

ENROLLED

HB 0749

2005 Legislature

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A bill to be entitled
An act relating to the Holley-Navarre Fire District, Santa Rosa County; amending chapter 2004-463, Laws of Florida; providing for impact fees; providing legislative intent; providing application; requiring fee proceeds to be kept separate from other funds; providing a definition; providing that fees shall not be used for the acquisition, purchase, or construction of facilities which must be obtained in any event; providing an effective date.

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

Section 1. Section 17 is added to section 3 of chapter 2004-463, Laws of Florida, to read:

Section 17. Impact fees.--

(1) Pursuant to section 191.009(4), Florida Statutes, it is hereby declared that the cost of new facilities upon fire protection and emergency service should be borne by new users of the district's services to the extent new construction requires new facilities, but only to that extent. It is the legislative intent of this section to transfer to the new users of the district's fire protection and emergency services a fair share of the costs that new users impose on the district for new facilities. This section shall only apply in the event that the general purpose local government in which the district is located has not adopted an impact fee for fire services which is distributed to the district for construction within its jurisdictional boundaries.

(2) The impact fees collected by the district pursuant to

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30 this section shall be kept as a separate fund from other
31 revenues of the district and shall be used exclusively for the
32 acquisition, purchase, or construction of new facilities or
33 portions thereof required to provide fire protection and
34 emergency service to new construction. "New facilities" means
35 land, buildings, and capital equipment, including, but not
36 limited to, fire and emergency vehicles and radio telemetry
37 equipment. The fees shall not be used for the acquisition,
38 purchase, or construction of facilities which must be obtained
39 in any event, regardless of growth within the district. The
40 board of fire commissioners shall maintain adequate records to
41 ensure that impact fees are expended only for permissible new
42 facilities.

43 Section 2. This act shall take effect upon becoming a law.