



## MEMBER CAPITAL NEWS

March 7, 2020

### LEGISLATIVE NEWS

RECAP OF 2020 SESSION – WEEK 8 – MARCH 2 – MARCH 7, 2020

#### **Budget News –**

House and Senate leaders said Thursday that formal budget negotiations could take place this weekend as lawmakers try to wrap up the 2020 legislative session. House Speaker Jose Oliva and Senate President Bill Galvano advised legislators to stay in Tallahassee because of a “good possibility” that budget conference committees will meet during the weekend as the two chambers attempt to work out the [\\$1.4 billion gap](#) between the House and Senate proposals.

Although President Galvano said he feels “good” about where the Senate and House are regarding the budget, he further stated, “Nothing’s certain”. Holding up the process are “big areas in the budget.” These include education where the Senate and House proposals differ on plans to implement teacher raises. As well, “there are things that are very important to the Senate,” Galvano added, including VISIT FLORIDA and [affordable housing funding](#). There are some major gaps on that front, with the Senate proposing fully funding the Sadowski Affordable Housing Trust Fund with \$387 million and \$52.5 million for Visit Florida. Two positions where the House diverges from the Senate, with the House offering \$144 million and zero dollars respectively. Both issues are in the Transportation Appropriations Subcommittees.

The legislative session is scheduled to end on March 13. But Oliva and Galvano said earlier this week that they expected that the session to go into overtime because of delays in negotiating the budget for the fiscal year starting July 1. A budget would have to be finalized by Tuesday for the session to end March 13. That is because of a legally required 72-hour review period before lawmakers can vote.

**Tax Package** - Part of negotiating the Budget is an agreement on this year’s tax (break) package. The House voted today on its package. The Senate has not proposed a tax package but advanced a series of individual tax bills, including measures that would provide an 18-day disaster-preparedness tax holiday before hurricane season (SB 524) and a 10-day back-to-school tax holiday in July (SB 542).

#### **The House tax package-**

Readying for negotiations the House approved its tax package Friday that some Democrats decried as being too focused on giving breaks to special interests. The House voted 97-16 to pass the package ([HB 7097](#)), which would cut revenue by an estimated \$115 million next fiscal year.

House Ways & Means Chairman Bryan Avila, a Republican sponsoring the bill, dismissed charges that it would be a corporate giveaway. He said 60 percent of the package is for households, 25 percent is for small businesses and families and 15 percent is for corporations. Avila pointed to a “difference in philosophy” on the issue.

Though they sought to make a series of changes Thursday, many Democrats voted for the bill because of popular sales-tax “holidays.” Democrats, saying money is needed for issues such as [affordable housing](#) and pay increases for teachers and state workers they were unsuccessful in trying to advance 14 amendments on Thursday. The amendments were aimed at a 2019 corporate income-tax refund, estimated at \$543 million a year, and various portions of this year’s proposal, from the aviation fuel-tax cut to a one-time \$2 million tax credit for rental car companies.

Rep. Margaret Good said after Thursday's floor session that the Democrats' amendments were intended to showcase the priorities of the two parties. "The Democrats' priorities are insuring people have affordable housing, have health care, that we're paying our state employees enough....," Good said. "The Republicans' priority is to ensure that the top 1 percent of Florida corporations get a massive tax refund."

House and Senate leaders will have to work out the tax differences as they negotiate a budget in the coming week.

### **Other Capitol News -**

Last week's FSHC Capital News provided an in-depth story regarding the House Ethics Committee's review of the Florida Coalition Against Domestic Violence. This week the House Public Integrity & Ethics Chairman Tom Leek said the attorney general's office and Gov. Ron DeSantis' administration filed two lawsuits Wednesday, but the House's investigation of the Florida Coalition Against Domestic Violence will continue. The state accused the coalition and Carr of misusing public funds to pad her salary and is seeking to be repaid. DCF has also filed a lawsuit.

The House voted on Thursday to expand how the chamber can serve a subpoena on Tiffany Carr, the former CEO of the Florida Coalition Against Domestic Violence. The House has tried to serve Carr with a subpoena since Feb. 18, to no avail. The effort is part of a House investigation into the taxpayer-backed organization and Carr, who over three years received \$7.5 million in compensation.

