

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 87

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

1 RELATING TO DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE MEMBERSHIP; AMENDING
2 SECTION 67-8205, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEMBERSHIP
3 REQUIREMENTS OF A DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE AND TO MAKE
4 TECHNICAL CORRECTIONS.
5

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

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

9 67-8205. DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE. (1) Any govern-
10 mental entity ~~which that~~ is considering or ~~which that~~ has adopted a develop-
11 ment impact fee ordinance, shall establish a development impact fee advisory
12 committee.

13 (2) The development impact fee advisory committee shall be composed
14 of not fewer than five (5) members appointed by the governing authority of
15 the governmental entity. All members must reside within the jurisdictional
16 boundaries of the governmental entity. Two (2) or more members shall be
17 active in the business of development, building, or real estate. Two (2)
18 or more members shall not be in the business of development, building, or
19 real estate. Employees or officials acting in their official capacity for
20 a governmental entity may not be appointed as members of the committee. An
21 existing planning or planning and zoning commission may serve as the de-
22 velopment impact fee advisory committee for the governing authority if the
23 commission includes two (2) or more members who are active in the business of
24 development, building, or real estate and two (2) or more members who are not
25 in such business; otherwise, two (2) such members who are not employees or
26 officials of a governmental entity shall be appointed to the committee until
27 the membership requirements of this subsection are met.

28 (3) The development impact fee advisory committee shall serve in an ad-
29 visory capacity and is established to:

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

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

33 (c) Monitor and evaluate implementation of the capital improvements
34 plan;

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

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

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