

HB 1435

2004

1                                   A bill to be entitled  
 2           An act relating to real estate; amending s. 163.3202,  
 3           F.S.; providing for the maintenance of information  
 4           pertaining to fees, charges, costs, or other exactions  
 5           charged to real estate by counties or municipalities;  
 6           creating s. 689.29, F.S.; providing for disclosure of the  
 7           information to prospective purchasers of real estate;  
 8           providing an effective date.

9

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

11

12           Section 1. Subsection (6) is added to section 163.3202,  
 13 Florida Statutes, to read:

14           163.3202 Land development regulations.--

15           (6) Each county and municipality shall maintain a record  
 16 of all impact fees, innovative charges, costs, fees for  
 17 dedication of lands for any public purpose, local access fees,  
 18 fair share of costs or proportionate-share construction costs,  
 19 or other exactions charged to any property, unit, lot, or parcel  
 20 of property.

21           (a) This record shall be itemized as to each property,  
 22 unit, lot, or parcel and shall show the costs charged on a per-  
 23 dwelling, per-unit, or per-parcel basis if charged by the local  
 24 government on this basis.

25           (b) These fees, charges, costs, or exactions shall  
 26 include, but not be limited to, any costs imposed by any land  
 27 use regulation, ordinance, development order, permit, land use  
 28 order, or permission for development of any nature issued to a  
 29 land owner.

HB 1435

2004

30       (c) If the property, unit, lot, or parcel is within a  
 31 municipal service taxing unit or similar benefit taxing unit,  
 32 the information maintained shall include the taxes, assessments,  
 33 and method for calculating any impact fees for the benefit unit  
 34 attributable to each property, unit, lot, or parcel.

35       (d) The information shall be made available to the public  
 36 as a public record as defined in chapter 119. The information  
 37 shall be kept and maintained for all properties, units, lots, or  
 38 parcels for which application for permission for development is  
 39 granted pursuant to permit, development order, development  
 40 regulation, or building permit on or after October 1, 2004.

41       Section 2. Section 689.29, Florida Statutes, is created to  
 42 read:

43       689.29 Disclosure of development costs imposed by local  
 44 governments on property; prospective purchaser to receive  
 45 disclosure at time of or prior to execution of contract.--A  
 46 prospective purchaser of any interest in real property shall be  
 47 provided a written disclosure summary at the time of or prior to  
 48 the execution of the contract for sale of the property which  
 49 shall disclose the costs imposed by any county or municipality  
 50 on the parcel of property as a part of the development order,  
 51 land use regulation, permit, change of land use order,  
 52 permission for development, or zoning category. In addition to  
 53 being disclosed to the prospective purchaser, these costs shall  
 54 be available in as a public record as provided in s.  
 55 163.3202(6). The disclosure required by this section shall apply  
 56 to all contracts for sale of an interest in real property  
 57 executed after January 1, 2005.

58       Section 3. This act shall take effect upon becoming a law.