

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.; placing requirements on use of  
 7           impact fees by local governments when collecting  
 8           impact fees; requiring local governments to establish  
 9           impact fee zones or impact fee districts for certain  
 10          purposes; limiting the dollar amount of impact fees  
 11          that local governments may adopt, collect, or  
 12          administer based on land use; prohibiting local  
 13          governments from adopting, collecting, or  
 14          administering both impact fees and mobility fees for  
 15          certain types of developments; providing an effective  
 16          date.

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

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

22           163.3180   Concurrency.—

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

26 Section 2. Subsections (6) through (13) of section  
 27 163.31801, Florida Statutes, are renumbered as subsections (7)  
 28 through (14), respectively, paragraphs (j) and (k) are added to  
 29 subsection (4), and a new subsection (6) is added to that  
 30 section, to read:

31 163.31801 Impact fees; short title; intent; minimum  
 32 requirements; audits; challenges.—

33 (4) At a minimum, each local government that adopts and  
 34 collects an impact fee by ordinance and each special district  
 35 that adopts, collects, and administers an impact fee by  
 36 resolution must:

37 (j) Ensure that the impact fee is collected only if the  
 38 property subject to the fee either receives the service for  
 39 which the fee is assessed or will receive the service within the  
 40 spending period adopted in the ordinance or resolution.

41 (k) Establish impact fee zones or impact fee districts to  
 42 ensure the impact fee is expended to provide additional capital  
 43 facilities within the appropriate zone or district and to help  
 44 alleviate impacts generated by the new residential or commercial  
 45 construction subject to the fee.

46 (6)(a) A local government, school district, or special  
 47 district may not adopt, collect, or administer an impact fee in  
 48 excess of the following amounts:

- 49 1. Single-family residence: \$25,000.
- 50 2. Apartment complex: \$13,390.54 per unit.

- 51        3. Mobile home: \$14,893.02 per unit.
- 52        4. Condominium: \$9,005.25 per unit.
- 53        5. Hotel: \$7,369.81 per room.
- 54        6. Docking facility or marina: \$3,268 per cabin berth
- 55 capacity.
- 56        7. Golf course: \$28,146.89 per hole.
- 57        8. Miniature golf course: \$4,634.72 per hole.
- 58        9. Multipurpose recreational land: \$43,495.41 per acre.
- 59        10. Motion picture theater: \$49,414.90 per operating
- 60 screen.
- 61        11. Amusement park: \$48,751.92 per acre.
- 62        12. Tennis court: \$33,624.796 per court.
- 63        13. Elementary school: \$772.37 per student.
- 64        14. Middle school or high school: \$1,174.777 per student.
- 65        15. University: \$18,88.961.
- 66        16. Church: \$5.120225 per square foot.
- 67        17. Day care center: \$1,892.232 per student.
- 68        18. Hospital: \$13.313825 per square foot.
- 69        19. Nursing home facility: \$2.3362165 per square foot.
- 70        20. Office building: \$11.5082 per square foot.
- 71        21. Medical office: \$31.0974 per square foot.
- 72        22. Retail store: \$23.81 per square foot of gross leasable
- 73 area.
- 74        23. Motor vehicle dealership: \$21.52 per square foot.
- 75        24. Tire dealership: \$14.85 per square foot.

- 76        25. Grocery store: \$23.22 per square foot.
- 77        26. Convenience store that does not sell gasoline: \$55.39
- 78 per square foot.
- 79        27. Convenience store that sells gasoline: \$58.18 per
- 80 square foot.
- 81        28. Home improvement store: \$16.30 per square foot.
- 82        29. Department store: \$9.81 per square foot.
- 83        30. Pharmacy: \$15.15 per square foot.
- 84        31. Furniture store: \$3.23 per square foot.
- 85        32. Bank: \$3.23 per square foot.
- 86        33. Restaurant: \$21.90 per square foot.
- 87        34. Fast food restaurant: \$51.74 per square foot.
- 88        35. Coffee store: \$50.98 per square foot.
- 89        36. Doughnut store: \$50.98 per square foot.
- 90        37. Gasoline station or fuel station: \$11,287.271 per
- 91 fuel position.
- 92        38. Car wash: \$11,495.267 per bay.
- 93        39. Mining: \$42.5 per 1000 cubic yards.
- 94        40. Warehouse: \$5.23 per square foot.
- 95        (b) A local government, school district, or special
- 96 district may not adopt, collect, or administer both an impact
- 97 fee and a mobility fee for master planned unit developments and
- 98 planned home developments.

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