

1 A bill to be entitled
 2 An act relating to the financial assistance for
 3 homeowners; creating s. 420.64, F.S.; providing
 4 definitions; creating the Homeowners' Assistance Fund
 5 within the Department of Commerce for specified
 6 purposes; providing expenses that qualify under the
 7 fund; requiring the secretary of the department to
 8 allocate a certain amount of funds for administrating
 9 and overseeing the fund, to provide technical
 10 assistance to eligible entities, and to the inspector
 11 general of the department to oversee certain programs;
 12 specifying how the secretary must allocate funds to
 13 eligible entities; requiring eligible entities to
 14 request funds within a certain time period; requiring
 15 the secretary to disburse and reallocate funds within
 16 a certain time period; authorizing the department to
 17 adopt rules; providing an effective date.

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 19 Be It Enacted by the Legislature of the State of Florida:

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 21 Section 1. Section 420.64, Florida Statutes, is created to
 22 read:

23 420.64 Homeowners' Assistance Fund.-

24 (1) As used in this section, the term:

25 (a) "Department" means the Department of Commerce.

26 (b) "Dwelling" means any building, structure, or portion
27 thereof which is occupied as, or designed or intended for
28 occupancy as, a residence by one or more persons.

29 (c) "Eligible entity" means any entity eligible for
30 payment under this section and as further defined by department
31 rule.

32 (d) "Fund" means the Homeowners' Assistance Fund created
33 under this section.

34 (e) "Mortgage" means any credit transaction that is
35 secured by a mortgage, deed of trust, or other consensual
36 security interest on a principal residence of a borrower that is
37 a one-family to four-family dwelling or residential real
38 property that includes a one-person to four-person dwelling and
39 the unpaid balance of which was, at the time of origination, not
40 more than the conforming loan limit. For purposes of this
41 paragraph, the term "conforming loan limit" means the applicable
42 limitation governing the maximum original principal obligation
43 of a mortgage secured by a one-family, two-family, three-family,
44 or four-family dwelling, as determined and adjusted annually
45 under the Federal National Mortgage Association Charter Act, 12
46 U.S.C. s. 1717(b) (2), and the Federal Home Loan Mortgage
47 Corporation Act, 12 U.S.C. s. 1454(a) (2).

48 (f) "Secretary" means the Secretary of the Department of
49 Commerce.

50 (2) There is created in the Department of Commerce a

51 Homeowners' Assistance Fund to mitigate financial hardships by
52 providing such funds as are appropriated by the Legislature to
53 eligible entities for the purpose of preventing homeowner
54 mortgage delinquencies, defaults, foreclosures, loss of
55 utilities or home energy services, and displacements of
56 homeowners experiencing financial hardship after July 1, 2024,
57 through qualified expenses related to mortgages and housing,
58 which include all of the following:

59 (a) Mortgage payment assistance.

60 (b) Financial assistance to allow a homeowner to reinstate
61 a mortgage or to pay other housing-related costs related to a
62 period of forbearance, delinquency, or default.

63 (c) Principal reduction.

64 (d) Facilitating interest rate reductions.

65 (e) Payment assistance for any of the following:

66 1. Utilities, including electric, gas, home energy, and
67 water.

68 2. Internet service, including broadband internet access
69 service, as defined in 47 C.F.R. s. 8.1(b).

70 3. Homeowner's insurance, flood insurance, and mortgage
71 insurance.

72 4. Homeowners' association and condominium association
73 fees or common charges.

74 (f) Reimbursement of funds expended by a local government
75 or other entity during the period beginning on July 1, 2024, and

76 ending on the date that the first funds are disbursed by the
 77 eligible entity under the fund.

78 (g) Any other assistance to promote housing stability for
 79 homeowners, including preventing mortgage delinquency, default,
 80 foreclosure, post-foreclosure eviction of a homeowner, or the
 81 loss of utility or home energy services, as determined by the
 82 secretary.

83 (3) Based on amounts appropriated, the secretary shall
 84 reserve for the department, an amount to administer and oversee
 85 the fund and to provide technical assistance to eligible
 86 entities for the creation and implementation of state, local, or
 87 tribal programs to administer assistance from the fund.
 88 Additionally, the secretary shall reserve for the inspector
 89 general of the department, an amount to provide oversight of the
 90 programs created and implemented under this subsection.

91 (4) (a) After the allocation of funds according to
 92 subsection (3), the secretary shall allocate the remaining funds
 93 available within the Homeowners' Assistance Fund to each
 94 eligible entity based on homeowner need, which is determined by
 95 reference to the following:

96 1. The average number of unemployed persons measured over
 97 a period of time, not less than 3 months and not more than 12
 98 months.

99 2. The total number of mortgagors with mortgage payments
 100 that are more than 30 days past due or mortgages in foreclosure.

101 (b) The secretary shall adjust on a pro rata basis the
102 amount of the payments for each eligible entity determined under
103 this section to the extent necessary to comply with the
104 requirements of paragraph (a).

105 (5) (a) An eligible entity must request from the secretary
106 allocated funds within 45 days after July 1, 2024, or the entity
107 is not eligible for a payment from the fund.

108 (b) The secretary shall distribute payments from the fund
109 beginning 45 days after July 1, 2024, to eligible entities that
110 have requested from the secretary to receive such payments and
111 attesting that such entity will use such payments in compliance
112 with this section.

113 (c) Beginning 180 days after July 1, 2024, the secretary
114 shall reallocate any funds that were not used to other eligible
115 entities that requested funds within the 45-day period. For
116 purposes of reallocation, the secretary shall adhere to the
117 requirements in subsection (4) to the greatest extent possible,
118 but must also take into consideration an eligible entity's
119 remaining need for funds and the eligible entity's history of
120 using payments received from the fund to serve minority
121 homeowners and homeowners at disproportionate risk of mortgage
122 default, foreclosure, or displacement, including homeowners
123 having incomes equal to or less than 100 percent of the area
124 median income for their household size or 100 percent of the
125 median income for the United States, as determined by the United

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126 | States Department of Housing and Urban Development, whichever is
127 | greater.

128 | (6) The department may adopt rules to implement and
129 | administer this section.

130 | Section 2. This act shall take effect July 1, 2024.