

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed April 16, 2020, 12:00 a.m. through May 01, 2020, 11:59 p.m.

Number 2020-10
May 15, 2020

Sunnie Burningham, Managing Editor

The *Utah State Digest (Digest)* is an official noticing publication of the executive branch of Utah state government. The Office of Administrative Rules, part of the Department of Administrative Services, produces the *Digest* under authority of Section 63G-3-402.

The Portable Document Format (PDF) version of the *Digest* is the official version. The PDF version of this issue is available at <https://rules.utah.gov/>. Any discrepancy between the PDF version and other versions will be resolved in favor of the PDF version.

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Digest* should be addressed to the contact person for the rule. Questions about the *Digest* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-957-7110. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

The *Utah State Digest* summarizes the contents of the *Utah State Bulletin* of the same volume and issue number. The *Digest* is available by e-mail subscription or online. Visit <https://rules.utah.gov/> for additional information.

Office of Administrative Rules, Salt Lake City 84114

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Utah state digest.

Semimonthly.

1. Delegated legislation--Utah--Digests. I. Utah. Office of Administrative Rules.

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TABLE OF CONTENTS

EXECUTIVE DOCUMENTS	1
Temporarily Suspending Certain Provisions of the Utah Code Regarding Vehicle Registration (2020-18)	1
Moving the State COVID-19 Public Health Risk Status From Red (High Risk) to Orange (Moderate Risk) (2020-19)	3
Updating the State COVID-19 Public Health Risk Status Phased Guidelines to Version 4.1 (2020-20)	4
Suspending Enforcement of Utah Code § 32B-5-309 Regarding Ceasing Operation of Certain Retail Licensees (2020-21)	6
NOTICES OF PROPOSED RULES	7
Administrative Services	
Debt Collection	
R21-3. Debt Collection Through Administrative Offset	8
Risk Management	
R37-4. Adjusted Utah Governmental Immunity Act Limitations on Judgments	9
Agriculture and Food	
Animal Industry	
R58-26. Custom Exempt Slaughter Verification of Ownership	11
Chemistry Laboratory	
R63-1. Fee Schedule	13
Commerce	
Occupational and Professional Licensing	
R156-15A-231. Administration of Building Code Inspector Training Fund, Building Code Construction-Related Training Fund, and Factory Built Housing Fees Account	15
R156-79. Hunting Guides and Outfitters Licensing Act Rule	17
Real Estate	
R162-2c. Utah Residential Mortgage Practices and Licensing Rules	19
R162-2g. Real Estate Appraiser Licensing and Certification Administrative Rules	21
Education	
Administration	
R277-304. Teacher Preparation Programs	23
R277-415. School Nurses Matching Funds	25
R277-712. Competency-based Grant Programs	27
R277-736. Juvenile Court or Law Enforcement Notice and Information Dissemination	29
Health	
Health Care Financing, Coverage and Reimbursement Policy	
R414-401-3. Assessment	31
R414-506. Hospital Provider Assessments	33
R414-517. Inpatient Hospital Provider Assessments	35
R414-523. Medicaid Expansion Hospital Provider Assessments	36
Family Health and Preparedness, Maternal and Child Health	
R433-2. Early Childhood Utah Advisory Council Membership, Duties and Procedures	38
Human Resource Management	
Administration	
R477-1. Definitions	40
R477-2. Administration	42

TABLE OF CONTENTS

R477-3. Classification	43
R477-4. Filling Positions	45
R477-5. Employee Status and Probation	47
R477-6. Compensation	48
R477-7. Leave	50
R477-8. Working Conditions	52
R477-9. Employee Conduct.....	53
R477-10. Employee Development.....	55
R477-11. Discipline	57
R477-12. Separations	58
R477-13. Volunteer Programs	60
R477-14. Substance Abuse and Drug-Free Workplace	62
R477-15. Workplace Harassment Prevention	63
R477-16. Abusive Conduct Prevention.....	65
R477-101. Administrative Law Judge Conduct Committee	67
Human Services	
Recovery Services	
R527-258. Enforcing Child Support When the Obligor is an Ex-Prisoner or in a Treatment Program	68
Natural Resources	
Wildlife Resources	
R657-5. Taking Big Game	70
R657-10. Taking Cougar.....	72
R657-33. Taking Bear.....	74
R657-37. Cooperative Wildlife Management Units for Big Game or Turkey	75
R657-57. Division Variance Rule	77
R657-62. Drawing Application Procedures.....	79
Navajo Trust Fund	
Trustees	
R661-6. Utah Navajo Trust Fund Higher Education Financial Assistance and Scholarship Program	80
R661-7. Utah Navajo Trust Fund Housing Projects Program.....	82
R661-9-401. Funding	84
R661-10-201. UNTF STT Funding	86
R661-13. Veterans' Housing Program Policy	87
Public Safety	
Peace Officer Standards and Training	
R728-409. Suspension, Revocation, or Relinquishment of Certification.....	89
Tax Commission	
Motor Vehicle Enforcement	
R877-23V-24. Advisory Board Procedures.....	91
NOTICES OF 120-DAY (EMERGENCY) RULES.....	93
Administrative Services	
Debt Collection	
R21-3. Debt Collection Through Administrative Offset.....	93
Environmental Quality	
Administration	
R305-7-104. Filing and Service of Notices, Orders, Motions, and Other Papers.....	94
Human Services	
Child and Family Services	
R512-80. Definitions of Abuse, Neglect, and Dependency	96
Workforce Services	
Employment Development	

R986-700-900. Emergency Rules, Pandemic	97
FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION	99
Agriculture and Food	
Regulatory Services	
R70-610. Uniform Retail Wheat Standards of Identity.....	99
R70-620. Enrichment of Flour and Cereal Products.....	100
R70-590. Uniform National Type Evaluation	100
Education	
Administration	
R277-417. Prohibiting LEAs and Third Party Providers from Offering Incentives or Disbursement for Enrollment or Participation	101
Health	
Health Care Financing, Coverage and Reimbursement Policy	
R414-40. Private Duty Nursing Service	101
Family Health and Preparedness, Primary Care and Rural Health	
R434-100. Physician Visa Waivers.....	102
Human Services	
Administration	
R495-883. Children in Care Support Services.....	103
Insurance	
Administration	
R590-231. Workers' Compensation Market of Last Resort	103
NOTICES OF FIVE-YEAR EXPIRATIONS.....	105
Regents (Board of)	
Administration	
R765-571. Delegation of Purchasing Authority	105
NOTICES OF RULE EFFECTIVE DATES	107

EXECUTIVE DOCUMENTS

Under authority granted by the Utah Constitution and various federal and state statutes, the Governor periodically issues **EXECUTIVE DOCUMENTS**, which can be categorized as either Executive Orders, Proclamations, and Declarations. Executive Orders set policy for the executive branch; create boards and commissions; provide for the transfer of authority; or otherwise interpret, implement, or give administrative effect to a provision of the Constitution, state law or executive policy. Proclamations call special or extraordinary legislative sessions; designate classes of cities; publish states-of-emergency; promulgate other official formal public announcements or functions; or publicly avow or cause certain matters of state government to be made generally known. Declarations designate special days, weeks or other time periods; call attention to or recognize people, groups, organizations, functions, or similar actions having a public purpose; or invoke specific legislative purposes (such as the declaration of an agricultural disaster).

The Governor's Office staff files **EXECUTIVE DOCUMENTS** that have legal effect with the Office of Administrative Rules for publication and distribution.

