

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Economic Development &
2 Tourism Subcommittee
3 Representative La Rosa offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
7 Section 1. Subsection (7) is added to section 163.3180,
8 Florida Statutes, to read:

9 163.3180 Concurrency.-

10 (7) (a) Notwithstanding any provision of law, ordinance, or
11 resolution to the contrary, a local government may not apply
12 transportation concurrency within its jurisdiction and may not
13 require a proportionate-share contribution or construction for
14 new business development before July 1, 2016, unless authorized
15 by the affirmative majority vote of the local government's
16 governing authority.

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

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

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

40 (e) Upon written notification to the local government, a
41 developer may elect to have the local government apply
42 transportation concurrency and proportionate-share contribution
43 or construction to a business development.

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

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

47 163.31801 Impact fees; short title; intent; definitions;

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48 ordinances levying impact fees.-

49 (6) (a) Notwithstanding any provision of law, ordinance, or
50 resolution to the contrary, a county, municipality, or special
51 district may not impose any new or existing impact fee or any
52 new or existing fee associated with the mitigation of
53 transportation impacts on new business development until July 1,
54 2016, unless authorized by the affirmative majority vote of the
55 governing authority of the county, municipality, or special
56 district. Any governing authority of a local government imposing
57 an impact fee in existence on July 1, 2012, must reauthorize the
58 imposition of the fee pursuant to this paragraph.

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

63 (c) In order to maintain the exemption from impact fees
64 and fees associated with the mitigation of transportation
65 impacts pursuant to paragraph (a), a new business development
66 must receive a certificate of occupancy by July 1, 2017. If the
67 certificate of occupancy is not received by July 1, 2017, the
68 county, municipality, or special district may impose the
69 appropriate impact fees and fees associated with the mitigation
70 of transportation impacts on the development that would have
71 been applied but for this subsection. Any outstanding obligation
72 related to impact fees and fees associated with the mitigation
73 of transportation impacts on the development runs with the land
74 and is enforceable against any person claiming a fee interest in
75 the land subject to that obligation.

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76 (d) This subsection does not apply if it requires any
77 modification to the financing of a county, municipality, or
78 special district that would invalidate existing contracts,
79 including debt obligations or covenants and agreements relating
80 to bonds validated or issued by the county, municipality, or
81 special district.

82 (e) Upon notification to the county, municipality, or
83 special district, a developer may elect to have impact fees and
84 fees associated with the mitigation of transportation impacts
85 imposed on a development.

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

87 Section 3. This act shall take effect July 1, 2013.

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

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Remove lines 4-6 and insert:

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applying transportation ~~or school~~ concurrency or requiring

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proportionate-share contribution or construction for new

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business development for a specified

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