

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Sorensen offered the following:

**Amendment to Amendment (906115) (with directory and title amendments)**

Between lines 990 and 991, and insert:

Section 23. Authority to adopt ordinance or resolution; amount of fee; referendum; disbursement.--

(1) Any local government that contains an area or part of an area designated as an area of critical state concern under s. 380.05, Florida Statutes, may adopt a resolution or ordinance for imposition and collection of a residential acquisition fee in the area of critical state concern. A local government may not adopt an ordinance or resolution to collect a residential acquisition fee in any area where another local government has already passed an ordinance or resolution imposing the fee unless the fee has expired or has failed to be approved by the

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28 electorate. The fee shall be assessed in accordance with the  
29 schedule set forth in subsection (2) of section 24. The  
30 authorization provided in this section shall be construed to be  
31 general law authorization pursuant to s. 1, Art. VII of the  
32 State Constitution.

33 (2) Such ordinance or resolution must be approved by a  
34 majority of the qualified electors in the affected area of  
35 critical state concern. The ordinance or resolution for fee  
36 adoption must establish the date, time, and place of the  
37 referendum and provide appropriate ballot language, including,  
38 but not limited to, the fee schedule set forth in subsection (2)  
39 of section 24.

40 (3) Any fees imposed and collected pursuant to this act  
41 shall be deposited into a residential acquisition fund to be  
42 established by ordinance or resolution of the governing body of  
43 the local government imposing the fee. The fund shall be  
44 maintained and administered by the clerk of the court. Six  
45 months after the initial collection, and quarterly thereafter,  
46 the clerk shall remit the proceeds accrued in the residential  
47 acquisition fund, less reasonable administrative costs of the  
48 clerk amounting to no more than \$5 per transaction, to the local  
49 government imposing the fee.

50 Section 24. Applicability of fee; fee schedule.--

51 (1) The residential acquisition fee shall be imposed at  
52 closing or upon the sale of a single-family residential or  
53 multifamily residential property on a sliding scale based on  
54 purchase price of the property. Commercial, governmental, and  
55 unimproved properties are not subject to the provisions of this

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56 act. Refinancing of residential loans is not subject to the  
57 provisions of this act.

58 (2) The fee is based on the following schedule:

60 SCHEDULE OF FEES

<u>PURCHASE PRICE OF PROPERTY</u>	<u>PERCENTAGE OF FEE</u>
<u>Properties purchased at \$249,999 or less.....</u>	<u>0%</u>
<u>Properties purchased at \$250,000 to \$499,999.....</u>	<u>1.00%</u>
<u>Properties purchased at \$500,000 to \$999,999.....</u>	<u>1.50%</u>
<u>Properties purchased at \$1,000,000 to \$1,999,999...</u>	<u>1.75%</u>
<u>Properties purchased at \$2,000,000 or more.....</u>	<u>2.00%</u>

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69 Section 25. Collection of fee.--At the time of closing or  
70 upon the sale of a single-family residential or a multifamily  
71 residential property, the closing agent, the representative of  
72 the closing agent, or the seller must collect and remit the fee  
73 to the clerk. The closing agent, the representative of the  
74 closing agent, or the seller must provide a space on the buyer  
75 and seller disbursement statement or an addendum accompanying  
76 the buyer and seller disbursement statement identifying the fee  
77 and must disclose the amount of the fee to the prospective  
78 buyer.

79 Section 26. Utilization of funds.--Funds received by the  
80 local government pursuant to this act shall be used for the  
81 creation of or improvements to wastewater or stormwater  
82 facilities. Division of funds between the county and  
83 municipalities in areas of critical state concern shall be in  
84 accordance with any existing agreement between the county and

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85 municipalities addressing priorities for uses established in  
86 this act. Funds collected under this act may be used to complete  
87 projects currently underway or projects undertaken pursuant to  
88 this act.

89 Section 27. A local government's authorization to impose  
90 or collect the fee authorized under this act shall expire 10  
91 years after the termination of the designation of the area of  
92 critical state concern pursuant to s. 380.05, Florida Statutes,  
93 in which the local government is located.

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96 ===== T I T L E A M E N D M E N T =====

97 Remove lines 1094 and 1095, and insert:

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99 described objectives; requiring reports; providing authority for  
100 local governments to impose a residential acquisition fee by  
101 ordinance or resolution; prohibiting imposition of a fee in an  
102 area where a fee has been approved by another local government;  
103 providing for a referendum; providing a fee schedule; providing  
104 procedures for collection of fees; providing for utilization of  
105 funds; requiring the county and municipalities to divide funds  
106 pursuant to agreement; providing a time limit on local  
107 government authorization to impose or collect certain fees;  
108 providing an effective date.