EXECUTIVE ORDER

Temporarily Suspending Certain Provisions of the Utah Code Regarding Vehicle Registration

WHEREAS, on March 6, 2020, I issued Executive Order 2020-1, declaring a state of emergency to facilitate the State's response to novel coronavirus disease 2019 (COVID-19);

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak;

WHEREAS, COVID-19 is caused by a virus that spreads easily from person to person, may result in serious illness or death, and has been characterized by the World Health Organization as a worldwide pandemic;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in the state of Utah and are expected to continue;

WHEREAS, on March 27, 2020, I issued the "Stay Safe, Stay Home" Directive, further emphasizing the critical need to limit in-person contact to slow the spread of COVID-19;

WHEREAS, to slow the spread of COVID-19, the Utah Division of Motor Vehicles ("Division") and certain county offices have implemented precautionary measures to limit in-person contact, including the increased use of drive-through services;

WHEREAS, the Division has substantially increased the number of hours available for drive-through service at certain state offices in order to meet demand while maintaining precautionary measures to reduce the spread of COVID-19;

WHEREAS, despite increased hours and drive-through services provided by the Division, the public need for vehicle registration services remains high;

WHEREAS, the Division is in the process of implementing additional precautionary measures in order to provide full counter service to meet the public need for vehicle registration services while limiting the risk of spread of COVID-19;

WHEREAS, Utah Code Title 41, Chapter 1a, Motor Vehicle Act; Utah Code Title 41, Chapter 22, Off-Highway Vehicles; and Utah Code Title 73, Chapter 18, State Boating Act (collectively, the "Acts") govern the registration of certain vehicles;

WHEREAS, suspending the enforcement of provisions of the Acts, as specified below, is directly related to and necessary to address the COVID-19 pandemic;

WHEREAS, Utah Code § 53-2a-209(4) authorizes the governor to suspend by executive order enforcement of a statute that is directly related and necessary to address a state of emergency;

WHEREAS, Utah Code § 53-2a-204(1)(b) authorizes the governor to employ measures and give direction to state and local officers and agencies that are reasonable and necessary to secure compliance with orders made pursuant to Utah Code Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act.

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, hereby order the suspension of enforcement of the following statutes as applied to a covered vehicle, as defined below:

1. As used in this Order, "covered vehicle" means a vehicle whose registration is required by the Acts and:
 - a. whose registration expired or will expire during the period beginning on March 6, 2020 and ending on and including April 30, 2020; or
 - b. whose owner's duty to register the vehicle began or will begin during the period beginning on March 6, 2020 and ending on and including April 30, 2020;
2. Utah Code § 41-1a-201(1), requiring a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, off-highway vehicle, vessel, or park model recreational vehicle in this state to be registered prior to operation by a person or automated driving system;
3. Utah Code § 41-1a-202(3), requiring a motor vehicle, combination of vehicles, trailer, semitrailer, or vintage vehicle to be registered within 60 days of the owner establishing residency in Utah;
4. Utah Code § 41-1a-218(1), requiring a person who, after making application for or obtaining a vehicle registration, moves from the address named in the application to notify the Division of the person's old and new address within 10 days of moving;
5. Utah Code § 41-1a-220(1), requiring the owner of a vehicle whose registration card is lost, mutilated, or becomes illegible, to immediately apply for a duplicate registration card;
6. Utah Code § 41-1a-703, requiring a transferee, before operating or permitting the operation of a transferred vehicle on a highway, to complete certain requirements, including obtaining a new registration for the transferred vehicle;
7. Utah Code §§ 41-1a-1101(1)(e) and (f), permitting the Division or a peace officer to seize and take possession of any vehicle or vessel operated without proper registration;
8. Utah Code § 41-1a-1303(1), prohibiting a person from driving or moving, and an owner from knowingly permitting to be driven or moving, upon any highway any vehicle of a type required to be registered in Utah that is not properly registered or for which a certificate of title has not been issued or applied for, or for which the required fee has not been paid;
9. Utah Code § 41-22-3(1)(a), prohibiting the operation or transportation of an unregistered off-highway vehicle on any public land, trail, street, or highway in Utah; and
10. Utah Code § 73-18-7(1)(b), prohibiting a person from placing, giving permission for the placement of, operation, or giving permission for the operation of an unregistered motorboat or sailboat on the waters of Utah.

This Order is declared and shall become effective on April 30, 2020 and shall remain in effect until and including May 15, 2020, or until otherwise lawfully modified, amended, rescinded, or superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 29th day of April, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/018/EO

EXECUTIVE ORDER

Moving the State COVID-19 Public Health Risk Status From Red (High Risk) to Orange (Moderate Risk)

WHEREAS, on March 6, 2020, I issued Executive Order 2020-1, declaring a state of emergency to facilitate the State's response to novel coronavirus disease 2019 (COVID-19);

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak;

WHEREAS, COVID-19 is caused by a virus that spreads easily from person to person, may result in serious illness or death, and has been characterized by the World Health Organization as a worldwide pandemic;

WHEREAS, on April 17, 2020, I issued the revised Governor's "Stay Safe, Stay Home" Directive to help protect Utahns during the COVID-19 pandemic, and which terminates on May 1, 2020;

WHEREAS, local authorities have issued directives and orders to slow the spread of COVID-19;

WHEREAS, the State must establish statewide standards to address a statewide emergency and recognizes the need for local authorities to impose directives and orders to address the unique circumstances in different locations in Utah;

WHEREAS, the Public Health and Economic Emergency Commission made recommendations regarding the State's response to the COVID-19 emergency on April 21, 2020, April 24, 2020, and April 28, 2020;

WHEREAS, on April 17, 2020, the Utah Economic Response Task Force released version 2 of Utah Leads Together (hereinafter, "ULT 2.0"), recommending actions for Utah businesses and citizens to mitigate the economic consequences of COVID-19;

WHEREAS, ULT 2.0 provides a color-coded health guidance system comprising four levels of activity designated as Red (High Risk), Orange (Moderate Risk), Yellow (Low Risk), and Green (Normal Risk) (hereinafter, "Utah COVID-19 Health Risk Status"), where Red is most restrictive and each level of guidance after Red becomes progressively less restrictive and more economically engaged while still protecting public health;

WHEREAS, on April 29, 2020, the Utah Department of Health released version 4 of the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation (hereinafter, "Phased Guidelines") as an addendum to ULT 2.0;

WHEREAS, the statewide COVID-19 intensive care unit (ICU) utilization rate has remained below 20% for the past two weeks, and non-ICU bed utilization is currently at 5%;

WHEREAS, 20 isolation and quarantine sites have been created statewide with 835 beds, expanding the State's emergency COVID-19 healthcare capacity;

WHEREAS, Utah has significantly expanded its COVID-19 testing capacity and is confident that testing capacity can be monitored to ensure that any hotspots are caught early and effectively managed;

WHEREAS, Utah Code § 53-2a-209(1) provides that orders issued by the governor under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act, have the "full force and effect of law";

WHEREAS, Utah Code § 53-2a-204(1)(a) authorizes the governor to utilize all available resources of state government as reasonably necessary to cope with a state of emergency; and

WHEREAS, Utah Code § 53-2a-204(1)(b) authorizes the governor to employ measures and give direction to state and local officers and agencies that are reasonable and necessary for the purpose of securing compliance with orders made pursuant to the Disaster Response and Recovery Act;

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, hereby order the following:

1. The Utah COVID-19 Public Health Risk Status is moved from Red (High Risk) to Orange (Moderate Risk).
2. Except as provided in Section 5, individuals and businesses in Utah shall comply with the Orange (Medium Risk) provisions of the Phased Guidelines.

EXECUTIVE DOCUMENTS

3. The recommendations from the Public Health and Economic Emergency Commission submitted to the Governor on April 21, 24, and 28, 2020, that have not been previously adopted are adopted and included in the Phased Guidelines.

4. A political subdivision desiring an exception to this Order or the Phased Guidelines shall submit the request and justification for the request through the applicable Local Health Department to the Utah Department of Health. The Utah Department of Health shall consult with the Office of the Governor as necessary.

5. Any reference in the Phased Guidelines to the use of a mask or face covering is adopted:

a. as an order with respect to:

i. each individual acting in the capacity as an employee of a business; and

ii. each individual in a healthcare setting; and

b. as a strong recommendation with respect to any individual not identified in Subsection (5)(a).

