SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: April 22, 1998 Revised: _____ _____ _____ _____

Subject: Urban Infill and Redevelopment

	Analyst	Staff Director	Reference	Action
1.	Schmith	Yeatman	CA	Favorable/CS
2.			CM	
3.			WM	
4.				
5.				

I. Summary:

Committee Substitute (CS) for SB 1740 creates the Urban Infill and Redevelopment Act; eliminates the dual referendum requirement for certain involuntary municipal annexations; expands the eminent domain powers of CRAs; implements a recommendation of the Commission on Local Government Commission II; and revises provisions relating to the amount a municipality may charge as a penalty for a dishonored check.

The Urban Infill and Redevelopment Act establishes a voluntary program for local governments to designate urban infill and redevelopment areas for the purpose of holistically approaching the revitalization of urban centers, and ensuring the adequate provision of infrastructure, human services, safe neighborhoods, educational facilities, job creation and economic opportunity. The act creates an incentive program for areas designated as urban infill and redevelopment areas including economic incentives for businesses locating or expanding in the area. A matching grant program for local governments is also created. In addition, the CS provides exceptions from transportation concurrency requirements and from limitations on amendments to comprehensive plans, and raises Development of Regional Impact substantial deviation thresholds, for certain types of development within urban infill and redevelopment areas. The CS also amends the State Comprehensive Plan, ch. 187, F.S., to establish the preservation and revitalization of urban centers as a goal.

The CS eliminates the dual referenda requirement for certain types of municipal annexations, and requires two advertised public hearings to be held prior to adoption of an annexation ordinance.

The CS implements the recommendation of the Commission on Local Government II known as the Governmental Efficiency, Accountability and Responsibility, or GEAR, process. This amendment creates a process by which a county or counties may enter into agreements with the

municipalities and special district local therein to provide for more efficient delivery of municipal services and eliminate overlapping or duplicative responsibilities.

Finally, the CS expands the eminent domain powers of CRAs and revises provisions relating to the amount a municipality may charge as a penalty for a dishonored check.

The CS amends the following sections of Florida Statutes: 163.3180, 163.3187, 163.375, 171.0413, 187.201, and 380.06. The CS creates sections 163.2511, 163.2514, 163.2517, 163.2520, 163.2523, and 163.2526, Florida Statutes.

II. Present Situation:

In recognizing the importance of the vitality of urban cores to their respective regions and the state, the Legislative Committee on Intergovernmental Relations (LCIR) conducted an interim project on developing an urban policy for Florida to preserve, revitalize and sustain the state's urban centers.

During the course of the interim, the committee heard testimony from many experts including urban policy scholars; federal, state and local government officials; representatives from regional entities, financial institutions, and residential and commercial developers; and others knowledgeable about urban issues.

The testimony emphasized the need for public/private partnerships, as well as the involvement of the community, to successfully address the varied problems of an urban area. Each urban area has unique needs and the community support is needed in affecting change and directing resources to those needs. In addition, the private sector stressed the importance of the State and local governments demonstrating their commitment to urban areas before they were willing to invest in redevelopment projects. Finally, the following specific urban problems were identified:

- Vacant and abandoned buildings
- Loss of jobs and corresponding high unemployment rates
- Lack of public transportation facilities
- Concerns for public safety
- Difficulty in recruiting businesses into core areas
- Disincentives to development because of lower land prices and building costs outside of urban areas
- Eroding tax bases

- Deterioration of neighborhoods

- Lack of sense of regional identity or citizenship by residents in outlying areas.

The LCIR sought to begin establishing a state urban policy by developing and identifying policies essential to revitalization of urban cores. The LCIR initially focused its efforts on promoting urban infill and redevelopment as a method to create jobs, improve neighborhoods, stimulate the economy, and to have a general positive affect in rectifying other urban needs. The committee sought to *"level the playing field"* between the cost of developing downtown versus the urban fringe, and to encourage redevelopment generally. The Committee's recommendations are set forth in a report titled "1998 Report on the Development of A State Urban Policy." SB 1740 was drafted to incorporate the recommendations of the committee.