Attempts to serve Carr at her North Carolina home, where she is believed to be living, have been blocked by guards at the gated community, House Public Integrity & Ethics Chairman Tom Leek said during Thursday's floor session. To get over the hurdle, Leek asked the House to waive its rules and authorize a motion for "exceptional service of the subpoena." This move would allow the House to serve Carr by other means, including by mail or through another person who lives at one of her homes. "In this instance, it quite literally means by any means possible. Because the investigation by the House is such an extraordinary measure, traditional judicial rules of process don't necessarily apply," Leek told The News Service of Florida in a text. According to the subpoena, the House wants Carr to testify before Leek's committee on March 12. Videos of the 2 preceding hearing are available online; ([Monday/Thursday](#)).

### **Bill Update –**

Senator Hutson's Housing Bill ([CS/CS/SB 998](#)) and its companion bill ([CS/CS/CS/HB 1339](#)) passed their last committees this week and were placed in Special Order for Friday. The two bills differ on many issues but the language in the House Bill which would have prioritized SHIP funding to individuals who need the least assistance was removed in the last House amendment. The House bill still has several flaws and several groups are working hard to assure the Senate version is the bill that will be passed.

**Independent Living Task Force** legislation appears to be headed for final passage. [CS/CS/CS/HB 39](#) is on the House Calendar and [CS/CS/364](#) is on Senate Special Order. The bill creates the Independent Living Task Force (Task Force) within the FHFC. The bill requires the Task Force to develop and evaluate policy proposals that incentivize developers or contractors to create units within a mixed-use development that may be used as low-cost, supportive, and affordable housing for individuals with a disability, as defined in the Americans with Disabilities Act, while giving special consideration to the needs of individuals who have a developmental disability or a mental illness. The Task Force includes 7 state agency representatives, an appointee by the governor, an attorney from the Elder Law Section of the Florida Bar; and 17 organizations/associations, including FSHC, appointed by the director of the FHFC. A report is due to the legislature by 1/1/22. (See [bill analysis](#) for more.)

\* 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 the purpose of 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 on Special Order 3/7](#). [HB 163 on Special Order Calendar 3/7](#).

[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. [Neither bill will pass](#).

[CS/CS/SB 364/CS/CS/CS/HB 39](#) Independent Living Task Force: Establishing the Independent Living Task Force within Florida Housing. Establishing a task force to develop and evaluate policy proposals that incentivize developers or contractors to create units within a mixed-use development that may be used as low-cost, supportive, and affordable housing and support the activities of the task force; requiring the task force to submit a report to the Governor and the Legislature by January 1, 2022. [CS/CS/SB 364 on Special Order Calendar](#). [CS/CS/CS HB39 on House Calendar 2/19 with an amendment pending to change report date to 1/1/22](#).

[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 on Calendar 3/7](#). [SB 374 on Special Order Calendar 3/7](#).

[CS/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. [Maybe addressed through budget proviso](#).

[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. [Neither bill is moving](#).

[CS/CS/SB 998/CS/CS/HB 1339](#) – Housing: Implements changes to affordable housing including authorizing a board of county commissioners to approve 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. [CS/CS/SB 998 amended by Appropriations 3/3 to require counties etc. to report impact fees in their annual report, added to Special order calendar 3/6](#). [CS/CS/HB 1339 added to Special Order 3/6](#). [Bills are not identical](#).

[CS/CS/CS/SB 1066/CS/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. [CS/CS/HB 637 on Calendar](#). [CS/CS/SB](#)

1066 passed Appropriations as amended 3/3, placed on Special Order, passed 3/6, now on 3<sup>rd</sup> Reading 3/7.

[SB 1084/CS/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/CS/CS/HB 209 on House calendar 2/19](#). [SB 1084 passed Senate as amended 3/3](#), in House messages.

[CS/CS/SB 1624/CS/HB 1323](#): Economic Self-sufficiency: The bill requires the Department of Children and Families to contract or evaluation on the effectiveness of several programs including Medicaid and [Housing Choice Voucher](#) Program. The evaluations must include a review of the following aspects of those programs, history, and description of the programs and an analysis of the impacts and effectiveness of the programs. [CS/CS/SB 1624 passed Appropriations as amended, added to Calendar 3/6](#). [CS/HB 1323 passed House as amended 3/4/20](#). Received by Senate, referred.

[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](#), now in Finance & Tax.

### **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 provisions relating to optional coverage for mental & nervous disorders. [Neither bill will pass](#).

[CS/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. [Amended by Appropriations 3/3 to add language for DCF to implement an Office of Quality, placed on Special Order 3-4](#).

[CS/CS/SB 1440/CS/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 a 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 House as amended 3-4, now in Senate Messages 3-4](#).

