnerable, difficult to place youth, ages 16-21. Youth who are waiting for permanent housing will receive mental health counseling (as needed) and services to prepare them for independent living, case management, job readiness, academic advisement and placement, and wraparound services. In Appropriations Committee.

[HB 4549](#) - Miami Center for Mental Health and Recovery: Provides an appropriation of \$4,000,000 to create a comprehensive system of care for individuals with serious mental illnesses who are frequent and costly recidivists to the criminal justice system, homelessness, and acute care treatment systems. The Center is housed in a state-owned facility currently under renovation and encompassing approximately 181,000 square feet of space with capacity for 208 beds. In Appropriations Committee.

[HB 9207/SB 1532](#): Connecting Everyone with Second Chances - Homelessness Services: Provides an appropriation of \$716,000 to provide shelter and wrap-around services to approximately 400 clients in Leon County (average of 50 nights at \$31.00 for 400 people), and to provide for two case managers to place clients in housing, and to create a diversion program to reduce the number of clients needing shelter services by reuniting families and seeking immediate solutions. Wrap-around services to include meals, job training and placement, telemedicine access, dental care, and more. HB 9201 in Health Care Appropriations Subcommittee. **In Senate Budget \$716,000.**

[HB 9227](#): Transformational Communities Initiative: Provides an appropriation of \$3,000,000 to establish 3 regional community and economic development partnership alliances to address the housing and economic development needs in an approved designated opportunity zone distressed rural and urban communities in Leon, Orange, and Broward Counties. In Transportation & Tourism Appropriations Subcommittee.

[SB 1414](#) – Family Housing Solutions: Provides Dawning Family Services in Hillsborough County \$500,000 offset costs associated with the construction of Hillsborough County's new 61-unit low-barrier emergency shelter for families with minor children (Family Bridge Housing) and the renovation/rehabilitation costs of two existing buildings that will be used for programmatic and administrative activities (Family Welcome Center and Family Solutions Center).

[HB 4909/SB 1811](#) Transition House of Starke – Homeless Relief Program. Provides \$500,000 to provide substance abuse treatment services to men and women who are indigent or that may be located in a more rural area and do not have access to resources. The funds will be utilized to provide intensive residential treatment services to these men and women so that they can re-enter into the community with solid coping skills and maintain their recovery. **In Senate budget \$250,000**

[HB 4601/SB 2365](#) Metropolitan Ministries - Miracles for Pasco Program. Provides \$379352 o support services for homeless families and single women participating in the Miracles for Pasco supported housing program. **In Senate budget \$250,000.**

ANNOUNCEMENTS

FLORIDA HOUSING FINANCE CORPORATION

--- Florida Housing will hold a workshop regarding RFA 2020-102 SAIL Financing for Smaller Permanent Supportive Housing Developments for Persons with Special Needs on Tuesday, February 11, 2020, beginning at 10:00 a.m. The following documents regarding RFA 2020-102 have been posted and are available on the [webpage](#)

--- A revised draft of RFA 2020-103 Housing Credit and SAIL Financing to Develop Housing for Homeless Persons has been posted to the [webpage](#). The draft corrects the ELI loan amounts per bedroom size stated in the ELI County Chart. The unit mix requirements stated in Section Four, A.6.e.(1) of RFA 2020-103 Housing Credit and SAIL Financing to Develop Housing for Homeless Persons have been modified to say the following.

The following restrictions apply:

- Units must consist of Zero*, one, two, or three bedrooms only;
- At least 40-15 percent of the total units, rounded up, must be one-bedroom units;
- No more than 50 percent of the total units, rounded up, maybe Zero Bedroom Units*;
- No more than 25-40 percent of the total units, rounded up, maybe three-bedroom units.

*Zero Bedroom Units are defined in Section 67-48.002 F.A.C.

The RFA is expected to be issued on Monday, February 10, 2020. Applications are expected to be due on Tuesday, March 31, 2020.

--- Florida Housing will hold a workshop regarding RFA 2020-105 Financing to Build Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities on Wednesday, March 4, 2020. [See more](#)

--- Florida Housing will hold a Rule Development Workshop to discuss proposed changes to Rule Chapters 67-21 and 67-48, F.A.C. Monday, March 2, 2020, beginning at 2:00 p.m., Eastern Time. Call-information, the workshop agenda, and drafts of the proposed Rules will be posted to the website before the workshop.

--- An updated 2019-2020 Tentative Funding Amounts and Timeline has been [posted](#).

RESOURCES

Florida Community Loan Fund has recently published its 2019 Annual Report, including success stories from borrowing organizations around the state and two new videos featuring Floridians who receive housing and social services as a result of FCLF financing.

[FCLF 2019 Annual Report](#)

[Video: FCLF & Ability Housing Wayne Densch Center](#), providing affordable homes to Florida's communities

[Video: FCLF & Evans Center](#), providing fresh food and healthcare in Brevard County, Florida

RECENT ARTICLES

Central Florida Foundation and the Central Florida Regional Housing Trust on Feb. 5 [announced](#) the creation of the \$100 million Housing Impact Fund to address Orlando's affordable housing crisis.

Palm Beach County asks Legislature for \$1m toward Glades homeless center. [Read more](#)

NATIONAL NEWS

House Committee on Financial Services Holds Hearing on Homelessness: On January 14, the House Committee on Financial Services held a hearing titled "On the Brink of Homelessness: How the Affordable Housing Crisis and the Gentrification of America Is Leaving Families Vulnerable." The hearing included witness testimony from a person with lived experience and industry experts offering solutions to the homelessness issue. [Click here](#) to view the hearing.

Committee on Veterans Affairs' Holds Hearing on HUD-VASH Program: On January 14, the Committee on Veterans Affairs' Subcommittee on Economic Opportunity held a hearing entitled "Making HUD-VASH Work for all Veteran Communities." The hearing focused on whether veterans have equitable access to the housing resources and the wraparound services provided by HUD-VASH. Chairman Mike Levin (D-CA-49) and Ranking Member Gus Bilirakis (R-FL-12) both reflected on the effectiveness of the HUD-VASH program since 2010. Over the past ten years, the

number of veterans experiencing homelessness has declined by 46 percent, and the number of unsheltered veterans has declined by 53 percent. Still, witnesses and members alike agreed there is room for improvement. [Click here](#) to learn more about the hearing.

***The Hill* Hosts Event on Tackling Homelessness:** On January 14, *The Hill* hosted an event called “The Right to A Roof: Tackling Homelessness.” The event included a series of six sit-down discussions with Members of Congress, industry experts, and a veteran who formerly experienced homelessness and focused largely on ending homelessness through solutions like affordable housing and supportive services. Following the featured Members of Congress was a conversation with Trump Administration official Dr. Robert G. Marbut, Jr., Executive Director of the US Interagency Council on Homelessness, who stressed that there is no “one-size fits all” solution to homelessness, as several triggers may cause someone to lose their home. [Click here](#) to watch the recorded event and to see the full list of speakers