Florida has various policies that address aspects of urban development including the State Comprehensive Plan, Strategic Regional Policy Plans, Local Comprehensive Plans, and Community Redevelopment Agencies, among others. More recently, a law enacted by the 1996 Legislature authorized the Department of Community Affairs to undertake a Sustainable Communities Demonstration Project for the development of models to further enhance local governments' capacity to meet current and future infrastructure needs with existing resources. Additionally, the Governor's Commission for a Sustainable South Florida and the Florida Department of Community Affairs, in conjunction with regional and local level governmental entities, has initiated a regional approach to urban revitalization through the "Eastward Ho!" initiative in Southeast Florida.

Nevertheless, Florida has no comprehensive urban policy establishing a clear direction for the development of its urban centers. Laws governing urban policy consist of a series of fragmented programs and requirements administered by various state agencies and implemented by various types of local governments. Consequences of this approach to urban policy include conflict among various program objectives and may result in achievement of certain objectives at the expense of other objectives relevant to urban areas. Several of the programs that affect urban areas are discussed below.

The State Comprehensive Plan contained in Chapter 187, F.S., was enacted in 1985. It provides long-range guidance for the orderly social, economic, and physical growth of the state. Most of the provisions of the act have some bearing on the urban areas of the state. For example, public safety, education, hazardous waster issues, and many other policies and goals affect all communities. Some of the most significant features of the state plan include the following goals: to direct development to areas that have the resources, fiscal abilities and service capacity to accommodate development in an environmentally acceptable manner; to encourage a separation of urban and rural land uses; to encourage an attractive and functional mix of living, working, shopping, and recreational activities; to develop land in a way that maximizes existing facilities; to maintain agricultural resources and to conserve soil resources to maintain the economic value of land for agricultural pursuits; and to encourage the centralization of development in downtown areas.

The State Comprehensive Plan also supports downtown areas by providing preferential incentives; conducting special planning; and encouraging the centralization of commercial, governmental, retail, residential, and cultural activities.

Chapter 163, Florida Statutes, titled Intergovernmental Programs, contains several provisions and programs significant to urban areas.

Part II, County and Municipal Planning and Land Development Regulation Act (ss. 163.3161 - 163.3243, F.S.) - Part II of Chapter 163, F.S., identifies the responsibility of county and municipal governments for the development and implementation of the local comprehensive plan. This plan provides long-range policy guidance for the orderly social, economic, and physical growth of the local jurisdiction. Most of the provisions of the act have some bearing on the urban areas of the state. They include the following elements: Capital Improvement; Future Land Use Plan; Traffic Circulation; General Sanitary Sewer, Solid Waste, Drainage, Potable Water; Conservation; Recreation and Open Space; Housing; Intergovernmental Coordination; Coastal Zone Management; and Optional General Areas Redevelopment.

The local comprehensive plans must be reviewed and approved by the Department of Community Affairs. Plan amendments may be submitted not more than twice a year with exceptions, pursuant to s. 163.3187, F.S.

The act contains definitions in s. 163.3164, F.S., including some directly relevant to urban infill and redevelopment. Chapter 163.3164(26), F.S., defines “urban redevelopment” as demolition and reconstruction or substantial renovation of existing buildings or infrastructure within urban infill areas or existing urban service areas.

Section 163.3164(27), F.S., defines “urban infill” as the development of vacant parcels in otherwise built-up areas where public facilities are already in place and the average residential density is at least five dwelling units/acre, the average nonresidential intensity is at least a floor area ratio of 1.0 and vacant, developable land does not constitute more than 10 percent of the area.

Section 163.3164(29) F.S., defines “existing urban service area” as built-up areas where public facilities and services are already in place.

Concurrency, pursuant to Section 163.3180, F.S., requires that certain public facilities be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent. These facilities include, consistent with public health and safety: sanitary sewer; solid waste; drainage; potable water; parks and recreation; and transportation facilities. The local government may extend concurrency requirements to public schools.

In 1995, the Legislature provided exemptions to transportation concurrency requirements for local governments if such requirements would discourage urban infill development,

redevelopment, or downtown revitalization. In order to promote infill development and redevelopment, one or more transportation concurrency management areas may be designated in a local government comprehensive plan.

Small Scale Development Amendments, s. 163.3187, F.S. provides streamlined procedures for adoption of small scale amendments that contain areas specifically designated in the local comprehensive plan for urban infill, urban redevelopment or downtown revitalization, transportation concurrency exception areas, or regional activity centers and urban central business districts.

