

SF560 - 2A - Residential Building Permit Fees Modified

Chief Author: **Eric Lucero**
 Committee: **Labor**
 Date Completed: **2/6/2025 1:56:49 PM**
 Lead Agency: **Labor and Industry Dept**
 Other Agencies:
 Administrative Hearings

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
 Reductions shown in the parentheses.

State Cost (Savings)		Biennium		Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Labor and Industry Dept					
Construction Code	-	136	-	-	-
State Total					
Administrative Hearings	-	-	-	-	-
Construction Code	-	136	-	-	-
Total	-	136	-	-	-
Biennial Total			136		-

Full Time Equivalent Positions (FTE)		Biennium		Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Labor and Industry Dept					
Construction Code	-	-	-	-	-
Total	-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karl Palm **Date:** 2/6/2025 1:56:49 PM
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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-	-
Administrative Hearings	-	-	-	-	-	-
Labor and Industry Dept						
Construction Code	-	136	-	-	-	-
Total	-	136	-	-	-	-
Biennial Total			136			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Administrative Hearings	-	-	-	-	-	-
Administrative Hearings	-	14	-	-	-	-
Labor and Industry Dept						
Construction Code	-	136	-	-	-	-
Total	-	150	-	-	-	-
Biennial Total			150			-
2 - Revenues, Transfers In*						
Administrative Hearings	-	-	-	-	-	-
Administrative Hearings	-	14	-	-	-	-
Labor and Industry Dept						
Construction Code	-	-	-	-	-	-
Total	-	14	-	-	-	-
Biennial Total			14			-

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 Agency: **Labor and Industry Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact	X	

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 Reductions shown in the parentheses.

State Cost (Savings)		Biennium		Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028
Construction Code		-	136	-	-
Total		-	136	-	-
Biennial Total				136	-

Full Time Equivalent Positions (FTE)		Biennium		Biennium	
		FY2025	FY2026	FY2027	FY2028
Construction Code		-	-	-	-
Total		-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karl Palm **Date:** 2/6/2025 1:56:34 PM
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State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium		Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Construction Code	-	136	-	-	-
Total	-	136	-	-	-
Biennial Total			136		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Construction Code	-	136	-	-	-
Total	-	136	-	-	-
Biennial Total			136		-
2 - Revenues, Transfers In*					
Construction Code	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

This bill amends Minnesota Statute 2024, section 326B.153, by adding a subdivision which requires municipalities to adopt a local fee schedule for residential building permits calculated as written in the bill. The bill defines residential buildings to include single-family, duplex, triplex, or fourplex buildings; townhouses; accessory dwelling units; and temporary family health care dwellings.

Assumptions

The current State Building Code requires building permit fees to be calculated based upon the valuation of the proposed construction. The valuation is required to be set by each local municipal building official (MR 1300.0160, Subpart 3). Because the method of establishing valuation is not established, each municipal building official may use different criteria to calculate the valuation, therefore producing differences in the resulting permit fees that must be paid by contractors obtaining building permits.

As this bill requires municipalities to adopt a local building permit fee schedule in a manner that conflicts with the current valuation method established in Rule, the department will need to amend Minnesota Rule Chapter 1300.0160 by opening rulemaking to implement the bill. Because the definition of residential building includes triplexes and four-plexes which are regulated by Minnesota Rule Chapter 1305 Minnesota (Commercial) Building Code, the department would also need to amend Minnesota Rule Chapter 1300.0160 to include a separate calculation category for triplexes and four-plexes. Due to the expected interest by stakeholders, the Department estimates this will produce a "medium" rulemaking at a cost of \$136,126 according to the MN Rulemaking Manual.

Expenditure and/or Revenue Formula

The department will need to amend Minnesota Rule Chapter 1300.0160 by opening rulemaking to implement the bill. Because the definition of residential building includes triplexes and four-plexes which are regulated by Minnesota Rule Chapter 1305 Minnesota (Commercial) Building Code, the department would also need to amend Minnesota Rule Chapter 1300.0160 to include a separate calculation category for triplexes and four-plexes. Due to the expected interest by stakeholders, the Department estimates this will produce a "medium" rulemaking at a cost of \$136,126 according to the MN Rulemaking Manual

Long-Term Fiscal Considerations

Local Fiscal Impact

Municipalities may incur costs to establish and adopt fees for residential building permits and to comply with the posting and mailing requirements outlined in the bill. Overall, minimal expected impact as municipalities may adjust their fee schedule to recoup their costs.

References/Sources

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SF560 - 2A - Residential Building Permit Fees Modified

Chief Author: **Eric Lucero**
 Committee: **Labor**
 Date Completed: **2/6/2025 1:56:49 PM**
 Agency: **Administrative Hearings**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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State Cost (Savings)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Dollars in Thousands					
Administrative Hearings	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Shannon Zila **Date:** 2/6/2025 12:49:35 PM
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State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings		-	-	-	-	-
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Administrative Hearings		-	14	-	-	-
Total		-	14	-	-	-
Biennial Total				14		-
2 - Revenues, Transfers In*						
Administrative Hearings		-	14	-	-	-
Total		-	14	-	-	-
Biennial Total				14		-

Bill Description

SF560-2A requires cities, counties and towns in Minnesota to adopt a fee structure for residential building permits to include a set hourly rate for plan reviews and a flat cost-per-trip for inspections and reinspection. All residential building permit fees and inspection fees must be made publicly available.

Assumptions

The Office of Administrative Hearings (OAH) in consultation with Minnesota Management and Budget (MMB) assesses agencies the cost of services rendered to them. All agencies shall include in their budgets provisions for such assessments.

OAH has used Department of Labor and Industry's (DLI) assumption that a medium sized rulemaking will be required to meet the requirements of SF560-2A. Based on past practices, OAH assumes that a medium rulemaking under chapter 14 will require an estimated 50 hours of administrative law judge (ALJ) time for activity related to rulemaking procedures.

OAH currently bills ALJ time for rulemaking at the MMB-approved billable rate of \$270 per hour (see Minn. Stat. § 16A.126, subd. 1 (2023)).

Expenditure and/or Revenue Formula

Estimated 50 hours of ALJ time for rulemaking activities in FY26 related to implementing the requirements of this bill: 50 hours x \$270/hr = \$13,500 charged to DLI in FY2026 pursuant to the requirements of Minn. Stat. § 14.53.

Long-Term Fiscal Considerations

Costs associated with the rulemaking activities are a one-time occurrence.

Local Fiscal Impact**References/Sources**

Agency Contact: William Moore

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