

Department of Planning and Budget
2008 Fiscal Impact Statement

1. Bill Number: HB72

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Marshall, R.G.

3. Committee: Counties, Cities and Towns

4. Title: **Building permit; localities may use impact fees for capital improvements.**

5. Summary: Capital improvements impact fees. Allows localities to adopt provisions for the assessment of impact fees prior to issuance of a building permit. The impact fees may be assessed in relation to the adequacy of education, transportation, parks, or public safety needs. Such fees shall be a pro-rata share of the costs of reasonable and necessary capital improvements attributable to the proposed development. Prior to any impact fee assessment, the locality must identify the particular public facility needs in its comprehensive plan and must have in place a capital improvement program that provides a reasonable basis for determining the extent or level of inadequacy of such facilities in the area of the proposed development. If the locality does not apply impact fees paid by a developer to the capital project that served as the basis for such assessment within six years of collection, then the developer may seek a writ of mandamus to compel the locality to do so.

6. No fiscal impact.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: The proposed bill will not have a fiscal impact to the state.

9. Specific Agency or Political Subdivisions Affected: Localities.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/14/2008 tmw

Document: G:\2008 Session\Fiscal Impact Statements\HB72.Doc

cc: Secretary of Commerce and Trade