

House Bill 547

By: Representatives Lunsford of the 110th and Mosley of the 178th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 36-71-4 of the Official Code of Georgia Annotated, relating to
2 calculation of and requirements relative to development impact fees imposed by local
3 governments, so as to provide a maximum amount of impact fees which may be imposed
4 with respect to the construction of a new single family residence; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 36-71-4 of the Official Code of Georgia Annotated, relating to calculation of
9 and requirements relative to development impact fees imposed by local governments, is
10 amended by adding at its end a new subsection (s) to read as follows:

11 "(s) The total of all impact fees imposed with respect to the construction of a new single
12 family residence constructed for sale shall not exceed 2 percent of the price at which the
13 residence is first sold by the party constructing the residence. Where a single family
14 residence is constructed by the owner for occupancy by the owner, the total of all impact
15 fees imposed with respect to the construction of the residence shall not exceed 2 percent
16 of the cost of the residence to the owner, including the costs of the land and construction
17 paid by the owner. A municipal or county development impact fee ordinance shall provide
18 for the refund of excess impact fees where the total of impact fees initially paid on or after
19 July 1, 2005, exceeds the 2 percent cap imposed by this subsection."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.