



664060

CHAMBER ACTION

Senate

House

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Floor: WD/2R
4/30/2008 4:54 PM

Senator Haridopolos moved the following **amendment**:

Senate Amendment (with directory and title amendments)

Between line(s) 2246 and 2247,
insert:

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

===== **D I R E C T O R Y C L A U S E A M E N D M E N T**=====

And the directory clause is amended as follows:

Delete line(s) 2237

and insert:



664060

18
19 163.31801, Florida Statutes, is amended, and subsection (5) is
20 added to that section, to read:

21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On line(s) 95, after the semicolon,
25 insert:

26
27 providing that the challenger of an impact fee has the
28 burden of proof; prohibiting the court from using a
29 deferential standard that favors either party in such
30 action;