

House Bill No. 749

An act relating to the Holley-Navarre Fire District, Santa Rosa County; amending chapter 2004-463, Laws of Florida; providing for impact fees; providing legislative intent; providing application; requiring fee proceeds to be kept separate from other funds; providing a definition; providing that fees shall not be used for the acquisition, purchase, or construction of facilities which must be obtained in any event; providing an effective date.

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

Section 1. Section 17 is added to section 3 of chapter 2004-463, Laws of Florida, to read:

Section 17. Impact fees.—

(1) Pursuant to section 191.009(4), Florida Statutes, it is hereby declared that the cost of new facilities upon fire protection and emergency service should be borne by new users of the district's services to the extent new construction requires new facilities, but only to that extent. It is the legislative intent of this section to transfer to the new users of the district's fire protection and emergency services a fair share of the costs that new users impose on the district for new facilities. This section shall only apply in the event that the general purpose local government in which the district is located has not adopted an impact fee for fire services which is distributed to the district for construction within its jurisdictional boundaries.

(2) The impact fees collected by the district pursuant to this section shall be kept as a separate fund from other revenues of the district and shall be used exclusively for the acquisition, purchase, or construction of new facilities or portions thereof required to provide fire protection and emergency service to new construction. "New facilities" means land, buildings, and capital equipment, including, but not limited to, fire and emergency vehicles and radio telemetry equipment. The fees shall not be used for the acquisition, purchase, or construction of facilities which must be obtained in any event, regardless of growth within the district. The board of fire commissioners shall maintain adequate records to ensure that impact fees are expended only for permissible new facilities.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 10, 2005.

Filed in Office Secretary of State June 10, 2005.