Part III of chapter 163, F.S., the "Community Redevelopment Act of 1969," grants local governments with the authority to establish community redevelopment agencies (CRAs). CRAs are used to assist local governments in the elimination of slum and blight and restoring the declining tax base of these areas. CRAs are required to develop a community redevelopment plan for the rehabilitation and redevelopment of designated slum and blighted areas. CRAs are permitted to establish a redevelopment trust fund utilizing revenues derived from tax increment financing. The act also directs a county or municipality, to the greatest extent feasible, to afford maximum opportunity to the rehabilitation or redevelopment of the community redevelopment area by private enterprise.

The CRA is created upon a local governing body adopting a resolution declaring a need for the agency to implement the community redevelopment purposes of the act. The CRA may be governed by a separate board of commissioners appointed by the governing body *or* the governing body may adopt a resolution declaring itself to be the CRA.

In tax increment financing, property values in a certain defined community redevelopment area are frozen by local ordinance at the assessed value for a particular base year. As redevelopment proceeds within the redevelopment area, the actual assessed value of property within the redevelopment area should increase. Taxing authorities located within the community redevelopment area are required to deposit the incremental revenue received as a result of this increase in property value in a redevelopment trust fund established by the CRA.

Part IV, Neighborhood Improvement Districts (ss. 163.501 - 163.506, F.S.) Neighborhood Improvement Districts or Safe Neighborhood Improvement Districts may be created as independent special districts in areas that meet certain land use criteria regarding residential, commercial, business, or industrial purposes and where there is a plan to reduce crime through the implementation of certain types of crime prevention practices. Provisions within the act authorize additional revenue raising authority for the designated area, including eligibility for certain grant programs.

Chapter 420, Housing (ss.420.001 - 420.09079, F.S.) Part V, Florida Housing Finance Corporation (ss. 420.501 - 420.529, F.S.)
The Florida Housing Finance Corporation (FHFC) is a semi-independent organization administratively attached to the Department of Community Affairs. The corporation is governed

by a nine-member board appointed by the governor. The agency operating expenses are paid by program revenues, federal grants and Sadowski Act documentary stamp tax revenues. FHFC administers numerous housing programs including: the State Apartment Incentive Loan (SAIL) (s. 420.5087, F.S.); the Low-Income Rental Housing Tax Credit (s. 420.5099, F.S.); the Florida Affordable Housing Guarantee (s. 420.5092, F.S.); the HOME Investment Partnerships (s. 420.5089, F.S.); the Multifamily Mortgage Revenue Bond(s. 420.508, F.S.); the Predevelopment Loan (s. 420.525, F.S.); and the Single-Family Lease-Ownership Revenue Bond (s. 420.507, F.S.), and the State Housing Initiative Partnership (SHIP)(ss. 420.907-420.9079, F.S.)

State Housing Initiative Partnership (SHIP) (ss. 420.907 - 420.9079, F.S.) is the only permanently funded state housing program in the nation to provide funds directly to local governments to increase affordable housing opportunities in their communities. The program allocates 69 percent of the documentary state tax revenues created by the Sadowski Act directly to counties and entitlement cities on a non-competitive basis. SHIP provides an incentive to form public-private partnerships for building, rehabilitating, and preserving affordable housing by providing a financial means to develop and implement housing programs. SHIP programs are included in the Local Housing Assistance Plans, which are adopted by the local governing body.

Brownfield Redevelopment Act, s. 376.77, F.S., establishes the Brownfield Redevelopment Act to provide the necessary incentives to enable private sources to commit financial resources to redevelop and reuse brownfields. Brownfields are broadly defined as abandoned, idled, or under used industrial and commercial properties where expansion or redevelopment is complicated by real or perceived environmental contamination. Anticipated outcomes include environmental and public health benefits, economic development, reduction of urban sprawl, and promotion of urban infill.

Developments of Regional Impact, s. 380.06, F.S., is "any development which, because of its character, magnitude, or location, would have a substantial effect on the health and safety, or welfare of citizens of more than one county." The purpose of the DRI review process was not to prohibit development, but to manage it in order to address the multi-jurisdictional impacts and to protect natural resources.

Section 380. 06(19), F.S., sets forth criteria whereby any proposed change to a previously approved development-of-regional impact which creates a reasonable likelihood of additional regional impact, is subject to further review. The section contains numerical standards for determining the percentage or numerical increase in units or area which constitute a substantial deviation from the original development-of-regional-impact.

