

The House Committee on Governmental Affairs offers the following substitute to SB 136:

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

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 71 of Title 36 of the Official Code of Georgia Annotated, relating to development  
8 impact fees, is amended by adding a new paragraph to Code Section 36-71-2, relating to  
9 definitions, to read as follows:

10 "(21) 'Workforce housing' means housing affordable to households earning between 60  
11 percent and 120 percent of the area median income."

12 **SECTION 2.**

13 Said chapter is further amended by revising subsection (l) of Code Section 36-71-4, relating  
14 to calculation of development impact fees, as follows:

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

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

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

21 (3) The exempt development project's proportionate share of the system improvement  
22 is funded through a revenue source other than development impact fees; provided,  
23 however, that if a development project creates workforce housing and otherwise meets  
24 the requirements of this subsection, then a municipal or county development impact fee  
25 ordinance may waive the requirements of this paragraph."

26 **SECTION 3.**

27 All laws and parts of laws in conflict with this Act are repealed.