



Eric Milstead
Director

Legislative Services Office Idaho State Legislature

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MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee
FROM: Principal Legislative Research Analyst - Ryan Bush
DATE: September 5, 2018
SUBJECT: Division of Building Safety

IDAPA 07.01.02 - Rules Governing Fees for Electrical Inspections (Fee Rule) - Proposed Rule (Docket No. 07-0102-1801)

Summary and Stated Reasons for the Rule

The Division of Building Safety submits notice of a proposed fee rule at IDAPA 07.01.02 - Rules Governing Fees for Electrical Inspections. This proposed fee rule updates the terminology and procedures used for electrical permits with those currently being used. The proposed updates are also to align the rule with recent statutory changes. The proposed fee rule also adds a fee of forty-five dollars (\$45) for transferring electrical permits.

Negotiated Rulemaking / Fiscal Impact

The Division states that negotiated rulemaking was conducted and that notice was published in the July edition of the Idaho Administrative Bulletin. There is no fiscal impact associated with this rulemaking.

Statutory Authority

The proposed fee rule appears to be within the statutory authority granted to the Division in Sections 54-1005 and 54-1006, Idaho Code.

cc: Division of Building Safety
Patrick Grace

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules must be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Division of Building Safety

Agency Contact: Warren Wing, Electrical Program Manager **Phone:** 208-332-7147

Date: July 26, 2018

IDAPA, Chapter and Title Number and Chapter Name: IDAPA 07.01.02 – Rules Governing Fees for Electrical Inspections

Fee Rule Status: X Proposed Temporary

Rulemaking Docket Number: 07-0102-1801

STATEMENT OF ECONOMIC IMPACT:

The proposed rule imposes a fee for transferring an electrical permit. This rule will have no fiscal impact on the state general fund. The Division of Building Safety does not expect the fee itself to have any impact on the Electrical Board fund because the fee only covers the administrative costs of processing the transfer of an electrical permit to a new permit holder. The actual rule will have a negligible negative fiscal impact on the Electrical Board fund. The Division currently retains fees for permits that cannot be transferred. Further, a person who cannot receive a transferred permit must instead purchase a whole new permit. Although the rule requires a person transferring a permit to pay a one-time fee of forty-five dollars (\$45), that fee is significantly less expensive than the price of an entirely new electrical permit.