6. The Governor's "Stay Safe, Stay Home" Directive, issued on April 17, 2020, is rescinded.

This Order is declared effective beginning at 12:01 a.m. on May 1, 2020, and shall remain in effect until 11:59 p.m. on May 15, 2020, unless otherwise lawfully modified, amended, rescinded, or superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 29th day of April, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/019/EO

EXECUTIVE ORDER

Updating the State COVID-19 Public Health Risk Status Phased Guidelines to Version 4.1

WHEREAS, on March 6, 2020, I issued Executive Order 2020-1, declaring a state of emergency to facilitate the State's response to novel coronavirus disease 2019 (COVID-19);

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak;

WHEREAS, COVID-19 is caused by a virus that spreads easily from person to person, may result in serious illness or death, and has been characterized by the World Health Organization as a worldwide pandemic;

WHEREAS, the State must establish minimum standards to address a statewide emergency and recognizes the need for local authorities to impose directives and orders to address the unique circumstances in different locations in Utah;

WHEREAS, on April 17, 2020, the Utah Economic Response Task Force released version 2 of Utah Leads Together (hereinafter, "ULT 2.0"), recommending actions for Utah businesses and citizens to mitigate the economic consequences of COVID-19;

WHEREAS, ULT 2.0 provides a color-coded health guidance system comprising four levels of activity designated as Red (High Risk), Orange (Moderate Risk), Yellow (Low Risk), and Green (Normal Risk) (hereinafter, "Utah COVID-19 Health Risk Status"), where Red is most restrictive and each level of guidance after Red becomes progressively less restrictive and more economically engaged while still protecting public health;

WHEREAS, on May 5, 2020, the Utah Department of Health released version 4.1 of the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation (hereinafter, "Phased Guidelines, version 4.1") as an addendum to ULT 2.0;

WHEREAS, on April 29, 2020, I ordered the Utah COVID-19 Public Health Risk Status moved from Red (High Risk) to Orange (Medium Risk);

WHEREAS, Utah Code § 53-2a-209(1) provides that orders issued by the governor under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act, have the "full force and effect of law";

WHEREAS, Utah Code § 53-2a-204(1)(a) authorizes the governor to utilize all available resources of state government as reasonably necessary to cope with a state of emergency; and

WHEREAS, Utah Code § 53-2a-204(1)(b) authorizes the governor to employ measures and give direction to state and local officers and agencies that are reasonable and necessary for the purpose of securing compliance with orders made pursuant to the Disaster Response and Recovery Act:

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, hereby order the following:

1. The Utah COVID-19 Public Health Risk Status shall remain at Orange (Moderate Risk).
2. Except as provided in Section 4, individuals and businesses in Utah shall comply with the Orange (Medium Risk) provisions of the Phased Guidelines, version 4.1.
3. A political subdivision desiring an exception to this Order or the Phased Guidelines, version 4.1 shall submit the request and justification for the request through the applicable Local Health Department to the Utah Department of Health. The Utah Department of Health shall consult with the Office of the Governor as necessary.
4. Any reference in the Phased Guidelines, version 4.1 to the use of a mask or face covering is adopted:
 - a. as an order with respect to:
 - i. each individual acting in the capacity as an employee of a business; and
 - ii. each individual in a healthcare setting; and
 - b. as a strong recommendation with respect to any individual not identified in Subsection (4)(a).

This Order is declared effective immediately and shall remain in effect until 11:59 p.m. on May 15, 2020, unless otherwise lawfully modified, amended, rescinded, or superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 6th day of May, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/020/EO

EXECUTIVE ORDER

Suspending Enforcement of Utah Code § 32B-5-309 Regarding Ceasing Operation of Certain Retail Licensees

WHEREAS, on March 6, 2020, I issued Executive Order 2020-1, declaring a state of emergency to facilitate the State's response to novel coronavirus disease 2019 (COVID-19);

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak;

WHEREAS, COVID-19 is caused by a virus that spreads easily from person to person, may result in serious illness or death, and has been characterized by the World Health Organization as a worldwide pandemic;

WHEREAS, Executive Order 2020-1 recognizes the need for state and local authorities, and the private sector to cooperate to mitigate the spread of COVID-19.

WHEREAS, Utah Code § 32B-5-309 prohibits certain retail licensees that serve alcoholic beverages from closing or ceasing operation for a period longer than 240 hours without notifying and receiving approval from the Department of Alcoholic Beverage Control (DABC);

WHEREAS, to mitigate the spread of COVID-19, state and local health authorities have issued health orders restricting the operation of businesses and restaurants, including retail licensees governed by Utah Code § 32B-5-309;

WHEREAS, the economic impact of COVID-19 and related health orders has caused and is expected to cause some retail licensees governed by Utah Code § 32B-5-309 to close or cease operation for a period longer than 240 hours;

WHEREAS, enforcement of state and local health orders and Utah Code § 32B-5-309 places a significant burden on retail licensees and DABC;

WHEREAS, suspending the enforcement of provisions of Utah Code § 32B-5-309 is directly related to and necessary to address the COVID-19 pandemic;

WHEREAS, Utah Code § 53-2a-209(4) authorizes the governor to suspend by executive order enforcement of a statute that is directly related and necessary to address a state of emergency;

WHEREAS, Utah Code § 53-2a-204(1)(b) authorizes the governor to employ measures and give direction to state and local officers and agencies that are reasonable and necessary to secure compliance with orders made pursuant to Utah Code Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act;

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, hereby order the suspension of enforcement of Utah Code § 32B-5-309. The suspension of enforcement of Utah Code § 32B-5-309 applies retroactively to any retail licensee that closed or ceased operation on or after March 15, 2020.

This Order is declared effective immediately and shall remain in effect until the emergency declared in Executive Order 2020-1 is terminated or until otherwise lawfully modified, amended, rescinded, or superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 8th day of May, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/021/EO

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between April 16, 2020, 12:00 a.m., and May 01, 2020, 11:59 p.m. are included in this, the May 15, 2020, issue of the *Utah State Digest*.

In this publication, each **PROPOSED RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **PROPOSED RULE** including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least June 15, 2020. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through September 12, 2020, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

The public, interest groups, and governmental agencies are invited to review and comment on **PROPOSED RULES**. *Comment may be directed to the contact person identified on the **RULE ANALYSIS** for each rule.*

PROPOSED RULES are governed by Section 63G-3-301, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5a, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE**TYPE OF RULE:** Amendment

Utah Admin. Code Ref (R no.):	R21-3	Filing No. 52679
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Agency Information

1. Department:	Administrative Services	
Agency:	Debt Collection	
Building:	Taylorsville State Office Building	
Street address:	4315 South 2700 West Floor 3	
City, state:	Taylorsville, UT 84127-2128	
Mailing address:	Division of Finance, PO Box 141031	
City, state, zip:	Sal Lake City, UT 84114-1031	
Contact person(s):		
Name:	Phone:	Email:
John Reidhead	801-957-7734	jreidhead@utah.gov
Cory Weeks	801-957-7713	cweeks@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R21-3. Debt Collection Through Administrative Offset

3. Purpose of the new rule or reason for the change:

The purpose of this rule allows the Office of State Debt Collection to suspend matching receivables in the event of a declared state of emergency. This was necessitated by COVID-19 economic relief measures approved by the Governor's Office.

4. Summary of the new rule or change:

The added language to the rule explains how the division may suspend matching receivables in the administrative offset program in the event of a declared state of emergency. (EDITOR'S NOTE: A corresponding 120-day emergency filing to Rule R21-3 that is effective as of 04/20/2020 is under ID No. 52674 in this issue, May 15, 2020, of the Bulletin.)

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

\$330,000 lost FY2020 revenue to the Division of Finance estimated from fees that would have been collected on levies had the office not halted operations.

