

Senate Resolution 522

By: Senators Jackson of the 24th, Butterworth of the 50th, Williams of the 19th, Tarver of the 22nd, Hudgens of the 47th and others

ADOPTED SENATE

A RESOLUTION

1 Creating the Senate Comprehensive Development Impact Fee Study Committee; and for
2 other purposes.

3 WHEREAS, current Georgia laws applicable to the process of the calculation, adoption,
4 implementation, and expenditure of development impact fees affect not only many
5 businesses and industries but also many residents of this state, and the fair and equitable
6 application of these provisions is important to many Georgia citizens; and

7 WHEREAS, there has not been in the past decade or longer a formal or comprehensive study
8 of development impact fees in Georgia for the purpose of making consistent and equitable
9 recommendations for changes to these statutory provisions; and

10 WHEREAS, these laws and subsequent consequences form an essential part of the
11 foundation for real estate and construction industries in this state; and

12 WHEREAS, many questions and concerns have been raised by these industries related to the
13 application of Chapter 71 of Title 36, the "Georgia Development Impact Fee Act," and
14 mandate a close reexamination of Georgia's laws regarding same; and

15 WHEREAS, Georgia's economy generally and the real estate and construction markets
16 specifically have been negatively impacted by the continued application of outdated and
17 inequitable impact fee provisions; and

18 WHEREAS, in light of the above, it is now time to closely scrutinize and improve Georgia's
19 laws concerning development impact fees.

20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that there is created the Senate
21 Comprehensive Development Impact Fee Study Committee to be composed of five members
22 of the Senate to be appointed by the President of the Senate. The President of the Senate

23 shall designate a member of the committee as chairperson of the committee. The chairperson
24 shall call all meetings of the committee.

25 BE IT FURTHER RESOLVED that the chairperson of the committee is authorized to
26 appoint an advisory committee to inform and assist the committee members. The members
27 of such advisory committee shall serve without compensation or reimbursement of expenses
28 and may include representatives from the following entities: Mortgage Brokers Association
29 of Georgia, Council for Quality Growth, Home Builders Association of Georgia, Georgia
30 Apartment Association, Georgia Manufactured Housing Association, Greater Atlanta Home
31 Builders Association, Associated Builders and Contractors Association of Georgia, Georgia
32 Associated General Contractors, Mortgage Bankers Association of Georgia, Georgia
33 Association of Realtors, Georgia Municipal Association, Georgia Planning Association, and
34 Association of County Commissioners of Georgia.

35 BE IT FURTHER RESOLVED that the study committee may conduct such meetings at such
36 times and in such places as it may deem necessary or convenient to enable it to exercise fully
37 and effectively its powers, perform its duties, and accomplish the objectives and purposes
38 for this resolution. The legislative members of the study committee shall receive the
39 allowances authorized for legislative members of interim committees but shall receive the
40 same for not more than five days unless additional days are authorized. The funds necessary
41 to carry out the provisions of this resolution shall come from funds appropriated to the
42 Senate. In the event the study committee makes a report of its findings and
43 recommendations, with suggestions for proposed legislation, if any, such report shall be
44 made before December 31, 2009. The study committee shall stand abolished on December
45 31, 2009.