

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WITHDRAWN	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>	

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1 Committee/Subcommittee hearing bill: Commerce Committee  
 2 Representative Robinson, W. offered the following:

**Amendment**

Remove lines 170-208 and insert:

6 an alternative mobility plan and fee ~~funding~~ system or an  
 7 alternative system that is not mobility plan and fee based. The  
 8 local government that uses one or more of the tools and  
 9 techniques identified in paragraph (f). ~~Any alternative mobility~~  
 10 ~~funding system adopted~~ may not use an alternative system ~~be used~~  
 11 to deny, time, or phase an application for site plan approval,  
 12 plat approval, final subdivision approval, building permits, or  
 13 the functional equivalent of such approvals provided that the  
 14 developer agrees to pay for the development's identified  
 15 transportation impacts via the funding mechanism implemented by  
 16 the local government. The revenue from the funding mechanism

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17 used in the alternative system must be used to implement the  
18 needs of the local government's plan which serves as the basis  
19 for the fee imposed. An alternative ~~A mobility fee-based funding~~  
20 system must comply with s. 163.31801 governing impact fees. An  
21 alternative system may not impose ~~that is not mobility fee-based~~  
22 ~~shall not be applied in a manner that imposes~~ upon new  
23 development any responsibility for funding an existing  
24 transportation deficiency as defined in paragraph (h).

25 (j) Only the local government issuing the building permit  
26 may charge for transportation capacity impacts associated with  
27 new development or redevelopment that occurs within its  
28 jurisdiction. Such local government must collect and account for  
29 any extrajurisdictional impacts pursuant to s. 163.3177(6)(h),  
30 regardless of whether it implements a transportation concurrency  
31 system or an alternative system. A local government may not  
32 charge new development or redevelopment for the same  
33 transportation impacts.

34 Section 3. Paragraph (a) of subsection (4), paragraph (a) of  
35 subsection (5), and subsection (7) of section 163.31801, Florida  
36 Statutes, are amended to read:

37 163.31801 Impact fees; short title; intent; minimum  
38 requirements; audits; challenges.—

39 (4) At a minimum, each local government that adopts and  
40 collects an impact fee by ordinance and each special district

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41 that adopts, collects, and administers an impact fee by  
42 resolution must:

43 (a) Ensure that the calculation of the impact fee is based  
44 on the most recent and localized data available within the  
45 previous 12 months before adoption if the ordinance or  
46 resolution increases the impact fee.