

1 **New Home Impact Fee Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill modifies requirements for calculating an impact fee for a single-family residential
5 unit.
6

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ defines terms;
- 10 ▶ requires a local political subdivision or private entity to use the number of plumbing
11 fixtures in a single-family residential unit to calculate an impact fee for a single-family
12 residential use development activity; and
13 ▶ makes technical and conforming changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **11-36a-305**, as last amended by Laws of Utah 2021, Chapter 35

22 *Be it enacted by the Legislature of the state of Utah:*

23 Section 1. Section **11-36a-305** is amended to read:

24 **11-36a-305 . Calculating impact fees.**

25 (1) In calculating an impact fee, a local political subdivision or private entity:

26 (a) may include:

27 [(a)] (i) the construction contract price;

28 [(b)] (ii) the cost of acquiring land, improvements, materials, and fixtures;

29 [(c)] (iii) for services provided for and directly related to the construction of the

30 system improvements, the cost for planning and surveying, and engineering fees;

31 ~~[(d)]~~ (iv) for a political subdivision, debt service charges, if the political subdivision
32 might use impact fees as a revenue stream to pay the principal and interest on
33 bonds, notes, or other obligations issued to finance the costs of the system
34 improvements; and

35 ~~[(e)]~~ (v) one or more expenses for overhead[-] ; and

36 (b) shall comply with Subsections (2) and (3), as applicable.

37 (2) In calculating an impact fee, ~~[each]~~ a local political subdivision or private entity shall
38 base amounts calculated under Subsection (1) on realistic estimates, and the assumptions
39 underlying those estimates shall be disclosed in the impact fee analysis.

40 (3)(a) As used in this Subsection (3), "plumbing fixture" means a receptacle or device
41 that is connected to a water supply system or that discharges to a drainage system or
42 both.

43 (b) In calculating an impact fee for a single-family residential use development activity,
44 a local political subdivision or private entity shall use the number of plumbing
45 fixtures shown in the building plans for the single-family residential unit to determine
46 the development activity's proportionate share.

47 Section 2. **Effective Date.**

48 This bill takes effect on May 6, 2026.