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Counties sue over 2009 impact fee law

Jacksonville Business Journal - by [Christian Conte](#) Staff reporter

Nassau County is among nine Florida counties and several state groups that has filed suit challenging a Florida House bill relating to impact fees.

The plaintiffs in the suit filed in the Leon County Feb. 10 argue that the bill signed into law in 2009 is an unconstitutional and unfunded mandate that violates the separation of powers provision of the Florida constitution, according to a news release from one of the plaintiffs.

The other counties involved in the suit are Alachua, Collier, Lake, Lee, Levy, Pasco, Sarasota and St. Lucie. The other groups involved are the **Florida Association of Counties**, the **Florida League of Cities** and the **Florida School Boards Association**.

House Bill 227 changed the burden of proof for challenged impact fees from the developer, or the entity applying, to the government.

The local governments and state groups that are suing are asking the court to declare the law unconstitutional and void because the Florida Senate failed to achieve a two-thirds vote.