

By Senator Burgess

23-01166-24

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1 A bill to be entitled
2 An act relating to local government impact fees and
3 exactions; amending s. 163.3180, F.S.; requiring local
4 governments that impose nonmonetary exactions to
5 provide a specified amount of compensation; amending
6 s. 163.31801, F.S.; requiring that any impact fee be
7 collected only if the property subject to the fee
8 receives the service for which the fee is assessed;
9 requiring certain local governments and special
10 districts to establish impact fee zones or impact fee
11 districts for certain purposes; providing an effective
12 date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsection (7) is added to section 163.3180,
17 Florida Statutes, to read:

18 163.3180 Concurrency.—

19 (7) A local government imposing a nonmonetary exaction
20 under this section must provide compensation equal to the fair
21 market value of the exaction imposed.

22 Section 2. Paragraphs (j) and (k) are added to subsection
23 (4) of section 163.31801, Florida Statutes, to read:

24 163.31801 Impact fees; short title; intent; minimum
25 requirements; audits; challenges.—

26 (4) At a minimum, each local government that adopts and
27 collects an impact fee by ordinance and each special district
28 that adopts, collects, and administers an impact fee by
29 resolution must:

23-01166-24

20241796__

30 (j) Ensure that any impact fee is collected only if the
31 property subject to the fee either receives the service for
32 which the fee is assessed or will receive the service within the
33 spending period adopted in the local ordinance or resolution.

34 (k) Establish impact fee zones or impact fee districts to
35 ensure the impact fee is expended to provide additional capital
36 facilities within the appropriate zone or district and to help
37 alleviate impacts generated by the new residential or commercial
38 construction subject to the fee.

39 Section 3. This act shall take effect October 1, 2024.