Municipal Annexation

Pursuant to s. 171.0413, F.S., a municipality may annex property where the property owners have not petitioned for annexation. This process is called involuntary annexation. In general, the statutory requirements for an involuntary annexation include:

- Adoption of an annexation ordinance of a "contiguous, compact unincorporated territory" by the annexing municipality's governing body. Under current law, the ordinance must be read by title, or in full, on at least 2 separate days, and must be noticed once in a newspaper of general circulation in the municipality at least 10 days prior to adoption; and

- Submittal of the adopted ordinance to a vote of the registered electors of the area proposed to be annexed; *or*

- Submittal of the ordinance to a separate vote of the registered electors of the annexing municipality **and** of the area proposed to be annexed if 1) the total area annexed by the municipality during any one calendar year cumulatively exceeds more than 5 percent of the total land area of the municipality, or 2) cumulatively to exceed more than 5 percent of the municipal population. This requirement is known as the dual referendum requirement.

If there is a majority in favor of annexation in the area proposed to be annexed, and a majority in favor of annexation in cases where a referendum must be held in the annexing municipality, the area becomes a part of the municipality. However, if a majority vote against annexation in either the annexing municipality or in the area proposed to be annexed, the annexation does not become effective. That area cannot be the subject of another annexation proposal for 2 years from the date of the referendum.

The Commission on Local Government II

The Commission on Local Government II was created by CS for HB 1921, which was enacted in the 1996 Legislative Session. The commission met over a period of 18 months and examined executive, statutory, and constitutional measures relating to the creation, organization, structure, powers, duties, financing and service delivery capacity of local governments in Florida. The commission found that local governments are caught between rising demands for urban services and declining local government capacity. The final report noted that the demand for public services is expanding because Florida local government is declining relative to this demand because of intergovernmental complexity, unfunded mandates, federal and state cutbacks in welfare and other programs, statutory limits on and popular resistance to property taxes, impractical annexation laws, and entrenched opposition to charter reform.

In its final report, the commission states its intent to remove constitutional and statutory barriers to allow counties and cities to 1) resolve conflicts existing among local jurisdictions regarding the delivery and financing of local services; 2) increase local voter control over the local tax structure; and 3) increase local government efficiency and accountability. This proposal became known as the Governmental Efficiency, Accountability and Responsibility, or GEAR proposal. The commission outlines a voluntary process which requires the involvement and approval of the county commission, a majority of cities within that county, and cities representing a majority of the county's incorporated population. This group may propose a plan for improving the efficiency, accountability and coordination of local government service delivery, including services delivered by special districts.

Service Fees for Dishonored Checks

Pursuant to s. 166.251, F.S., a municipality may charge a service fee of $20 or 5 percent of the face value, whichever is greater, for the collection of a dishonored check, draft or money order. The service fee must be in addition to all other penalties imposed by law.

Section 832.08, F.S., provides the authority of the State Attorney to establish a bad check diversion program in any judicial circuit in which such a program does not exist on October 1, 1986. The purpose of the program is to divert from prosecution any person convicted of writing bad checks in order to educate those persons and recover the full amount of the check and any applicable fees. The program is funded by the following fees for dishonored checks in the amounts indicated:

- $25 if the face value does not exceed $50;
- $30 if the face value does not exceed $300; and
- $40 if the face value exceeds $300.

III. Effect of Proposed Changes:

The purpose of the Urban Infill and Redevelopment Act is to provide local governments with a comprehensive method of addressing urban redevelopment and revitalization issues within a targeted area, including but not limited to: code enforcement; improved educational opportunities; reduction in crime; provision of infrastructure needs, and mixed use planning through the preparation and implementation of an urban infill and redevelopment plan. The Act accomplishes the following:

- Amends the State Comprehensive Plan to include a state urban policy.
- Creates a *voluntary* program for local governments to identify urban infill and redevelopment areas for the purpose of focusing local and state resources on these areas.
- Defines areas eligible for designation by a local government as an urban infill and redevelopment area. (Density criteria likely would limit eligibility to larger cities.)
- Creates a process whereby a local government can identify an urban infill and redevelopment area, develop a plan for addressing the infrastructure, social and economic needs of the area, and amend its local government comprehensive plan to delineate the urban infill and redevelopment area.
- Requires the local government to conduct a public hearing in the area targeted for designation to provide an opportunity for public input on size of the area; the objectives for urban infill and redevelopment; coordination with existing redevelopment programs; goals for

improving transit and transportation; the objectives for economic development; crime reduction; and neighborhood preservation and revitalization.

