

Senate Bill 322

By: Senators Ginn of the 47th, Miller of the 49th, Orrock of the 36th, Williams of the 39th,
Tate of the 38th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 71 of Title 36 of the Official Code of Georgia Annotated, relating to
2 development impact fees, so as to authorize the exemption of certain development projects
3 from funding such projects' proportionate share of system improvement under certain
4 circumstances; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 71 of Title 36 of the Official Code of Georgia Annotated, relating to development
9 impact fees, is amended by revising subsection (1) of Code Section 36-71-4, relating to
10 calculation of impact fees, as follows:

11 "(1) A municipal or county development impact fee ordinance may exempt all or part of
12 particular development projects from development impact fees if:

13 (1) Such projects are determined to create extraordinary economic development and
14 employment growth or affordable housing;

15 (2) The public policy which supports the exemption is contained in the municipality's or
16 county's comprehensive plan; and

17 (3) The exempt development project's proportionate share of the system improvement
18 is funded through a revenue source other than development impact fees; provided,
19 however, that, if a development project creates affordable housing and meets the
20 requirements of subparagraph (2) of this subsection, then a municipal or county
21 development impact fee ordinance may waive the requirements of this subparagraph."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.