

H.B. 3492 (Stucky/Springer) – Value-Based Fees: this bill, among other things: (1) prohibits cities from considering the cost of constructing or improving public infrastructure for a subdivision, lot, or related property development in determining the amount of an application, review, engineering, inspection, acceptance, administrative, or other fee imposed by the city related to the processing of engineering or construction plans or for the inspection of improvements for construction of a subdivision or lot or a related improvement required in conjunction with that construction; (2) provides that a city shall determine a fee described in (1), above, by considering the city's actual cost to review and process the engineering or construction plan or to inspect the public infrastructure improvement; (3) provides that, in determining the city's actual cost for reviewing and processing an engineering or construction plan or inspecting a public infrastructure improvement, a city may consider: (a) the fee that would be charged by a qualified, independent third-party entity for those services; (b) the hourly rate for the estimated actual direct time of the city's employees performing those services; or (c) the actual costs assessed to the city by a third-party entity that provides those services to the city; (4) prohibit a city from requiring the disclosure of information related to the value of or cost of constructing or improving a residential dwelling or the public infrastructure improvements for a subdivision, lot, or related property development as a condition of obtaining approval for subdivision construction or for the acceptance of public infrastructure improvements except as required by the federal Emergency Management Agency for participation in the National Flood Insurance Program; and (5) require a city that imposes a fee for reviewing or processing an engineering or construction plan or inspecting a public infrastructure improvement to annually publish the fee and the hourly rate and estimated direct time incurred by city employees under (3)(b), above, on the city's website or if the city does not maintain a website, in a newspaper of general circulation in the county in which the city is located.