- Provides the following financial incentives for both businesses and local governments to encourage urban infill and redevelopment:
  - Authorizes the use of tax increment financing within urban infill and redevelopment areas.
  - Creates a matching grant program whereby local governments can implement projects consistent with their urban infill and redevelopment plan.
  - Extends several regulatory incentives to Urban Infill and Redevelopment Areas, including: Qualification as a transportation concurrency exception area; comprehensive plan amendments within the Urban Infill and Redevelopment area will be considered "small scale"; and increases the substantial deviation numerical standards by 50 percent for certain types of Developments of Regional Impact proposed within and Urban Infill and Redevelopment Area.
- Provides for review of the effectiveness of the designation of urban infill and redevelopment areas in stimulating urban infill and strengthening the urban core by the Office of Program Policy Analysis and Government Accountability prior to the 2003 Regular Session of the Legislature.

The CS further eliminates the dual referendum requirement for certain involuntary municipal annexations; expands the eminent domain powers of CRAs; implements a recommendation of the Commission on Local Government II, known as the GEAR process; and revises provisions relating to the amount a municipality may charge as a penalty for a dishonered check.

Section by Section Analysis:

Section 1 creates the Urban Infill and Redevelopment Act and recognizes the importance of urban centers.

Section 163.2514, F.S., defines an Urban Infill and Redevelopment Area as an area or areas designated by a local government for the development of vacant, abandoned or significantly underutilized parcels located where:

1) Public services are already available or are scheduled to be provided in a adopted 5-year capital improvement plan;

2) The area contains not more than 10 percent developable vacant land;

3) The residential density is at least five units per acre and the average nonresidential intensity is a least a floor area ration of 1.00; and

4) The designated area does not exceed 2 percent of the land area of the local government jurisdiction or a total area of 3 square miles, whichever is greater.

Section 163.2517, F.S., creates a voluntary process for designating an urban infill and redevelopment area. First, the local government prepares a plan that describes the infill and redevelopment objectives of the local government within the proposed area and includes a number of factors including: a map identifying the urban infill and redevelopment area; existing redevelopment initiatives, including community redevelopment agencies, brownfields, downtown redevelopment districts; the enhancement of public school facilities and programs within the area; affordable housing; land development regulations to encourage redevelopment; transportation; and a package of financial and regulatory incentives to be offered by the local government. Second, the local government conducts a public hearing to encourage public participation in the design of the plan. And third, the local government amends it comprehensive plan to adopt the urban infill and redevelopment plan and delineate the area in the future land-use element. The comprehensive plan amendment is exempt from the twice a year amendment limitation of s. 163.3187, F.S.

Section 163.2520, F.S., is created to provide that upon the adoption of comprehensive plan amendment, the urban infill and redevelopment area becomes eligible for a number of financial and regulatory incentives. The economic incentives include:

- Extending the use of tax increment financing and the issuance of revenue bonds backed by tax increment financing pursuant to sections 163.385 and 163.387, F.S., to urban infill and redevelopment areas.

- Extending the authority to levy special assessments under s. 163.514, F.S., for neighborhood improvement districts to urban infill and redevelopment areas.

State agencies that provide infrastructure funding, cost reimbursement, grants or loans to local government are required to report to the Legislature by January 1, 1999, any statutory or rule changes necessary to give urban infill and redevelopment areas elevated priority in infrastructure funding, loan and grant programs.

Section 163.2523, F.S., creates an Urban Infill and Redevelopment Assistance Grant Program which offers matching grant funds to local governments for planning and implementing urban infill and redevelopment projects. Ninety percent of the funds appropriated are to fund fifty/fifty matching grants. The remaining 10 percent of the funds are to used for direct grants to local governments for smaller scale projects. The Department of Community Affairs, Division of Housing and Community Development is authorized to adopt rules to administer the program. If the local government fails to implement the urban infill and redevelopment plan, the Department may seek to rescind the urban infill and redevelopment designation pursuant to chapter 120, F.S.

Section 163.2526 is created to require that, prior to the 2003 legislative session, the Office of Program Policy Analysis and Government Accountability review and evaluate the Urban Infill and Redevelopment Program and report to the Legislature.

