

Senate Bill 136

By: Senators Dugan of the 30th, Walker III of the 20th, Hufstetler of the 52nd, Jones of the 10th, Dixon of the 45th and others

**AS PASSED SENATE**

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 development impact fees, so as to modify the required revenue source for a  
3 development project involving workforce housing; to provide for related matters; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

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

9 "(l) A municipal or county development impact fee ordinance may exempt all or part of  
10 particular development projects from development impact fees if:

11 (1) Such projects are determined to create extraordinary economic development and  
12 employment growth, workforce housing, or affordable housing;

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

15 (3) The exempt development project's proportionate share of the system improvement  
16 is funded through a revenue source other than development impact fees; provided,  
17 however, that if a development project creates workforce housing and otherwise meets

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18 the requirements of this subsection, then a municipal or county development impact fee  
19 ordinance may waive the requirements of this paragraph."

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**SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.