It is also estimated that the state government will have

about \$4,600,000 in lost collection of receivables for FY2020.

If the actions in this rule are exercised again in the future, timing impacts make future years inestimable.

B) Local governments:

It is estimated that 21 local governments will have about \$500,000 in lost collection of receivables in FY2020.

C) Small businesses ("small business" means a business employing 1-49 persons):

There should be no impact for small businesses. This rule only applies to government entities. There is an inestimable indirect benefit here due to money that can cycle back into the economy from the other persons.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There should be no impact for non-small businesses. This rule only applies to government entities. There is an inestimable indirect benefit here due to money that can cycle back into the economy from the other persons.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

Individuals that otherwise would have been garnished will receive a cumulative benefit of \$5,430,000, equal to the amount of estimated lost revenues and collections for state and local governments. This is a one-time benefit and a similar statement if enacted in the future it would be inestimable.

F) Compliance costs for affected persons:

None--The only cost of compliance is hours spent by Division of Finance staff.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$(4,930,000)	\$0	\$0
Local Governments	\$(500,000)	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$(5,430,000)	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$5,430,000	\$0	\$0
Total Fiscal Benefits	\$5,430,000	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

I have reviewed this fiscal analysis, and agree with the described fiscal impacts associated with this rule.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

I have reviewed this rule and agree that there should be no fiscal impact on businesses.

B) Name and title of department head commenting on the fiscal impacts:

Tani Pack Downing, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 63A-3-310	Subsection 63A-3-504 (2)(f)	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on:	06/22/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Reidhead, Director	Date:	04/21/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R37-4	Filing No. 52678
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Agency Information

1. Department:	Administrative Services	
Agency:	Risk Management	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state, zip:	Salt Lake City UT 84184	
Contact person(s):		
Name:	Phone:	Email:
Darin Dennis	801-520-0670	darindennis@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R37-4. Adjusted Utah Governmental Immunity Act Limitations on Judgments

3. Purpose of the new rule or reason for the change:

These amendments are mandated by Section 63G-7-605, which requires the state risk manager to conduct rulemaking in even-numbered years to address limitation on judgments calculations received from the legislative fiscal analyst.

4. Summary of the new rule or change:

These amendments will increase the limitations of judgments against governmental entities or employees as follows: a) the per person limit for personal injury will increase from \$745,200 to \$779,600; b) the aggregate per occurrence limit will increase from \$2,552,000 to \$3,138,300; and c) the per occurrence property damage limit will increase from \$295,000 to \$307,700.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

This amended rule will increase financial exposure to the State Risk Fund which insures all state agencies, public institutions of higher education, school districts, and many of the charter schools. That increased exposure will be reflected in the form of higher payments to plaintiffs for significant liability claims and will likely have the effect of increased liability premiums to be appropriated from the general fund; however, because the impact will be based upon the nature and severity of future claims, it is impossible to project the anticipated costs of these revisions to the state budget.

B) Local governments:

This amended rule will increase financial exposure to all political subdivisions of the state. That increased exposure will be reflected in the form of higher payments to plaintiffs for significant liability claims and will likely have the effect of increased liability premiums; however, because the impact will be based upon the nature and severity of future claims, it is impossible to project the anticipated costs of these revisions to local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

This amended rule will impact small business owners that experience personal injuries or property damage from government entities in that they may receive increased damage awards and settlements; however, this impact is impossible to project with any certainty because it is based upon the nature and severity of future claims.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This amended rule will impact non-small businesses that experience personal injuries or property damage from government entities in that they may receive increased damage awards and settlements; however, this impact is impossible to project with any certainty because it is based upon the nature and severity of future claims.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private**organization of any character other than an agency):**

This amended rule will impact persons that experience personal injuries or property damage from government entities in that they may receive increased damage awards and settlements; however, this impact is impossible to project with any certainty because it is based upon the nature and severity of future claims. As indicated in the state budget and local government responses above, all governmental entities within the are subject to these judgment limit increases, irrespective of their size.

F) Compliance costs for affected persons:

Compliance costs will only be experienced by governmental entities in the if they or their employees cause injury or damage to third parties. It is impossible to project compliance costs for all affected governmental entities because those costs will be based upon the nature and severity of future claims.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0

Net Benefits	Fiscal \$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director, Tani Downing, of the Department of Administrative Services has reviewed and approved the above fiscal impact analysis on businesses.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
Fiscal impacts to business will come only in the form of awards based on future claims made against the state. The number and severity of those future claims are unknown.			
B) Name and title of department head commenting on the fiscal impacts:			
Tani Downing, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63G-7-604	Section 63G-7-605
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Darin Dennis, Assistant Director	Date:	04/23/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: New

Utah Admin. Code Ref (R no.):	R58-26	Filing No.	52706
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Agency Information

1. Department:	Agriculture and Food	
Agency:	Animal Industry	
Street address:	350 N Redwood Road	
City, state:	Salt Lake City, UT 84115	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	385-245-5222	Ambermbrown@utah.gov
Leann Hunting	801-982-2242	leannhunting@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R58-26. Custom Exempt Slaughter Verification of Ownership

3. Purpose of the new rule or reason for the change:

Pursuant to Subsection 4-24-304(2)(b), this rule provides guidelines for the Utah Department of Agriculture and Food (Department) to authorize farm custom slaughter licensees or custom exempt slaughter facilities to verify ownership of cattle, calves, horses, or mules. The verification can take the place of a brand inspection required pursuant to Subsection 4-24-304(1).

4. Summary of the new rule or change:

The new rule outlines the ownership verification program that will be administered by the Department. This rule provides for a permit to verify ownership, including permitting requirements, as well as provides auditing and retention of records requirements, and details violations and consequences for violations.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

The Department estimates that the cost of processing permits, verifying ownership certificate books, pre-stamped envelopes, and annual training, will be approximately \$100 per permit per year. The proposed \$100 permit fee for this program should cover Department costs for a net \$0 fiscal impact overall. The Department currently has 35 licensees eligible for the program and estimates that approximately 20 will participate, for a total cost of \$2,000.

B) Local governments:

There is no estimated cost or savings to local governments because they are not licensed as custom exempt slaughter facilities or farm custom slaughter licensees and do not administer this program.

C) Small businesses ("small business" means a business employing 1-49 persons):

The Department estimates that all eligible licensees are small businesses, and their cost is the proposed \$100 permit fee, for a total cost of \$2,000. Small businesses will benefit from participation in the program because the process to obtain a permit under the program is more convenient when compared to obtaining a brand inspection. However, because the fees are the same, there are no direct fiscal savings.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

No eligible licensees are non-small businesses, so the Department does not anticipate a cost or savings to any non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The Department does not estimate that others would be affected by this rule because they are not eligible to participate and don't administer the ownership verification program.

F) Compliance costs for affected persons:

The compliance cost for affected persons would be the proposed \$100 permit fee.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)**Regulatory Impact Table**

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$2,000	\$2,000	\$2,000
Local Governments	\$0	\$0	\$0
Small Businesses	\$2,000	\$2,000	\$2,000
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$4,000	\$4,000	\$4,000
Fiscal Benefits			
State Government	\$2,000	\$2,000	\$2,000
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$2,000	\$2,000	\$2,000
Net Fiscal Benefits	(\$2,000)	(\$2,000)	(\$2,000)
H) Department head approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, R. Logan Wilde, has reviewed and approved this regulatory impact analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
This rule will allow for farm custom exempt slaughter facilities and farm custom slaughter licensees to verify ownership of livestock in lieu of or in addition to brand inspection currently required by statute. This flexibility will benefit businesses while this new rule will ensure that appropriate procedures to protect livestock.			
B) Name and title of department head commenting on the fiscal impacts:			
R. Logan Wilde, Commissioner			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Subsection 4-24-304(2)(b)	Subsection 4-24-304(1)	Subsection 4-24-304(2)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	R. Logan Wilde, Commissioner	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal

Utah Admin. Code Ref (R no.):	R63-1	Filing No.	52729
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Agency Information

1. Department:	Agriculture and Food
Agency:	Chemistry Laboratory
Street address:	350 N Redwood Road
City, state:	Salt Lake City, UT 84115
Mailing address:	PO Box 146500
City, state, zip:	Salt Lake City, UT 84114-6500

Contact person(s):

Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Weston Judd	801-816-3833	Westonjudd@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R63-1. Fee Schedule

3. Purpose of the new rule or reason for the change:

This rule is no longer needed because the fee schedule for the chemistry laboratory is established in the fee schedule adopted each year by the legislature.