Section 2 amends section 163.3180, F.S., regarding concurrency to provide that projects located within urban infill and redevelopment areas may be excepted from transportation concurrency if they are otherwise consistent with the adopted local government comprehensive plan, and that developments located within a designated urban infill and redevelopment area which pose only special part-time demands on the transportation system should be excepted from the transportation concurrency requirement.

Section 3 amends section 163.3187, F.S., regarding comprehensive plan amendments to include urban infill and redevelopment areas as areas that qualify for small scale development amendments which are not subject to the twice a year amendment limitation, which require only one public hearing and are not subject to review by the Department.

Section 4 amends section 187.201, F.S., to include specific goals and policies for Urban Redevelopment. The Downtown Revitalization Policy is expanded to include statements of urban policy, including a policy to develop strategies to guide the state, regional agencies, local governments, and the private sector in preserving and redeveloping existing urban centers to ensure the adequate provision of infrastructure, human services, safe neighborhoods, educational facilities and economic development to sustain urban centers into the future.

Section 5 amends section 380.06, F.S., regarding developments-of- regional impact, to increase by 50 percent, the substantial deviation numerical standards for certain types of projects located entirely within an urban infill and redevelopment area and that are not located within a coastal high hazard area. The types of projects subject to the 50 percent increase include: industrial development areas; office development; dwelling units; commercial development; hotel or motel facilities; and multiuse developments.

Section 6 amends s. 163.375, F.S., relating to the eminent domain powers of counties, municipalities and community redevelopment agencies (CRAs). This section expands the eminent domain powers of a CRA to include the acquisition of property in unincorporated enclaves surrounded by the boundaries of the CRA when the acquisition is determined to be necessary to accomplish the community redevelopment plan.

Section 7 amends s. 171.0413, F.S., by eliminating the dual referendum requirement for involuntary municipal annexations which would exceed a specified percentage of the population or total land area of the annexing municipality. This section is further amended to provide for additional public notice of the proposed annexation ordinance that is required under current law. The new language requires that two advertised public hearings be held on the proposed annexation, one at least 7 days after the first advertisement is published, and one at least 5 days after the date the second advertisement is published.

Section 8 implements one of the recommendations of the Commission on Local Government II known as the GEAR process. This section is titled "Efficiency and accountability in local government services" and is intended to allow municipalities and counties to resolve conflicts among local jurisdictions regarding the delivery and financing of local services; increase local government efficiency and accountability; and provide greater flexibility in the use of local revenue sources for local governments involved in the process.

The procedure is initiated by the adoption of resolutions by a county or counties and by either the municipalities within the county or by municipalities representing the majority of the municipal population of the county. The resolutions must provide a timetable for developing the plan and specify the local government support and personnel services which will be made available to the representatives developing the plan.

Upon adoption of the resolution, the designated representatives must develop a plan for delivery of local government services which meets specified criteria. The plan may not contain a provision for contraction of any municipal boundary or elimination of any municipality. The plan must specifically describe any area proposed for municipal annexation which would further the goals of this section. An area to be annexed must meet the requirements of chapter 171, F.S.

The plan must conform to all local government comprehensive plans which have been approved by the department, for the local governments participating in the plan. The plan may not restrict the authority of any governmental agency to perform any duty required of the agency by law.

The plan must be approved by a majority vote of the county or counties, and by majority vote of the municipalities in each county, and by a majority vote of the municipality or municipalities that represent a majority of the municipal population of each county. Then, the plan must be submitted for referendum approval in a countywide election in each county involved. The plan will not take effect unless approved by a majority of the electors of each county involved and by a majority of the electors of the municipality(ies) that represent a majority of the municipal population of each county involved.

If the plan includes proposed areas for annexation, the annexation will take place upon referendum approval of the plan, regardless of the procedures for approval of annexation specified in chapter 171, F.S.

Section 9 amends s. 166.251, F.S., regarding the service fee which may be charged by a municipality for a dishonored check. This section changes the maximum fee which may be charged from $20 or 5 percent of the face amount, to the maximum of either the service fees authorized under s. 832.08(5), F.S., or 5 percent of the face amount.

Section 10 provides an effective date of July 1, 1998.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None

B. Public Records/Open Meetings Issues:

None

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Local and state governments may incur some fiscal losses in terms of tax revenues. However, such losses ultimately should be offset by increased revenues as a result of redevelopment with the state's urban areas. The extent of the losses would be dependent on factors such as the size of the designated Urban Infill and Redevelopment Area and the number of businesses that utilize the incentives associated with the Act.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.