

181 (5) (a) No later than November 30, 2022, the Governor's Office of Planning and  
 182 Budget and the Division of Finance shall submit a report to the Infrastructure and General  
 183 Government Appropriations Subcommittee of the Legislature.

184 (b) A report under Subsection (5)(a) shall:

185 (i) provide a summary of:

186 (A) the types of service fees and regulatory fees included in the fee schedules of all fee  
 187 agencies;

188 (B) the methods used by fee agencies to determine the amount of fees;

189 (C) each estimated agency's cost related to each fee;

190 (D) whether a fee is intended to cover the agency's cost related to the fee;

191 (E) whether the fee agency intends to subsidize the fee to cover the agency's cost  
 192 related to the fee and, if so, the fee agency's justification for the subsidy; ~~H~~→ and ←~~H~~

193 (F) whether the fee agency set the fee at an amount that exceeds the agency's cost  
 194 related to the fee and, if so, the fee agency's justification for the excess fee; and

195 (ii) include any recommendations for improving the process described in this section.

196 ~~[(5)(a) Each]~~ (6) (a) A fee agency shall submit the fee agency's fee schedule [or  
 197 special assessment amount] to the Legislature for the Legislature's approval on an annual basis.

198 (b) The Legislature may approve, increase or decrease and approve, or reject any fee  
 199 submitted to it by a fee agency.

200 ~~[(6)]~~ (7) After conducting the public hearing required by this section, a fee agency may  
 201 establish and assess fees without first obtaining legislative approval if:

202 (a) (i) the Legislature creates a new program that is to be funded by fees to be set by the  
 203 Legislature;

204 (ii) the new program's effective date is before the Legislature's next annual general  
 205 session; and

206 (iii) the fee agency submits the fee schedule for the new program to the Legislature for  
 207 its approval at a special session, if allowed in the governor's call, or at the next annual general  
 208 session of the Legislature, whichever is sooner; or

209 (b) (i) the fee agency proposes to increase or decrease an existing fee for the purpose of  
 210 adding or removing a transactional fee that is charged or assessed by a non-governmental third  
 211 party but is included as part of the fee charged by the fee agency;