4. Summary of the new rule or change:

This rule should be repealed because there is no need to establish a fee schedule for the chemistry laboratory in rule, as it is established each year by the legislature. This rule will be repealed in its entirety.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

This change does not include any anticipated cost or savings to the state budget because the fees that are collected will still be collected, the rule repeal just removes a duplicative source for fees.

B) Local governments:

This change does not affect local governments because they do not pay or charge laboratory fees.

C) Small businesses ("small business" means a business employing 1-49 persons):

This change does not affect small businesses because the fees they will pay have not changed.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This change does not affect non-small businesses because the fees they will change have not changed.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This change will not affect other individuals because they do not pay or charge chemistry laboratory fees.

F) Compliance costs for affected persons:

Chemistry laboratory fees have not changed so there are no new compliance costs for affected persons.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Commissioner of the Utah Department of Agriculture and Food, R. Logan Wide, has reviewed and approves this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

This rule change removes an unnecessary fee schedule and will not have a fiscal impact on businesses in Utah.

B) Name and title of department head commenting on the fiscal impacts:

R. Logan Wilde, Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 4-2-10	Subsection 4-2-2(2)	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	R. Logan Wilde, Commissioner	Date:	04/29/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R156-15A-231	Filing No.	52708
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Agency Information

1. Department:	Commerce	
Agency:	Occupational and Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state:	Salt Lake City UT 84111-2316	
Mailing address:	PO Box 146741	
City, state, zip:	Salt Lake City UT 84114-6741	
Contact person(s):		
Name:	Phone:	Email:
Robyn Barkdull	801-530-6727	rbarkdull@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R156-15A-231. Administration of Building Code Inspector Training Fund, Building Code Construction-Related Training Fund, and Factory Built Housing Fees Account

3. Purpose of the new rule or reason for the change:

The Uniform Building Code Commission (UBCC) Education Advisory Committee recommends this amendment to restore the \$15 per student hour reimbursement cap back to a \$10 cap for users of the code training funds. The cap was \$10 before the most recent rule change, and the UBCC Education Advisory Committee members unanimously agree that with the reduced amount of available funds, the per student hour cap should remain at \$10 as it has been for several years. This will not have any effect on the Land Use Fund which will retain the cap of \$15 per student hour.

4. Summary of the new rule or change:

This proposed amendment decreases the reimbursement rate from the current \$15 per student hour back to the previously established \$10 per student hour. This will enable code training to be available to a larger base of students who can utilize the funds.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

Grants provided under this rule are paid for out of a statutory 1% surcharge on all building permits that are kept in a fund for that purpose. Nothing in this proposed rule will change the amount of fees collected or the cost of administering the program. Therefore, the state budget will not be affected, beyond a minimal cost to the

Division of Occupational and Professional Licensing (Division) of approximately \$75 to print and distribute this rule once the proposed amendments are made effective.

B) Local governments:

Local governments have not historically applied for grants under the funds and therefore, would not be affected by this rule change.

C) Small businesses ("small business" means a business employing 1-49 persons):

This proposed amendment will apply to any small business providers who will seek grant money from the Building Code Inspector Training Fund or the Building Code Construction-Related Training Fund as described in the amendment. This may include providers in this industry (North American Industry Classification System (NAICS) 813910) who will offer code training for licensed inspectors or construction-related licensees. The Division estimates that there are approximately 38 small businesses that may offer code trainings. The benefit or cost to these organizations is inestimable. The decrease of the per student hour cap from \$15 to \$10 could result in a loss to the approximately 38 small businesses that offer code training. However, the preexisting \$15 per student hour cap was subject to exception and this amendment is also expected to enable code training to be available to a larger base of students who can utilize the funds. It is unknown whether this amendment will result in organizations receiving less funds than they may have qualified for previously, as funding will depend on individual submission criteria. If there are decreased funding awards it may increase costs to providers for events, but the providers may choose to pass these costs along to attendees.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This proposed amendment is not expected to impact non-small business as there are no non-small businesses in the industry in question.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This proposed amendment will apply to any individual providers who will seek grant money from the Building Code Inspector Training Fund or the Building Code Construction-Related Training Fund as described in the amendment. As described above for small businesses, the benefit or cost to providers is inestimable because the decrease of the per student hour cap from \$15 to \$10 could result in a loss, but the preexisting \$15 per student hour cap was subject to exception and this amendment is also expected to enable code training to be available to a larger base of students who can utilize the funds. It is

unknown whether this amendment will result in a provider receiving less funds than they may have qualified for previously, as funding will depend on individual submission criteria. If there are decreased funding awards, it may increase costs to providers for events, but the providers may choose to pass these costs along to attendees. If the decrease in the per student hour cap will result in lower grant awards, this may in turn have an inestimable indirect effect on Utah's approximately 670 licensed building inspectors and Utah's approximately 53,000 construction-related licensees seeking code training, either through an increase in the amount of training events available, or an increase in the amount they may have to pay to attend code training events.

F) Compliance costs for affected persons:

This proposed amended rule provides specifics to the existing rule relating to fund administration that would not result in an increase in compliance costs beyond what is already in statute and the previous rule.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$75	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$75	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0

Net Benefits	Fiscal \$(75)	\$0	\$0
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H) Department head approval of regulatory impact analysis:

The Interim Executive Director of the Department of Commerce, Chris Parker, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

The Division of Occupational and Professional Licensing proposes an amendment to Section R156-15A-231 to decrease the reimbursement rate from the current \$15 per student hour back to the previously established \$10 per student hour. The purpose of the amendment is to allow building code training to be available to a larger base of students. Small Businesses (less than 50 employees): Utah has approximately 670 licensed building inspectors, approximately 53,000 construction-related licensees seeking code training, and there are approximately 38 small businesses that may offer code trainings for licensed inspectors or construction-related licensees for the industry (NAICS 813910). The decrease of the per student hour cap from \$15 to \$10 could result in a loss to small businesses that offer code training. However, it is expected to enable code training availability to a larger base of students. It is unknown whether this amendment will result in organizations receiving less funds, and if there are decreased funding awards, the providers may choose to pass these costs along. Accordingly, no fiscal impact is expected for small businesses over and above any fiscal impact described in the fiscal note for the legislation as these costs are either inestimable or there is no fiscal impact. Non-Small Businesses (50 or more employees): The proposed amendments are not expected to impact non-small businesses because there are no non-small businesses that offer code trainings for licensed inspectors or construction-related licensees (NAICS 813910) in Utah for the same reasons as described above for small business as to the costs being inestimable for the reasons stated, or there is no fiscal impact.

