

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

1 Committee/Subcommittee hearing bill: Local Administration,
 2 Federal Affairs & Special Districts Subcommittee
 3 Representative Robinson, W. offered the following:

Amendment (with title amendment)

Remove lines 242-260 and insert:

7 (g) A local government, school district, or special
 8 district may increase an impact fee rate beyond the phase-in
 9 limitations established under paragraph (b), paragraph (c),
 10 paragraph (d), or paragraph (e) by establishing extraordinary
 11 impacts showing the need for such increase in full compliance
 12 with the requirements of subsection (4), provided the following
 13 criteria are met:

14 1. For the purposes of this paragraph, "extraordinary
 15 impacts" means effects of development that will require
 16 mitigation by the affected local government, school district, or

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17 special district that will exceed the total of the current
18 impact fee amount together with an increase as provided in
19 paragraphs (c), (d), and (e) in less than 4 years.

20 ~~2.1.~~ A demonstrated-need study justifying any increase in
21 excess of those authorized in paragraph (b), paragraph (c),
22 paragraph (d), or paragraph (e) has been completed within the 12
23 months before the adoption of the impact fee increase and
24 expressly demonstrates the extraordinary impacts circumstances
25 necessitating the need to exceed the phase-in limitations. The
26 demonstrated needs study must show projected growth within the
27 jurisdiction in population and in demand for the specific
28 services funded by the impact fee will exceed the projected
29 rates of growth for the state in population and in demand for
30 those specific services.

31 ~~3.2.~~ The local government jurisdiction has held not less
32 than two publicly noticed workshops and two properly noticed
33 public meetings dedicated solely to the extraordinary impacts
34 ~~circumstances~~ necessitating the need to exceed the phase-in
35 limitations set forth in paragraph (b), paragraph (c), paragraph
36 (d), or paragraph (e).

37 ~~4.3.~~ The impact fee increase ordinance is approved by at
38 least a two-thirds vote of the governing body.

39 5. In any administrative or judicial proceeding challenging
40 an impact fee increase adopted under this paragraph, the local
41 government, school district, or special district has the burden

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42 of proving all elements relied upon in the demonstrated needs
43 study by clear and convincing evidence.

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

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Remove lines 16-18 and insert:

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governments and special districts; revising requirements for

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local governments, school districts, and special district to

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impose impact fees in certain instances;