

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Sorensen offered the following:

Amendment (with directory and title amendments)

Remove line 489, and insert:

Section 8. 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 electorate. The fee shall be assessed in accordance with the

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28 schedule set forth in subsection (2) of section 9. The
29 authorization provided in this section shall be construed to be
30 general law authorization pursuant to s. 1, Art. VII of the
31 State Constitution.

32 (2) Such ordinance or resolution must be approved by a
33 majority of the qualified electors in the affected area of
34 critical state concern. The ordinance or resolution for fee
35 adoption must establish the date, time, and place of the
36 referendum and provide appropriate ballot language, including,
37 but not limited to, the fee schedule set forth in subsection (2)
38 of section 9.

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

49 Section 9. Applicability of fee; fee schedule.--

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

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

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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>

Section 10. Collection of fee.--At the time of closing or upon the sale of a single-family residential or a multifamily residential property, the closing agent, the representative of the closing agent, or the seller must collect and remit the fee to the clerk. The closing agent, the representative of the closing agent, or the seller must provide a space on the buyer and seller disbursement statement or an addendum accompanying the buyer and seller disbursement statement identifying the fee and must disclose the amount of the fee to the prospective buyer.

Section 11. Utilization of funds.--Funds received by the local government pursuant to this act shall be used for the creation of or improvements to wastewater or stormwater facilities. Division of funds between the county and municipalities in areas of critical state concern shall be in accordance with any existing agreement between the county and municipalities addressing priorities for uses established in this act. Funds collected under this act may be used to complete

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86 projects currently underway or projects undertaken pursuant to
87 this act.

88 Section 12. A local government's authorization to impose
89 or collect the fee authorized under this act shall expire 10
90 years after the termination of the designation of the area of
91 critical state concern pursuant to s. 380.05, Florida Statutes,
92 in which the local government is located.

93 Section 13. This act shall take effect upon becoming a
94 law.

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

98 Remove line(s) 25 and 26, and insert:

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