

a lot cannot be safely occupied and the authorization for the lot should accordingly be terminated, the fee obligation of the cabin owner shall terminate effective on the date of the occurrence of the act or event.

(Pub. L. 106-291, title VI, § 607, Oct. 11, 2000, 114 Stat. 1018.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6203, 6208 of this title.

§ 6207. Annual adjustment of cabin user fee

(a) In general

The Secretary shall adjust the cabin user fee annually, using a rolling 5-year average of a published price index in accordance with subsection (b) or (c) of this section that reports changes in rural or similar land values in the State, county, or market area in which the lot is located.

(b) Initial index

(1) In general

For the period of 10 years beginning on October 11, 2000, the Secretary shall use changes in agricultural land prices in the appropriate State or county, as reported in the Index of Agricultural Land Prices published by the Department of Agriculture, to determine the annual adjustment to the cabin user fee in accordance with subsections (a) and (d) of this section.

(2) Statewide changes

In determining the annual adjustment to the cabin user fee for an authorization located in a county in which agricultural land prices are influenced by the value influences described in section 6205(b)(3) of this title, the Secretary shall use average statewide changes in the State in which the lot is located.

(c) New index

(1) In general

Not later than 10 years after October 11, 2000, the Secretary may select and use an index other than the method of adjustment of a cabin user fee described in subsection (b)(2) of this section to adjust a cabin user fee if the Secretary determines that a different index better reflects change in the value of a lot over time.

(2) Selection process

Before selecting a new index, the Secretary shall—

(A) solicit and consider comments from the public; and

(B) not later than 60 days before the date on which the Secretary makes a final index selection, submit any proposed selection of a new index to—

(i) the Committee on Resources of the House of Representatives; and

(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(d) Limitation

In calculating an annual adjustment to the base cabin user fee as determined by the initial

index described in section¹ (b) of this section, the Secretary shall—

(1) limit any annual fee adjustment to an amount that is not more than 5 percent per year when the change in agricultural land values exceeds 5 percent in any 1 year; and

(2) apply the amount of any adjustment that exceeds 5 percent to the annual fee payment for the next year in which the change in the index factor is less than 5 percent.

(Pub. L. 106-291, title VI, § 608, Oct. 11, 2000, 114 Stat. 1019.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6203 of this title.

§ 6208. Payment of cabin user fees

(a) Due date for payment of fees

A cabin user fee shall be prepaid annually by the cabin owner.

(b) Payment of equal or lesser fee

If, in accordance with section 6206 of this title, the Secretary determines that the amount of a new base cabin user fee is equal to or less than the amount of the current base cabin user fee, the Secretary shall require payment of the new base cabin user fee by the cabin owner in accordance with subsection (a) of this section.

(c) Payment of greater fee

If, in accordance with section 6206 of this title, the Secretary determines that the amount of a new base cabin user fee is greater than the amount of the current base cabin user fee, the Secretary shall—

(1) require full payment of the new base cabin user fee in the first year following completion of the fee determination procedure if the increase in the amount of the new base cabin user fee is not more than 100 percent of the current base cabin user fee; or

(2) phase in the increase over the current base cabin user fee in approximately equal increments over 3 years if the increase in the amount of the new base cabin user fee is more than 100 percent of the current base cabin user fee.

(Pub. L. 106-291, title VI, § 609, Oct. 11, 2000, 114 Stat. 1020.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6213 of this title.

§ 6209. Right of second appraisal

(a) Right of second appraisal

On receipt of notice from the Secretary of the determination of a new base cabin user fee, the cabin owner—

(1) not later than 60 days after the date on which the notice is received, may notify the Secretary of the intent of the cabin owner to obtain a second appraisal; and

(2) may obtain, within 1 year following the date of receipt of the notice under this subsection, at the expense of the cabin owner, a second appraisal of the typical lot on which the initial appraisal was conducted.

¹ So in original. Probably should be "subsection".