

By the Committee on Fiscal Resource and Senator Horne

314-2223-00

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A bill to be entitled  
An act relating to revenue for school  
construction; amending s. 125.01, F.S.;  
limiting the ability of counties to levy school  
impact fees; providing for the distribution to  
school boards of certain funds appropriated in  
the General Appropriations Act; providing for  
uses of appropriated funds; providing an  
effective date.

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

Section 1. Subsection (8) is added to section 125.01,  
Florida Statutes, to read:

125.01 Powers and duties.--

(8)(a) Counties are prohibited from levying any impact  
fee for school purposes in an amount in excess of 37.5 percent  
of any school impact fee which that county adopted by county  
ordinance prior to May 1, 1999. If in any year the Legislature  
appropriates an amount less than 62.5 percent of the total  
impact-fee-for-school-purposes revenue collected in fiscal  
year 1999-2000, a county may increase the county levied  
portion to make up the difference.

(b) State funds appropriated in lieu of impact fees  
adopted by county ordinance prior to May 1, 1999 may be used  
for the same purposes as impact fees for school purposes  
levied by a county.

Section 2. Funds appropriated in the General  
Appropriation Act for the replacement of school impact fees  
shall be distributed by the Department of Education to school  
boards on a pro-rata basis based on the amount of school

1 impact fees which were enacted by county ordinance prior to  
2 May 1, 1999, and collected during the 1999-2000 fiscal year.

3 Section 3. This act shall take effect July 1, 2000.

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5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
6 COMMITTEE SUBSTITUTE FOR  
7 SB 238

8 The committee substitute for SB 238 amends s. 125.01, F.S., to  
9 prohibit counties from levying any impact fee for school  
10 purposes in an amount in excess of 37.5% of any school impact  
11 fee which that county adopted by county ordinance prior to May  
12 1, 1999. If in any year the Legislature appropriates an amount  
13 less than 62.5 percent of the total impact-fee-for-school-  
14 purposes revenue that was collected in 1999-2000, a county may  
15 increase the county levied portion to make up the difference.  
16 The committee substitute also provides that appropriated funds  
17 may be used for the same purposes as impact fees levied by the  
18 county. In addition, the committee substitute specifies that  
19 funds allocated in the General Appropriation Act for the  
20 replacement of school impact fees shall be distribute to  
21 county school boards by the Department of Education "on a  
22 pro-rata basis based on the amount of school impact fees which  
23 were enacted by county ordinance prior to May 1, 1999, and  
24 collected during the 1999-2000 fiscal year."  
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