



Agenda Item Summary

File #: 24-01023

Agenda Date: [Publish Date]

Agenda Item Name:

Public Hearing Opt-Out Live Local Act

Presenter:

Tommy Crosby, Assistant County Manager 352-817-7982
Sylvia Torres, County Attorney 352-374-5218

Description:

Public Hearing to Opt-Out of Live Local Act Property Tax Exemption

Recommended Action:

Conduct a public hearing and adopt a Resolution electing to opt-out of certain tax exemption available under the Live Local Act, authorized by Section 196.1978(3), Florida Statutes

Prior Board Motions:

10/22/24 Review Alachua County's option to opt out of a part of the Live Local Act tax exemption; Direct County staff to set for public hearing a resolution for the Board to elect to opt-out of the tax exemption for qualified properties that house persons or families whose annual household income is greater than 80% and not more than 120% AMI, and otherwise follow the required procedural steps as provided in the law; and authorize a letter from the Chair to municipalities in Alachua County notifying of the certain property tax exemption opt-out option.

Fiscal Note:

The potential negative financial impact of the credit on the tax rolls has not been established long enough to provide a reliable estimate at this time.

Strategic Guide:

Housing

Background:

Senate Bill 102, known as the Live Local Act, was signed into law on March 29, 2023, and became effective on July 1, 2023. This statewide initiative aims to boost the availability of affordable housing for Florida's workforce, allowing them to live within the communities they serve.

On May 7, 2024, House Bill 7073 amended the Missing Middle Exemption. Section 196.1978(3)(o), Florida Statutes gives, beginning with the 2025 tax roll, certain taxing authorities the option to "op-out" of a part of the Live Local Property Tax Exemption (75% tax exemption) to those multifamily projects located in the county that are used to house natural persons or families whose annual household

income is greater than 80% but not more than 120% of the median annual adjusted gross income (AMI) within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides.

To elect to not provide the tax exemption the Board of County Commissioners (“Board”) would have to make a finding that the most recently published Shimberg Center for Housing Studies Annual Report (hereinafter, the “Shimberg Report”) identifies that Alachua County is part of the jurisdiction within a metropolitan statistical area or region where the number of affordable and available units in the metropolitan statistical area or region is great than the number of renter households in the metropolitan statistical area or region for the category entitled “0-120 percent AMI”.

To opt out, the taxing authority must make a finding based on the report, and adopt an ordinance or resolution through a two-thirds majority vote of its governing body. Notice of the proposed ordinance, resolution, or renewal must be provided in accordance with Section 50.011(1), F.S. The opt-out becomes effective on January 1 following the adoption and must be renewed annually. Each ordinance or resolution expires on January 1 of the year following its adoption.

The Alachua County Affordable Housing Advisory Committee considered the matter at their public meetings and at their September 18, 2024, meeting, voted to recommend that Board opt-out of the tax exemption.