

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1031

Page 1, line 2, after "fees" insert "; to provide for a legislative management study relating to establishing new state agency fees; and to declare an emergency"

Page 1, line 7, replace "During each interim, the" with "The"

Page 1, line 8, remove "The"

Page 1, remove line 9

Page 1, line 10, replace "review of each state agency fee at least once every ten years" with:

- "a. By July 1, 2022, each state agency that is authorized to impose forty fees or fewer shall submit a report to the office of management and budget including:
 - (1) The amount of each fee;
 - (2) When the fee was implemented;
 - (3) Why the fee is set at the specific dollar amount;
 - (4) Where the fee is deposited; and
 - (5) Whether the fee is critical for the budget of the agency.
- b. By July 1, 2024, each state agency that is authorized to impose more than forty fees shall submit a report to the legislative management including:
 - (1) The amount of each fee;
 - (2) When the fee was implemented;
 - (3) Why the fee is set at the specific dollar amount;
 - (4) Where the fee is deposited; and
 - (5) Whether the fee is critical for the budget of the agency.
- c. By September first in the year the reports are received, the office of management and budget shall compile all of the reports into a single report and provide the report to the legislative management"

Page 1, line 11, remove "a. An interim committee assigned a fee study shall request the appropriate state"

Page 1, remove lines 12 and 13

Page 1, line 14, replace "b." with "In addition to the report required under subsection 1, each state agency shall provide an analysis of each fee."

Page 1, line 15, replace "(1)" with "a."

Page 1, line 17, replace "(2)" with "b."

Page 1, line 19, replace "(3)" with "c."

Page 1, line 21, replace "(4)" with "d."

Page 2, remove lines 1 through 3

Page 2, line 5, remove "Consider, as part of the study:"

Page 2, remove lines 6 through 10

Page 2, line 11, remove "b."

Page 2, line 13, after "modified" insert "and the rationale for the recommendation"

Page 2, line 14, replace "c." with "b."

Page 2, after line 19, insert:

- "5. Fees to be examined under this section include those deposited in the general fund or the agency operating budget. Fees to be examined do not include fees for service.
6. If a state agency is unable to meet the deadline imposed under subsection 1, the state agency may appeal to the legislative management for an extension.
7. Notwithstanding any other provision of law, state agencies may not establish any new fees under chapter 28-32 unless the fee was approved by the legislative assembly, the budget section, or the emergency commission.
8. By July first of each even-numbered year, each agency that has fees shall provide a report to the legislative management indicating whether any fees were added, deleted, or changed during the course of the biennium.

SECTION 2. LEGISLATIVE MANAGEMENT STUDY. During the 2021-22 interim, the legislative management shall consider studying the creation of a general fee policy relating to how state agencies' fees should be established for new programs and a continued review of existing fees. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-eighth legislative assembly.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly