

**Fiscal Note****H.B. 395**

2026 General Session

Real Estate Transaction Amendments

by Sawyer, Jake

**General, Income Tax, and Uniform School Funds**

JR4-4-101

	Ongoing	One-time	Total
Net GF/ITF/USF (rev.-exp.)	\$(41,100)	\$(5,200)	\$(46,300)

State Government

UCA 36-12-13(2)(c)

Revenues	FY 2026	FY 2027	FY 2028
Transfers, One-time	\$1,200	\$0	\$0
Dedicated Credits Revenue, One-time	\$2,000	\$0	\$0
Commerce Service Account	\$0	\$41,100	\$41,100
Commerce Service Account, One-time	\$0	\$6,700	\$0
General Fund	\$0	\$(41,100)	\$(41,100)
General Fund, One-time	\$0	\$(5,200)	\$0
Total Revenues	\$3,200	\$1,500	\$0

Enactment of this legislation could increase application revenue by \$1,500 one-time in FY 2027. This, combined with the expenditures listed below, would decrease the year-end transfer from the Commerce Service Account to the General Fund by \$41,100 ongoing beginning in FY 2027 and \$5,200 one-time in FY 2027. Enactment of this legislation could also increase background check fee revenue to the Department of Public Safety by \$3,200 ongoing beginning in FY 2026. Of the fee revenue, \$1,200 would be transferred from the Department of Public Safety to the Federal Bureau of Investigation ongoing beginning in FY 2026.

Expenditures	FY 2026	FY 2027	FY 2028
Transfers, One-time	\$1,200	\$0	\$0
Dedicated Credits Revenue, One-time	\$2,000	\$0	\$0
Commerce Service Account	\$0	\$41,100	\$41,100
Commerce Service Account, One-time	\$0	\$6,700	\$0
Total Expenditures	\$3,200	\$47,800	\$41,100

Enactment of this legislation could cost the Department of Commerce \$41,100 ongoing from the Commerce Service Account beginning in FY 2027 and \$6,700 one-time from the Commerce Service Account in FY 2027 for staff support to establish the new Real Estate Communication Commission. Enactment of this legislation could also cost the Department of Public Safety \$3,200 in Dedicated

Credits one-time in FY 2026 for staff support for background checks. Of this expense, \$1,200 one-time in FY 2026 would be transferred to the Federal Bureau of Investigation for background checks.

	<i>FY 2026</i>	<i>FY 2027</i>	<i>FY 2028</i>
Net All Funds	\$0	\$(46,300)	\$(41,100)

Local Government

UCA 36-12-13(2)(c)

Enactment of this legislation likely will not result in direct, measurable costs for local governments.

Individuals & Businesses

UCA 36-12-13(2)(c)

Enactment of this legislation could cause about 10 businesses to pay a \$150 application fee to get the "Certificate of Authority". This would aggregate to an additional \$1,500 in application fee revenue. Assuming each business has 10 people who own 10% of the business each, enactment of this legislation could also cause 100 people to pay a \$32 background check fee as part of the application process. This would aggregate to an additional \$3,200 in background check fee revenue.

Regulatory Impact

UCA 36-12-13(2)(d)

Enactment of this legislation could result in a large increase in the regulatory burden for Utah residents or businesses.

Performance Evaluation

JR1-4-601

This bill does not create a new program or significantly expand an existing program.

Notes on Notes

Fiscal explanations estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal explanation is not an appropriation. The Legislature decides appropriations separately.