



686488

CHAMBER ACTION

Senate

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House

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1 Senators Haridopolos, Deutch, and Gaetz moved the following  
2 **amendment:**

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4 **Senate Amendment (with title amendment)**

5 Between lines 135 and 136

6 insert:

7 Section 3. Subsection (5) is added to section 163.31801,  
8 Florida Statutes, to read

9 (5) In any action challenging an impact fee, the challenger  
10 has the burden of proving by a preponderance of the evidence that  
11 the imposition or amount of the fee does not meet the  
12 requirements of this section or legal precedent. The court may  
13 not use a deferential standard that favors either party in such  
14 action.

15  
16  
17 ===== T I T L E A M E N D M E N T =====



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18 | And the title is amended as follows:

19 |       On line 28, after the semicolon,

20 | insert:

21 |       amending s. 163.31801, F.S.; providing that the challenger  
22 |       of an impact fee has the burden of proof; prohibiting the  
23 |       court from using a deferential standard that favors either  
24 |       party in such action;