

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Arza offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 191-212 and insert:

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6 (f) To the extent that charter school facilities are
7 specifically created to mitigate the educational impact created
8 by the development of new residential dwelling units, pursuant
9 to subparagraph (2)(c)4., some of or all of the educational
10 impact fees required to be paid in connection with the new
11 residential dwelling units may be designated instead for the
12 construction of the charter school facilities that will mitigate
13 the student station impact. Such facilities shall be built to
14 the State Requirements for Educational Facilities and shall be
15 owned by a public or nonprofit entity. The local school
16 district retains the right to monitor and inspect such

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17 facilities to ensure compliance with the State Requirements for
 18 Educational Facilities. If the facilities cease to be used for
 19 public educational purposes, the facility shall either revert to
 20 the school district, subject to any debt owed on the facility,
 21 or the owner of the facility shall have the option to refund all
 22 educational impact fees utilized for the facility to the school
 23 district. The district and the owner of the facility may
 24 contractually agree to another arrangement for the facilities if
 25 the facilities cease to be used for educational purposes. The
 26 owner of property for which new residential dwelling units are
 27 planned or approved and the entity levying educational impact
 28 fees shall enter into an agreement that designates the
 29 educational impact fees that will be allocated for the charter
 30 school student stations and that ensures the timely construction
 31 of the charter school student stations concurrent with the
 32 expected occupancy of the residential units. The application for
 33 use of educational impact fees shall include an approved charter
 34 school application. To assist the school district in forecasting
 35 student station needs, the entity levying the impact fees shall
 36 notify the affected district of any agreements it has approved
 37 for the purpose of mitigating student station impact from the
 38 new residential dwelling units.

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

Remove lines 15-16 and insert:

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44 providing for use of educational impact fees; providing
45 procedure in the event that charter school facilities cease to
46 be used for educational purposes; providing that an application
47 for use of educational impact fees shall include an approved
48 charter school application; requiring an entity levying impact
49 fees to notify the affected school district of specified
50 agreements; requiring an agreement relating to allocation and
51 use of impact fees;