



666974

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/03/2009	.	
	.	
	.	
	.	

The Committee on Community Affairs (Deutch) recommended the following:

Senate Amendment (with title amendment)

Delete lines 15 - 19
and insert:

(5) In any action challenging an impact fee, the government has the burden of proving by a preponderance of the evidence that the imposition or amount of the fee meets the requirements of state legal precedent or this section. The court may not use a deferential standard.

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



666974

12 And the title is amended as follows:
13 Delete lines 3 - 6
14 and insert:
15 F.S.; requiring that the government prove certain elements by a
16 preponderance of the evidence in an action involving the
17 challenge of an impact fee; prohibiting a court from using a
18 deferential standard;