[CS/CS/HB 1081/CS/HB 1071](#): 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 passed Health Care Appropriations as amended 2/18, placed on calendar 2/21](#). [HB 1071 passed Health & Human Services Committee 2/18, placed on Calendar 2/20](#).

### **Housing Project Bills Funded in House and/or Senate Budgets Only**

[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.**

[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 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 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 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 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 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 \$379,352 to 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

2-25-20 Florida Housing issued RFA 2020-106 Financing for the Development of Housing for Persons with A Disabling Condition or Developmental Disabilities. Application Deadline March 26, 2020, 3:00 pm **More info:** [Click here](#)

Application Deadline for HC & SAIL Housing for Homeless Persons, March 31, 2020, 3:00 pm, **More Info:** [Click here](#)

Application Deadline for Housing for Persons with Special Needs, April 1, 2020, 3:00 pm, **More Info:** [Click here](#)

3-6-20 Florida Housing Board of Directors the Review Committees' motions and staff recommendations to adopt the scoring results, select Applications for funding, and invite the Applicants to enter credit underwriting for the following:

[Intended Decision](#) for RFA 2019-113 Housing Credit Financing For Affordable Housing Developments Located In Medium And Small Counties

[Intended Decision](#) for RFA 2019-114 Housing Credit Financing for Affordable Housing Developments Located in Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas Counties

[Intended Decision](#) for RFA 2019-116 SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bonds and Non-Competitive Housing Credits

## FLORIDA SUPPORTIVE HOUSING COALITION 2020 SUPPORTIVE HOUSING SUMMIT

Florida Supportive Housing Coalition's annual Supportive Housing Summit: *Merging Advocacy, Knowledge & Collaboration* will be held in Orlando on Tuesday, September 22<sup>nd</sup> & Wednesday, September 23<sup>rd</sup> at the [DoubleTree Hotel/Universal](#).

[Link to Call for Proposals](#)

[Link to Request for Sponsorships](#)

## FLORIDA BEHAVIORAL HEALTH CONFERENCE –

Save The Date: August 19-21, 2020

## CSH - SUMMIT

Save the Date: Wednesday, May 27, 2020 - Friday, May 29, 2020

## ARTICLES

[Affordable Housing Task Force in Pensacola Kicks Off Effort To Achieve 500 New Homes In 5 Years](#)

[Local governments in Central Florida introduce 10-year plan to combat affordable housing crisis](#)

In a regional effort, Seminole County, Orange County, Osceola County and the city of Orlando have all implemented a 10-year plan to combat the affordable housing crisis. In the same article it was announced that Amelia Court opened in July 2019 and is 100% occupied; the \$40 million 200-unit Pendana at West Lakes celebrated its grand opening in November 2018 and includes 200 multi-family units with 40 market-rate units, 140 affordable units and 20 units for permanent supportive housing for the homeless.

### [Florida state representatives are fighting for affordable housing funding/Orlando lawmaker talks about solution to Florida's 'affordable housing crisis'](#)

Thursday afternoon, Smith filed an amendment to the Florida House tax-package to move a proposed \$543 million in tax reimbursements for big corporations into the Florida's Sadowski Trust Fund. (The amendment failed).

### [Florida launches new home loan program for vets, active military](#)

A new program will help veterans and active soldiers find a home and reduce the number of homeless vets. It launched Monday. Florida Housing said they are expecting to serve over 1,000 veterans and active servicemen and women. Their goal is to give back to those who sacrificed for those of us at home.

### **Biden Releases Affordable Housing Policy Proposal**

On February 24, Presidential candidate and former Vice President Joe Biden [released a housing platform](#) that would invest a total of \$640 billion over 10 years into affordable housing. The plan proposes additional funding to protect tenants from eviction and provide access to legal assistance in eviction proceeding. Biden's plan would create a new refundable, advanceable tax credit of up to \$15,000 for first-time homebuyers, and a renter's tax credit to help low-income renters paying more than 30% of their income in housing costs for households that do not qualify for Section 8 Housing Choice Vouchers. Biden's administration would also fully fund the Section 8 rental assistance program, providing vouchers for every eligible family, and prohibit landlords from discriminating against voucher holders.

The plan would establish a \$100 billion Affordable Housing Fund to construct and upgrade affordable housing, including a \$10 billion increase to Low-Income Housing Tax Credit (Housing Credit) authority, and would expand and permanently authorize the New Markets Tax Credit.