



137558

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/20/2009	.	
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The Committee on Transportation and Economic Development Appropriations (Smith) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 19 and 20  
insert:

(6) Notwithstanding any law, ordinance, or resolution to the contrary, a county, municipality, or special district may not increase any existing impact fees or impose any new impact fees. However, this subsection does not affect impact fees pledged or obligated to the retirement of debt, impact fee increases that were previously enacted by law, ordinance, or resolution and phased in over time or included a consumer price



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12 index or other yearly escalator, or impact fees for water or  
13 wastewater facilities. This subsection expires July 1, 2011.  
14 Effective July 1, 2009, and until this subsection expires, each  
15 local government shall conduct a review of its existing impact  
16 fees to determine compliance with this section and the judicial  
17 standards for a valid impact fee. Before July 1, 2011, local  
18 governments shall reduce and make other adjustments to existing  
19 impact fees as may be necessary to comply with this section and  
20 the judicial standards.

21  
22 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

23 And the directory clause is amended as follows:

24 Delete line 11

25 and insert:

26 Section 1. Subsections (5) and (6) are added to section  
27 163.31801,

28  
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete line 7

32 and insert:

33 prohibiting any county, municipality, or special  
34 district from increasing existing impact fees or  
35 imposing new impact fees; providing exceptions;  
36 providing for the expiration of such prohibition;  
37 requiring that each local government conduct a review  
38 of its existing impact fees to determine compliance;  
39 requiring that local governments reduce and make other  
40 adjustments to existing impact fees as necessary;



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providing an effective date.