



951118

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2013	.	
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The Committee on Community Affairs (Soto) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 26 - 81  
and insert:  
transportation concurrency within its jurisdiction and may not require a proportionate-share contribution or construction for new business development before July 1, 2016, unless authorized by the affirmative majority vote of the local government's governing authority.

(b) Paragraph (a) does not apply to proportionate-share contribution or construction assessed on existing developments before July 1, 2013.



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13           (c) In order to maintain the exemption from transportation  
14 concurrency and proportionate-share contribution or construction  
15 pursuant to paragraph (a), a new business development must  
16 receive a certificate of occupancy by July 1, 2017. If the  
17 certificate of occupancy is not received by July 1, 2017, the  
18 local government may apply transportation concurrency and  
19 require the appropriate proportionate-share contribution or  
20 construction for the business development that would have been  
21 applied but for this subsection. The new business development  
22 must consist of 6,000 square feet or less for anything  
23 classified as other than nonresidential. Any outstanding  
24 obligation related to the proportionate-share contribution or  
25 construction runs with the land and is enforceable against any  
26 person claiming a fee interest in the land subject to that  
27 obligation.

28           (d) This subsection does not apply if it requires any  
29 modification to a local government's financing that would  
30 invalidate existing contracts, including debt obligations or  
31 covenants and agreements relating to bonds validated or issued  
32 by the local government.

33           (e) Upon written notification to the local government, a  
34 developer may elect to have the local government apply  
35 transportation concurrency and proportionate-share contribution  
36 or construction to a business development.

37           (f) This subsection expires July 1, 2017.

38           Section 2. Subsection (6) is added to section 163.31801,  
39 Florida Statutes, to read:

40           163.31801 Impact fees; short title; intent; definitions;  
41 ordinances levying impact fees.-



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42           (6) (a) Notwithstanding any provision of law, ordinance, or  
43 resolution to the contrary, a county, municipality, or special  
44 district may not impose any new or existing impact fee or any  
45 new or existing fee associated with the mitigation of  
46 transportation impacts on new business development until July 1,  
47 2016, unless authorized by the affirmative majority vote of the  
48 governing authority of the county, municipality, or special  
49 district. Any governing authority of a local government imposing  
50 an impact fee in existence on July 1, 2012, must reauthorize the  
51 imposition of the fee pursuant to this paragraph.

52           (b) Paragraph (a) does not apply to any impact fee or fee  
53 associated with the mitigation of transportation impacts  
54 previously enacted by law, ordinance, or resolution assessed on  
55 existing business development before July 1, 2013.

56           (c) In order to maintain the exemption from impact fees and  
57 fees associated with the mitigation of transportation impacts  
58 pursuant to paragraph (a), a new business development must  
59 receive a

60  
61 ===== T I T L E   A M E N D M E N T =====

62 And the title is amended as follows:

63           Delete lines 4 - 6

64 and insert:

65           applying transportation concurrency or requiring  
66           proportionate-share contribution or construction for  
67           new business development for a specified