B) Name and title of department head commenting on the fiscal impacts:

Chris Parker, Interim Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Subsection 15A-1-204(6)
Section 15A-1-205		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:			06/15/2020
B) A public hearing (optional) will be held:			
On:	At:	At:	
05/19/2020	1:00 PM	Heber Wells Bldg, 160 E 300 S, Fourth Floor, Salt Lake City, UT - the hearing will be held via electronic meeting	

10. This rule change MAY become effective on:	06/22/2020
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Division Director	Date:	04/27/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R156-79	Filing No.	52675

Agency Information

1. Department:	Commerce
Agency:	Occupational and Professional Licensing
Building:	Heber M. Wells Building
Street address:	160 E 300 S
City, state:	Salt Lake City UT 84111-2316
Mailing address:	PO Box 146741
City, state, zip:	Salt Lake City UT 84114-6741

Contact person(s):

Name:	Phone:	Email:
Jana Johansen	801-530-6621	janajohansen@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R156-79. Hunting Guides and Outfitters Licensing Act Rule

3. Purpose of the new rule or reason for the change:

The proposed amendments update the rule in accordance with statutory changes made by S.B. 23, S.B. 149, and H.B. 290 in the 2020 General Session.

4. Summary of the new rule or change:

In Sections R156-79-102, R156-79-302e, R156-79-601, and R156-79-602, the proposed amendments remove references to the Hunting Guides and Outfitters Licensing Act Board, in accordance with S.B. 149 and H.B. 29 which repealed Section 58-79-201 and disbanded the Board.

In Section R156-79-302d, the proposed amendments remove the reference to "good moral character" in accordance with S.B. 23, and clarify that the potentially disqualifying actions are based on unprofessional conduct per Subsection 58-1-501(2) and Section R156-1-302.

In Section R156-79-303, the proposed amendments update citations to renewal procedures in Rule R156-1.

In Section R156-79-502, the proposed amendments clarify unprofessional conduct provisions.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

No state agencies will be directly or indirectly affected by this filing because the proposed amendments merely update and clarify provisions and conform the rule to statutory changes. Accordingly, the amendments are not expected to impact the state beyond a minimal cost to the Division of Occupational and Professional Licensing (Division) approximately \$75 to print and distribute this rule once the proposed amendments are made effective.

B) Local governments:

No local governments will be directly or indirectly affected by this filing because the proposed amendments merely update and clarify provisions and conform this rule to statutory changes.

C) Small businesses ("small business" means a business employing 1-49 persons):

There are approximately six small businesses in Utah owned by individuals in the hunting guide and outfitter industries (North American Industry Classification System (NAICS) 114210). No small businesses are expected to be impacted by this filing because the proposed amendments merely update and clarify provisions and conform the rule to statutory changes.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed amendments are not expected to impact non-small businesses because there are no non-small businesses in Utah in the industries in question.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

In Utah, there are 490 licensed hunting guides and 152 licensed outfitters, but these persons are not expected to be impacted by filing because the proposed amendments merely update and clarify provisions and conform the rule to statutory changes.

F) Compliance costs for affected persons:

These amendments are not expected to impose any compliance costs on any affected persons.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$75	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Cost	\$75	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$(75)	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Interim Executive Director of the Department of Commerce, Chris Parker, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

The Division proposes three amendments to remove reference to the Hunting Guides and Outfitters Licensing Board, in accordance with S.B. 149 and H.B. 29, which repealed Section 58-79-201 and disbanded the Board. First, Section R156-79-302d removes the reference to "good moral character" in accordance with S.B. 23, and clarify that the potentially disqualifying actions are based on unprofessional conduct per Subsection 58-1-501(2) and Section R156-1-302. Second, Section R156-79-303 updates citations to renewal procedures in Rule R156-1. Third, Section R156-79-502 clarifies the unprofessional conduct provisions. Small Businesses: In Utah there are approximately six small businesses in the hunting guide and outfitting industry (NAICS 114210). There are also 490 licensed hunting guides and 152 licensed outfitters. These businesses and licensees are not expected to be affected by the proposed amendments because these amendments are updates and clarifying provisions meant to conform the rule to statutory changes. Accordingly, no fiscal impact is expected for small business over and above any fiscal impact described in the fiscal note for the legislation as these costs are either inestimable or there is no fiscal impact. Non-small businesses: The proposed amendments are not expected to impact non-small businesses because there are no non-small businesses in the hunting guide and outfitting industries (NAICS 114210) in Utah or for the same reasons as described above for small business as the costs are either inestimable, for the reasons stated, or there is no fiscal impact.

B) Name and title of department head commenting on the fiscal impacts:

Chris Parker, Interim Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 58-79-101	Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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B) A public hearing (optional) will be held:

On:	At:	At:
05/20/2020	9:00 AM	Heber Wells Bldg, 160 E 300 S, Conference Room 474, Salt Lake City, UT – the hearing will be conducted electronically

10. This rule change MAY become effective on:	06/22/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Director	Date:	04/20/2020
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NOTICE OF PROPOSED RULE**TYPE OF RULE:** Amendment

Utah Admin. Code Ref (R no.):	R162-2c	Filing No. 52654
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Agency Information

1. Department:	Commerce
Agency:	Real Estate
Room no.:	2nd Floor
Building:	Heber M Wells
Street address:	160 E 300 S
City, state:	Salt Lake City, UT
Mailing address:	PO Box 146711
City, state, zip:	Salt Lake City, UT 84114-6711
Contact person(s):	
Name:	Phone: Email:
Justin Barney	801-530-6603 justinbarney@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R162-2c. Utah Residential Mortgage Practices and Licensing Rules

3. Purpose of the new rule or reason for the change:

The purpose of the proposed rule amendment is to update this rule relating to continuing education so that it is consistent with current law and practices and to eliminate the requirement that a lending manager review each complaint relating to conduct by a sponsored mortgage loan originator or unlicensed staff member.

4. Summary of the new rule or change:

In Section R162-2c-102, the proposed amendment would delete outdated language from the definitions of subsections (3) "Certification" and (10) "Instructor applicant."

In Section R162-2c-203, the proposed amendment would eliminate the requirement that instructors of division-approved continuing education ("CE") courses be certified by the Division of Real Estate (Division). In 2017, the Division discontinued approving CE courses. Since 2017, all CE courses are approved through the National Mortgage Licensing System. This proposed rule amendment will clarify this rule by eliminating the outdated requirement of certification of instructors for non-existent CE courses.

In Section R162-2c-301a, the proposed amendment would eliminate the requirement that a lending manager

review each complaint relating to conduct by a sponsored mortgage loan originator or unlicensed staff member.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The proposed amendment eliminates an outdated rule requirement for the certification of instructors for CE courses that no longer exist. The proposed amendment would also eliminate the requirement that a lending manager review each complaint against mortgage loan originators and unlicensed staff. These functions do not and, in recent years have not, required any resources of the Division. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact affect those resources or result in any additional cost or savings to the state budget.

B) Local governments:

Local governments are not required to comply with or enforce the Utah Residential Mortgage Practices and Licensing Rules. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed amendment does not create new obligations for small businesses, nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed amendment does not create new obligations for non-small businesses, nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The proposed amendment does not create new obligations for persons other than small businesses, non-small businesses, state, or local government entities nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to persons other than small businesses, businesses, or local government entities.

F) Compliance costs for affected persons:

The proposed amendment does not create new obligations for affected persons subject to the administrative rule nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to affected persons.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

Chris Parker, the Interim Executive Director of the Commerce Department, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There will be no fiscal impact on small businesses because the proposed amendments do not create new obligations for businesses nor do they increase the cost associated with any existing obligation.

B) Name and title of department head commenting on the fiscal impacts:

Chris Parker, Interim Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 61-2c-103	Subsection 61-2c-402(4)(a)	Section 61-2c-203
Section 61-2c-201.4		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 07/01/2020

10. This rule change MAY become effective on: 07/08/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Jonathan Stewart, Director	Date:	04/20/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R162-2g	Filing No.	52645
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Agency Information

1. Department:	Commerce	
Agency:	Real Estate	
Room no.:	2nd Floor	
Building:	Heber M. Wells	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 146711	
City, state, zip:	Salt Lake City, Utah 84114-6711	
Contact person(s):		
Name:	Phone:	Email:
Justin Barney	801-530-6603	justinbarney@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R162-2g. Real Estate Appraiser Licensing and Certification Administrative Rules

3. Purpose of the new rule or reason for the change:

The proposed amendments were prepared after several requests from appraisers and numerous discussions between appraisers, industry members, Division of Real Estate (Division) staff, and the Appraiser Board. Various reasons motivated these changes. The purpose of the proposed amendments is to clarify and update this rule and bring it into conformity with general appraisal practice and available appraisal reporting software.

