

1 A bill to be entitled
2 An act relating to workforce housing communities;
3 creating s. 163.212, F.S.; providing legislative
4 intent; providing definitions; requiring a
5 governmental entity to develop and record certain
6 governing documents; providing requirements for such
7 governing documents; authorizing a governmental entity
8 to donate land, provide funding, and construct, or
9 enter into a contract with an infrastructure services
10 company to construct, basic site infrastructure for a
11 workforce housing community; requiring a governmental
12 entity to maintain a log with certain information;
13 requiring certain payments to transfer from the
14 governmental entity to the members of the homeowners'
15 association proportionally; requiring the governmental
16 entity or infrastructure services company to procure,
17 install, and maintain major components of a workforce
18 housing unit for a certain fee; providing that such
19 fee be included in a member's monthly assessment;
20 providing that all remaining construction costs, based
21 on the design of the workforce housing unit, be paid
22 for with resident provided capital; requiring the
23 governmental entity and, if applicable, an
24 infrastructure services company to approve all
25 workforce housing unit designs; providing that a

26 resident is responsible for upkeep of certain
 27 components; authorizing a resident to sell his or her
 28 interest in a workforce housing unit to certain
 29 persons; requiring that certain major components be
 30 excluded from the purchase transaction of a workforce
 31 housing unit and for excluded components to be clearly
 32 disclosed to specified persons; authorizing certain
 33 costs to be deducted from the gross proceeds of a sale
 34 before a resident transfers payment; authorizing a
 35 governmental entity to adopt and maintain certain
 36 laws, ordinances, rules, or other measures; providing
 37 an effective date.

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

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41 Section 1. Section 163.212, Florida Statutes, is created
 42 to read:

43 163.212 Workforce housing communities.—

44 (1)(a) The Legislature finds that there is a public need
 45 for workforce housing in the state and that it is in the
 46 public's interest for the state to provide options for the
 47 construction of such workforce housing.

48 (b) The Legislature finds that the best way to provide for
 49 the construction of safe, convenient, and economical workforce
 50 housing is by working with governmental entities.

51 (2) For purposes of this section, the term:

52 (a) "Basic site infrastructure" means local government and
53 state-approved improvements for roads, sewers, water, electric,
54 gas, lighting, streets, parks, ingress and egress, and common
55 area facilities.

56 (b) "Community" has the same meaning as in s. 720.301.

57 (c) "Governing documents" has the same meaning as in s.
58 720.301.

59 (d) "Governmental entity" includes an agency of the state,
60 a regional or a local government created by the State
61 Constitution or by general or special act, any county or
62 municipality, or any other entity that independently exercises
63 governmental authority.

64 (e) "Homeowners' association" or "association" means the
65 governmental entity that donated the land to create the
66 community and that is responsible for the operation and
67 obligations of the community until such time as the governmental
68 entity transitions control to the members of the association.

69 (f) "Infrastructure services company" means a company that
70 enters into a contract with a governmental entity to provide
71 basic site infrastructure or major components.

72 (g) "Major components" means those components of a
73 workforce housing unit necessary for the health and safety of
74 the person living in such unit, including, but not limited to,
75 body and frame construction, HVAC systems, roof coverings,

76 exterior windows, electrical panels, exterior plumbing and
77 sewer, and irrigation systems.

78 (h) "Member" has the same meaning as in s. 720.301.

79 (i) "Parcel" has the same meaning as in s. 720.301.

80 (j) "Resident" means a person qualified to live in the
81 community as determined by the association and the governing
82 documents of the community.

83 (k) "Resident interest percentage" means the resident's
84 percentage of ownership of the workforce housing unit,
85 calculated as resident provided capital divided by the unit
86 gross cost.

87 (l) "Resident provided capital" means funds provided by a
88 resident to pay for the interior finishings of the workforce
89 housing unit, including, but not limited to, finished flooring
90 and floor coverings, wall covering, vanities, water closets,
91 water heaters, tubs and shower enclosures, lavatories, kitchens,
92 and counters.

93 (m) "Unit gross cost" means the sum of the following costs
94 for an individual workforce housing unit:

95 1. Land value.

96 2. Basic site infrastructure.

97 3. Major components.

98 4. Resident provided capital.

99 (n) "Workforce housing unit" means a single-family
100 dwelling, duplex, triplex, quadruplex, or multi-unit

101 condominium.

102 (3) A governmental entity shall develop the initial
103 governing documents of the association and record them in the
104 official records of the county in which the community is
105 located. The governing documents must include all of the
106 following:

107 (a) The requirements to transition control of the
108 association from the governmental entity to its members.

109 (b) The required monthly assessment to the members.

110 (c) The requirements to become a resident of the
111 community, which must conform with applicable anti-
112 discrimination laws.

113 (d) The requirement that at closing each resident must
114 receive documentation stating the unit gross cost and the
115 resident interest percentage.

116 (4) A governmental entity may donate land, provide
117 funding, and construct the basic site infrastructure for a
118 workforce housing community or receive and solicit proposals for
119 and enter into contracts with infrastructure services companies
120 to construct the basic site infrastructure for a workforce
121 housing community.

122 (5) A governmental entity must maintain a log of all of
123 the following:

124 (a) The value of the land that the governmental entity
125 donates for the workforce housing community.

126 (b) The funds required for basic site infrastructure.

127 (c) The funds required for the major components of each
128 workforce housing unit.

129 (6) If a governmental entity enters into a contract with
130 an infrastructure services company for the construction of a
131 workforce housing community, as parcels in the community are
132 sold, the monthly usage, availability, and capacity payments
133 charged by the infrastructure services company will transfer
134 from the governmental entity to the members of the association
135 proportionally.

136 (7) A governmental entity or an infrastructure services
137 company under contract with a governmental entity shall procure,
138 install, and maintain the major components of the workforce
139 housing unit and keep them in a state of good repair for a
140 monthly fee. The fee, adjusted for conservative delinquency
141 rates, must be included in a member's monthly assessment.

142 (8) All remaining construction costs of the workforce
143 housing unit must be paid for with resident provided capital.
144 The amount of resident provided capital required is dependent on
145 the design of the workforce housing unit, which must be approved
146 by the governmental entity and, if applicable, the
147 infrastructure services company. A resident is responsible for
148 the upkeep of all components of the workforce housing unit that
149 are not provided by a governmental entity or an infrastructure
150 services company.

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151 (9) A resident may sell his or her interest in a workforce
152 housing unit to another person who is qualified to be a resident
153 of the workforce housing community.

154 (10) (a) The major components provided by an infrastructure
155 services company must be excluded from the purchase transaction
156 of the workforce housing unit. The association must clearly
157 disclose to a resident, an underwriter, and a title company all
158 of the major components that are excluded. At closing, the
159 association must also provide to each resident documentation
160 stating the unit gross cost and the resident interest
161 percentage.

162 (b) The gross proceeds of the sale of a workforce housing
163 unit may be appropriately reduced by the real estate transaction
164 costs, title insurance, and outstanding lien and mortgage
165 amounts before a resident transfers payment for the workforce
166 housing unit.

167 (11) A governmental entity may adopt and maintain in
168 effect any law, ordinance, rule, or other measure that is
169 adopted for the purpose of implementing this section.

170 Section 2. This act shall take effect July 1, 2023.