## Florida Senate - 2007

By Senator Bennett

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21-551-07
 1
                        A bill to be entitled
 2
           An act relating to impact fees; amending s.
 3
           163.31801, F.S.; revising the requirements that
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           a local government or special district must
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           meet in adopting an impact fee; specifying
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           additional requirements concerning the
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           application of credits against and payment of
           such a fee; providing an effective date.
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   Be It Enacted by the Legislature of the State of Florida:
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           Section 1. Subsection (3) of section 163.31801,
    Florida Statutes, is amended to read:
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           163.31801 Impact fees; short title; intent;
14
   definitions; ordinances levying impact fees .--
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           (3) Each An impact fee adopted by ordinance of a
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    county, or municipality, or by resolution of a special
    district shall ensure that any ordinance or resolution it
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    adopts which imposes an impact fee must, at minimum:
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           (a) <u>Requires</u> Require that the calculation of the
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    impact fee be based on the most recent and localized data.
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           (b) Provides Provide for accounting and reporting of
    impact fee collections and expenditures. If a local
23
    governmental entity imposes an impact fee to address its
2.4
    infrastructure needs, the entity shall account for the
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   revenues and expenditures of such impact fee in a separate
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27
   accounting fund.
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           (c) Limits Limit administrative charges for the
    collection of impact fees to actual costs.
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CODING: Words stricken are deletions; words underlined are additions.

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Requires Require that notice be provided no less 1 (d) 2 than 90 days before the effective date of an ordinance or resolution imposing a new or amended impact fee. 3 4 (e) Addresses whether a credit will be granted to the 5 developer for: б 1. Tax payments that the local governmental entity 7 will receive in the future from the development; 8 2. In-kind payments of infrastructure to the local 9 governmental entity by the developer, such as land for a 10 school or road; or 3. Funds for infrastructure from sources other than 11 12 the local governmental entity, such as a grant from the state 13 or Federal Government for water or wastewater facilities. (f) Prohibits the collection of the impact fee before 14 a certificate of occupancy is issued. 15 Section 2. This act shall take effect July 1, 2007. 16 17 18 SENATE SUMMARY 19 20 Specifies additional requirements concerning the application of credits against and payment of impact fees 21 imposed by a local government or special district. 22 23 2.4 25 26 27 28 29 30 31

SB 576

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