

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 124

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE MEMBERSHIP; AMENDING SECTION 67-8205, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEMBERSHIP REQUIREMENTS OF A DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-8205, Idaho Code, be, and the same is hereby amended to read as follows:

67-8205. DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE. (1) Any governmental entity ~~which that~~ is considering or ~~which that~~ has adopted a development impact fee ordinance, shall establish a development impact fee advisory committee.

(2) (a) The development impact fee advisory committee shall be composed of not fewer than five (5) members appointed by the governing authority of the governmental entity.

(b) Two (2) or more members shall be active in the business of development, building, or real estate. An existing planning or planning and zoning commission may serve as the development impact fee advisory committee if the commission includes two (2) or more members who are active in the business of development, building, or real estate; otherwise, two (2) such members who are not employees or officials of a governmental entity shall be appointed to the committee.

(c) New appointments and reappointments to a committee on and after July 1, 2021, must comply with the provisions of this paragraph. All members must reside within the jurisdictional boundaries of the governmental entity. Two (2) or more members shall be active in the business of development, building, or real estate. Two (2) or more members shall not be in the business of development, building, or real estate. Employees or officials acting in their official capacity for a governmental entity may not be appointed as members of the committee. An existing planning or planning and zoning commission may serve as the development impact fee advisory committee for the governing authority if the commission includes two (2) or more members who are active in the business of development, building, or real estate and two (2) or more members who are not in such business; otherwise, two (2) such members who are not employees or officials of a governmental entity shall be appointed to the committee until the membership requirements of this subsection are met.

(3) The development impact fee advisory committee shall serve in an advisory capacity and is established to:

(a) Assist the governmental entity in adopting land use assumptions;

(b) Review the capital improvements plan, and proposed amendments, and file written comments;

1 (c) Monitor and evaluate implementation of the capital improvements
2 plan;

3 (d) File periodic reports, at least annually, with respect to the cap-
4 ital improvements plan and report to the governmental entity any per-
5 ceived inequities in implementing the plan or imposing the development
6 impact fees; and

7 (e) Advise the governmental entity of the need to update or revise land
8 use assumptions, the capital improvements plan, and development impact
9 fees.

10 (4) The governmental entity shall make available to the advisory
11 committee, upon request, all financial and accounting information, profes-
12 sional reports in relation to other development and implementation of land
13 use assumptions, the capital improvements plan, and periodic updates of the
14 capital improvements plan.