
Local Government Committee

HB 1701

Brief Description: Revising the limitation on impact fees regarding law enforcement, courts, and jails.

Sponsors: Representative Dunshee.

Brief Summary of Bill

- Includes criminal justice facilities within the definition of "public facilities" for impact fees.
- Defines "criminal justice facilities" as personnel and the construction and expansion of jails, court facilities, juvenile justice facilities, and police facilities.

Hearing Date: 2/17/03

Staff: Ethan Moreno (786-7386).

Background:

Counties, cities, and towns that plan under the major provisions of the Growth Management Act (GMA) are authorized to impose impact fees on development activity as part of the financing of public facilities. However, the financing of system improvements to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees. System improvements include certain public facilities designed to provide service to areas within the community at large.

Impact fees are payments of money imposed upon development as a condition of development approval. Impact fees are used to pay for public facilities needed to serve new growth and development and they must be:

- reasonably related to the new development that creates additional demand and need for public facilities;
- a proportionate share of the cost of the public facilities; and
- used for facilities that reasonably benefit the new development.

Reasonable permit or application fees are not considered impact fees.

Impact fees may be collected and spent only for specific public facilities delineated in statute. "Public facilities," within the context of impact fee statutes, are the following capital facilities that are owned or operated by government entities:

- public streets and roads;
- publicly owned parks, open space, and recreation facilities;
- school facilities; and
- fire protection facilities in jurisdictions that are not part of a fire district.

Summary of Bill:

The definition of "public facilities," as specifically used for impact fee statutes, is amended to include criminal justice facilities. "Criminal justices facilities" are defined as personnel and the construction and expansion of jails, court facilities, juvenile justice facilities, and police facilities.

Appropriation: None.

Fiscal Note: Requested on February 12, 2003.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.