

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Goodlette offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 4293 and 4294, insert:

5 Section 31. Florida Impact Fee Review Task Force.--

6 (1) The Legislature recognizes that impact fees have been
7 an important source of revenues to local governments to fund new
8 growth. Local governments have assumed this responsibility under
9 their constitutional home rule authority. With the increased use
10 of impact fees, questions have arisen about whether their use
11 should be regulated by law.

12 (2) Effective upon this act becoming law, the Florida
13 Impact Fee Review Task Force is created.

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14 (3)(a) The task force is to be composed of the following
15 15 members, who shall be appointed within 30 days after the
16 effective date of this section.

17 1. Eleven members selected by the Governor, none of whom
18 may be a member of the Legislature at the time of the
19 appointment, as follows: two members of a county commission, two
20 members of a city commission or council, two members of a local
21 school board, two members of the development community, and two
22 members of the homebuilding community. The Governor shall
23 designate one additional appointee as chairman.

24 2. One Senator appointed by the President of the Senate,
25 and one member of the House of Representatives appointed by the
26 Speaker of the House of Representatives, who shall be ex
27 officio, nonvoting members.

28 3. One citizen appointed by the President of the Senate,
29 and one citizen appointed by the Speaker of the House of
30 Representatives. The citizen appointees shall have no current or
31 past direct relationship to local government, school boards, or
32 the development or homebuilding industries.

33 4. The Secretary of the Department of Community Affairs or
34 his designee is to serve as an ex officio, nonvoting member.

35 (4)(a) The task force shall act as an advisory body to the
36 Governor and the Legislature.

37 (b) The task force shall convene its initial meeting
38 within 60 days after the effective date of this section and
39 thereafter at the call of its chair.

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40 (c) Task Force members shall not receive remuneration for
41 their services, but are entitled to reimbursement by the
42 Legislative Committee on Intergovernmental Relations for travel
43 and per diem expenses in accordance with s. 112.061, Florida
44 Statutes.

45 (5) The Task Force shall survey and review current use of
46 impact fees as a method of financing local infrastructure to
47 accommodate new growth and current case law controlling the use
48 of impact fees. To the extent feasible, the review is to include
49 consideration of the following:

50 (a) Local government criteria and methodology used for the
51 determination of the amount of impact fees.

52 (b) Application and relative burden of impact fees in
53 different areas of the state in relation to other methods of
54 financing new infrastructure.

55 (c) The range of use of impact fees as a percentage of the
56 total capital costs for infrastructure needs created by new
57 development.

58 (d) The methods used by local governments for the
59 accounting and reporting of the collection and expenditure of
60 all impact fees.

61 (e) Notice provisions prior to adoption and the effective
62 date of local ordinances creating a new impact fee or increasing
63 an existing impact fee.

64 (f) Interlocal agreements between counties and cities to
65 allocate impact fee proceeds between them.

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66 (g) Requirements and options related to timing of impact
67 fees payments.

68 (h) The importance of impact fees to the ability of local
69 government to fund infrastructure needed to mitigate the impacts
70 of development and meet statutory requirements for concurrency.

71 (i) Methods used by local governments to ameliorate the
72 effect of impact fee costs on affordable housing.

73 (6) The task force shall report to the Governor, the
74 President of the Senate, and the Speaker of the House of
75 Representatives by February 1, 2006. The report shall include
76 the task force's recommendations regarding:

77 (a) Whether there is a need for statutory direction on the
78 methodology and data used to calculate impact fees.

79 (b) Whether there should be statutory direction on
80 payment, exemption, or waiver of impact fees for affordable
81 housing.

82 (c) Whether there should be statutory direction on the
83 accounting and reporting of the collection and expenditure of
84 all impact fees.

85 (d) Whether there is a need for statutory direction on the
86 notice given in advance of the effective date of a new or
87 amended impact fee ordinance.

88 (e) Whether there is a need for statutory direction on the
89 sharing of impact fees between counties and cities.

90 (f) Whether there is a need for statutory direction on the
91 timing of payment of impact fees.

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92 (g) Any other recommendation the Task Force deems
93 appropriate.

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95 If the task force makes a recommendation for statutory
96 direction, the report shall also contain the task force's
97 recommendation for statutory changes.

98 (7) The Legislative Committee on Intergovernmental
99 Relations shall serve as staff to the task force and is
100 authorized to employ technical support and expend funds
101 appropriated to the committee for carrying out the official
102 duties of the task force. All state agencies are directed to
103 cooperate with and assist the task force to the fullest extent
104 possible. All local governments are encouraged to assist and
105 cooperate with the commission as necessary.

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

108 Remove line(s) 247 and insert:

109 the Governor and Legislature; creating the Florida Impact Fee
110 Review Task Force; providing legislative findings; providing for
111 membership; providing for meetings; providing duties and
112 responsibilities of the task force; prohibiting compensation of
113 the task force; providing for per diem and travel expenses;
114 requiring a report to the Governor and Legislature; specifying
115 report contents; requiring the Legislative Committee on
116 Intergovernmental Relations to serve as staff; repealing s.
117 163.31776,

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