

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/HB 479 — Alternative Mobility Funding Systems

by Commerce Committee and Rep. Robinson, W. and others (CS/SB 688 by Rules Committee and Senator Martin)

The bill revises provisions concerning impact fees and concurrency and provides additional guidance concerning mobility fees. In furtherance of comprehensive planning, local governments charge impact fees, generally as a condition for the issuance of a project's building permit, to maintain various civic services amid growth. While some local governments charge traditional impact fees related to transportation improvements, others have shifted to mobility-based fees which promote compact, mixed-use, and energy-efficient development. The interaction of counties' and municipalities' mixed use of fees has given rise to a need for guidelines related to administration.

Specifically, the bill:

- Provides definitions for “mobility fee” and “mobility plan” to be used within the Community Planning Act;
- Provides that local governments adopting and collecting impact fees by ordinance or resolution must use localized data based on a regularly updated study;
- Provides that after an applicant makes its contribution or constructs its proportionate share, the project must be allowed to proceed;
- Requires local governments charging overlapping transportation impact fees to coordinate calculation and collections through interlocal agreement;
- Provides default method for collection and distribution, including a penalty on fees charged by local governments that have failed to execute an interlocal agreement; and
- Provides that holders of transportation or road impact fee credits, which existed before the adoption of the mobility fee-based funding system, are entitled to the full benefit of the intensity and density prepaid.

The interlocal agreement provisions do not apply to Miami-Dade County or any county or municipality which has entered into or otherwise updated an existing interlocal agreement as of October 1, 2024.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.

Vote: Senate 39-1; House 115-0