4. Summary of the new rule or change:

In Section R162-2g-311, the changes clarify that a licensed or certified residential appraiser is not to appraise commercial property.

In Subsection R162-2g-502a(1)(i), the changes update this rule to eliminate the requirement that an appraiser state both the appraiser's name and credential number on an appraisal report and instead allow either the appraiser's name or the credential number.

In Subsection R162-2g-502(2)(c), an appraiser who performs an evaluation is exempt from complying with Standard 4 of the USPAP.

In Subsection R162-2g-502(4), the changes allow an appraiser trainee to sign an appraisal report if the trainee performs significant appraisal assistance and the

trainee's supervisory appraiser also signs the report.

In Subsection R162-2g-502(8), the changes clarify that only a registered appraiser trainee or a licensed or certified appraiser may include in a property inspection report appraisal assignment results including appraiser analyses, opinions, or conclusions, and may also report on the physical characteristics of the property. An unlicensed person may only report on the physical characteristics of the property in a property inspection report.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The Division has the staff and budget in place to administer this proposed amendment. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact affecting those resources or result in any additional cost or savings to the state budget.

B) Local governments:

Local governments are not required to comply with or enforce the Real Estate Appraiser Licensing and Certification Administrative Rules. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed amendment does not create new obligations for small businesses, nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed amendment does not create new obligations for non-small businesses, nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The proposed amendment does not create new obligations for persons other than small businesses, non-small businesses, or state or local government entities

nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to persons other than small businesses, non-small businesses, or state or local government entities.

F) Compliance costs for affected persons:

The proposed rule amendment does not create new obligations for affected persons subject to the administrative rules nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed amendment will not result in a fiscal impact to affected persons.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

Chris Parker, Interim Executive Director of the Commerce Department, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

The proposed amendments do not create new obligations for small businesses, nor do they increase the cost associated with any existing obligations. These proposed changes amend will not result in a fiscal impact to small businesses.

B) Name and title of department head commenting on the fiscal impacts:

Chris Parker, Interim Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Subsection 61-2g-201(2)(h)	Subsection 61-2g-205(5)(c)	Subsection 61-2g-401(5)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on:	06/22/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Jonathan Stewart, Director	Date:	04/20/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE:	Amendment
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Utah Admin. Code Ref (R no.):	R277-304	Filing No.	52741
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Agency Information

1. Department:	Education		
Agency:	Administration		
Building:	Board of Education		
Street address:	250 E 500 S		
City, state:	Salt Lake City, UT 84111		
Mailing address:	PO Box 144200		
City, state, zip:	Salt Lake City, UT 84114-4200		
Contact person(s):			
Name:	Phone:	Email:	
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov	

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R277-304. Teacher Preparation Programs

3. Purpose of the new rule or reason for the change:

Rule R277-304 was passed during the initial phase of rule changes to implement the new licensing structure. Staff is now in the process of reviewing those rules and recommending changes learned in implementing the new system, including recommendations from stakeholders.

4. Summary of the new rule or change:

Rule R277-304 was amended to incorporate by reference the Educator Preparation Program Competencies for Elementary Literature, as well as to incorporate changes to the requirements for specialized preparation programs recommended through implementation of recent licensure changes.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

This rule change is not expected to have material fiscal impacts on state government revenues or expenditures. The changes provide increased clarity and specificity in the rules related to certain specialized programs. They are not expected to drive changes in costs or activities at the state or local levels.

B) Local governments:

This rule change is not expected to have material fiscal impact on local governments' revenues or expenditures. The changes provide increased clarity and specificity in the rules related to certain specialized programs. They are not expected to drive changes in costs or activities at the state or local levels.

C) Small businesses ("small business" means a business employing 1-49 persons):

This rule change is not expected to have material fiscal impacts on small businesses' revenues or expenditures. The changes provide increased clarity and specificity in the rules related to certain specialized programs. They are not expected to drive changes in costs or activities at the state or local levels.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This rule change is not expected to have material fiscal impacts on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The changes provide increased clarity and specificity in the rules related to certain specialized programs. They are not expected to drive changes in costs or activities at the state or local levels.

F) Compliance costs for affected persons:

There were no compliance costs for affected persons. The changes provide increased clarity and specificity in the rules related to certain specialized programs. They are not expected to drive changes in costs or activities at the state or local levels.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Superintendent, Sydnee Dickson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses. This rule change has no fiscal impact.

on local education agencies and will not have a fiscal impact on small businesses either.

B) Name and title of department head commenting on the fiscal impacts:

Sydnee Dickson, State Superintendent

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-6-201(3)(a)
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Incorporations by Reference Information

(If this rule incorporates more than two items by reference, please include additional tables.)

8. A) This rule adds, updates, or removes the following title of materials incorporated by references:

	First Incorporation
Official Title of Materials Incorporated (from title page)	Educator Preparation Program Competencies for Elementary Literacy
Publisher	Utah State Board of Education
Date Issued	April 16, 2020
Issue, or version	Version 1

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent	Date:	05/01/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R277-415	Filing No. 52742
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Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R277-415. School Nurses Matching Funds

3. Purpose of the new rule or reason for the change:

The changes are being made to ease the current administrative burden on staff and allow for a longer time frame for grant funds awarded to be expended and makes technical changes.

4. Summary of the new rule or change:

The changes switch the grant to a three-year cycle instead of an annual cycle and updates corresponding language to match the new funding cycle for the grant.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

This rule change is not expected to have material fiscal impact on state government revenues or expenditures. The changes update reporting timeframes and may reduce some administrative burdens for local education agencies and the Utah State Board of Education (USBE).

B) Local governments:

This rule change is not expected to have material fiscal impact on local governments' revenues or expenditures. The changes update reporting timeframes and may reduce some administrative burdens for local education agencies and USBE.

C) Small businesses ("small business" means a business employing 1-49 persons):

This rule change is not expected to have material fiscal impact on small businesses' revenues or expenditures. The changes update reporting timeframes and may reduce some administrative burdens for local education agencies and USBE.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or privateorganization of any character other than an **agency**):

This rule change is not expected to have material fiscal impacts on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The changes update reporting timeframes and may reduce some administrative burdens for local education agencies and USBE.

F) Compliance costs for affected persons:

There were no compliance costs for affected persons. The changes update reporting timeframes and may reduce some administrative burdens for local education agencies and USBE.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Superintendent, Sydnee Dickson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses. This rule change has no fiscal impact on local education agencies and will not have a fiscal impact on small businesses either.

B) Name and title of department head commenting on the fiscal impacts:

Sydnee Dickson, State Superintendent

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Article X, Section 3	Section 53F-2-519	Section 53E-3-401
Section 53F-2-519		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent	Date:	05/01/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R277-712	Filing No.	52743
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Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R277-712. Competency-based Grant Programs

3. Purpose of the new rule or reason for the change:

Rule R277-712 has been updated to encompass the remaining phases of the Competency-Based Education Grants.

4. Summary of the new rule or change:

The Competency-Based Education grant program has three phases. Previously, Rule R277-712 only covered the planning phase. The rule was expanded so that the grant processes applied to the implementation and expansion phases, as well. USBE expects funding for the implementation phase to begin this year.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

This rule change is not expected to have independent fiscal impact on state government revenues or expenditures. The change aligns this rule with the statute authorizing the Utah State Board of Education (USBE) to

issue planning, implementation, and expansion grants. Previously, because the program was in the first year of implementation, this rule only allowed for planning grants.

