

134 ~~{(b)}~~ (ii) raise the established level of service of a public facility serving existing
135 development ~~{-}~~ ; or

(b) delay the construction of a school or a charter school because of a dispute with the school or charter school over impact fees.

5. Page 6, Lines 169 through 174:

169 ~~{(B)}~~ (II) ~~{ the new school [creates no greater demand or need for public facilities than]~~
is built

170 for a student capacity that is less than or equal to a 10% increase of the student capacity of the

171 school being replaced} (Aa) the new school is built for a student capacity that is less than or equal to a 10% increase of the student capacity of the school being replaced, including any portable or modular classrooms that are on the site of the replaced school at the time that the new school is proposed; or

(Bb) if the new school is built for a student capacity that is greater than a 10% increase of the student capacity of the school being replaced, including any portable or modular classrooms that are on the site of the replaced school at the time that the new school is proposed, the school district or charter school can demonstrate that the new school does not create a greater facility demand than the replaced school. ; and

172 ~~{(C)}~~ (III) the new school and the school being replaced are both within:

173 ~~{(D)}~~ (Aa) the boundary of the local political subdivision; or

174 ~~{(E)}~~ (Bb) the jurisdiction of the private entity; or

(B) the school district or charter school is replacing two or more schools located within the boundary of the local political subdivision or jurisdiction of a private entity with one school located within the boundary or jurisdiction, regardless of an increase in student capacity in the new school from the student capacity of each school that is replaced; or

6. Page 6, Lines 176 through 180:

176 (A) the development resulting from the school ~~{-district}~~ district's or charter school's
development

177 activity directly results in a need for additional system improvements for which the impact fee
178 is imposed; and

179 (B) the impact fee is calculated to cover only the school ~~{-district}~~ district's or charter school's
180 proportionate share of the cost of those additional system improvements;

7. Page 7, Line 196:

196 (8) If, in order to build a replacement school or structure, a school district or a charter school sells an existing school or other structure, a local political subdivision:

(i) may not impose an impact fee charged to the school district or charter school for the replacement school or structure; and

(ii) may impose an impact fee charged to the new owner of the existing school or structure based on the development activity created by the converted use of the school or structure.

(9) Notwithstanding any other provision of this chapter, a local political subdivision

8. Page 7, Line 199:

199 {~~(9)~~} (10) An impact fee enactment may not take effect until 90 days after it is enacted.