



Florida Property Owners and Developers: Governor Signs House Bill 207 – Impact Fees

By Vivien J. Monaco

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On June 18, 2019, Florida Governor Ron DeSantis signed House Bill 207 into law, effective July 1, 2019. This law was originated by members of the Greater Orlando Builders Association.

The law codifies the "dual rational nexus" test for validity of impact fees, and more importantly, prohibits a local government from required payment of impact fees prior to issuance of building permits. It also prohibits a local government from using impact fee revenues to service existing debt from prior projects, unless the expenditure is reasonably connected to increased impacts generated by new residential or commercial construction.

This law will have a positive impact on property owners and developers who develop in jurisdictions that currently require payment of impact fees prior to issuance of building permits (e.g., prior to platting, prior to development plan or preliminary subdivision plan approval, etc.).

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