B) Local governments:

This rule change is not expected to have independent fiscal impact on local governments' revenues or expenditures. The change aligns this rule with the statute authorizing USBE to issue planning, implementation, and expansion grants. Previously, because the program was in the first year of implementation, this rule only allowed for planning grants.

C) Small businesses ("small business" means a business employing 1-49 persons):

This rule change is not expected to have independent fiscal impact on small businesses' revenues or expenditures. The change aligns this rule with the statute authorizing USBE to issue planning, implementation, and expansion grants. Previously, because the program was in the first year of implementation, this rule only allowed for planning grants.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This rule change is not expected to have independent fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The change aligns this rule with the statute authorizing USBE to issue planning, implementation, and expansion grants. Previously, because the program was in the first year of implementation, this rule only allowed for planning grants.

F) Compliance costs for affected persons:

There were no compliance costs for affected persons. The change aligns this rule with the statute authorizing USBE to issue planning, implementation, and expansion

grants. Previously, because the program was in the first year of implementation, this rule only allowed for planning grants.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Superintendent, Sydnee Dickson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This rule change is not expected to have any fiscal impact on non-small

businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses. This rule change has no fiscal impact on local education agencies and will not have a fiscal impact on small businesses either.

B) Name and title of department head commenting on the fiscal impacts:

Sydnee Dickson, State Superintendent

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Article X, Section 3	Subsection 53E-3-401(4)	Section 53F-5-502
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent	Date:	05/01/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: New

Utah Admin. Code Ref (R no.):	R277-736	Filing No. 52744
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Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R277-736. Juvenile Court or Law Enforcement Notice and Information Dissemination

3. Purpose of the new rule or reason for the change:

This rule is being created to comply with the statutory requirement found in Section 53G-8-404 that mandates the Utah State Board of Education (USBE) outline the process for sharing information among school staff when notified by Law Enforcement or the Juvenile Courts that a student has been taken into custody or adjudicated for violent felony.

4. Summary of the new rule or change:

This rule establishes that a school principal may not share information received regarding a student who has been taken into custody or adjudicated for a violent felony until the principal has consulted the school's multi-disciplinary team. The multi-disciplinary team is required to use an evidence-based threat assessment to assess the level and threat and determine which staff is relevant for sharing the information.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule change is not expected to have independent fiscal impact on state government revenues or expenditures. Section 53G-8-404 requires USBE to make rules governing the dissemination of information for a student who has been taken into custody or adjudicated for a violent felony. This rule is created to comply with this statutory requirement.

B) Local governments:

This rule change is not expected to have independent fiscal impact on local governments' revenues or expenditures. Section 53G-8-404 requires USBE to make rules governing the dissemination of information for a student who has been taken into custody or adjudicated for a violent felony. This rule is created to comply with this statutory requirement.

C) Small businesses ("small business" means a business employing 1-49 persons):

This rule change is not expected to have independent fiscal impact on small businesses' revenues or expenditures. Section 53G-8-404 requires USBE to make rules governing the dissemination of information for a student who has been taken into custody or adjudicated for a violent felony. This rule is created to comply with this statutory requirement.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This rule change is not expected to have independent fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. Section 53G-8-404 requires USBE to make rules governing the dissemination of information for a student who has been taken into custody or adjudicated for a violent felony. This rule is created to comply with this statutory requirement.

F) Compliance costs for affected persons:

There were no independent compliance costs for affected persons. Section 53G-8-404 requires USBE to make rules governing the dissemination of information for a student who has been taken into custody or adjudicated for a violent felony. This rule is created to comply with this statutory requirement.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Superintendent, Sydnee Dickson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses. This rule change has no fiscal impact.

on local education agencies and will not have a fiscal impact on small businesses either.

B) Name and title of department head commenting on the fiscal impacts:

Sydnee Dickson, State Superintendent

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Article X, Section 3	Subsection 53E-3-401(4)	Section 53G-8-404
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent	Date:	05/01/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R414-401-3	Filing No.	52745
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Agency Information

1. Department:	Health	
Agency:	Health Care Financing, Coverage and Reimbursement Policy	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
Mailing address:	PO Box 143102	
City, state, zip:	Salt Lake City, UT 84114-3102	
Contact person(s):		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R414-401-3. Assessment

3. Purpose of the new rule or reason for the change:

The purpose of this change is to update the annual assessment amounts for nursing care facilities and intermediate care facilities for individuals with intellectual disabilities (ICFs/IID) for state fiscal year (SFY) 2021.

4. Summary of the new rule or change:

Every nursing facility is assessed at the uniform rate of \$27.56 per patient day, which is an increase from the previous \$24.61 per patient day assessment based upon projected days. Additionally, ICFs/IID are assessed at the uniform rate of \$8.28 per patient day, which is the same rate as the previous assessment based upon projected days. These updates are based on estimates of patient days for SFY 2021 and the appropriation amounts.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The update to the assessment rates is anticipated to be budget neutral as it does not impact the general fund.

B) Local governments:

Local governments that own nursing care facilities or have swing-bed facilities would see an increase in the assessment cost but would also see increased revenues as a result of the higher rates that will be paid. Therefore, it is estimated that local governments will see approximately an additional \$3,083,200 in costs, but also see approximately \$8,728,700 in additional revenues.

C) Small businesses ("small business" means a business employing 1-49 persons):

About 20 small businesses own nursing care facilities would see an increase in the assessment cost but also see increased revenues as a result of the higher rates that will be paid. These businesses, therefore, will see approximately an additional \$996,100 in costs and approximately \$2,820,000 in additional revenues. ICFs/IID will see similar historical costs based upon no change in the assessment rate.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

About 85 businesses that own nursing care facilities or have swing-bed facilities would see an increase in the assessment cost, but also see increased revenues as a result of the higher rates that will be paid. These businesses, therefore, will see an additional \$3,059,475 in costs, but also see about \$8,661,525 in additional revenues. ICFs/IID will see similar historical costs based upon no change in the assessment rate.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

About 58 private and public health providers would see an increase in the assessment cost but would also realize increased revenues as a result of the higher rates that will be paid. Therefore, it is estimated that these other providers will realize an additional \$1,019,825 in costs; however, would realize approximately \$2,887,175 in additional revenues.

F) Compliance costs for affected persons:

Compliance costs include an increased collection of \$2.95 per non-Medicare patient day from each nursing facility.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$3,083,200	\$0	\$0

Small Businesses	\$996,100	\$0	\$0
Non-Small Businesses	\$3,059,475	\$0	\$0
Other Persons	\$1,019,825	\$0	\$0
Total Fiscal Cost	\$8,158,600	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$8,728,700	\$0	\$0
Small Businesses	\$2,820,000	\$0	\$0
Non-Small Businesses	\$8,661,525	\$0	\$0
Other Persons	\$2,887,175	\$0	\$0
Total Fiscal Benefits	\$23,097,400	\$0	\$0
Net Fiscal Benefits	\$14,938,800	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Health, Joseph K. Miner, MD, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

Businesses will see initial assessment costs, but will also see a higher increase in additional revenues.

B) Name and title of department head commenting on the fiscal impacts:

Joseph K. Miner, MD, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 26-1-5	Section 26-18-3	Title 26, Chapter 36a
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R414-506	Filing No.	52746
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Agency Information

1. Department:	Health		
Agency:	Health Care Financing, Coverage and Reimbursement Policy		
Building:	Cannon Health Building		
Street address:	288 N 1460 W		
Mailing address:	PO Box 143102		
City, state, zip:	Salt Lake City, UT 84114-3102		
Contact person(s):			
Name:	Phone:	Email:	
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R414-506. Hospital Provider Assessments

3. Purpose of the new rule or reason for the change:

The purpose of this change, in accordance with the Hospital Provider Assessment Act, is to include a new provision for hospitals that fail to pay the hospital provider assessment in a timely manner.

4. Summary of the new rule or change:

This amendment specifies penalties and interest for hospitals that fail to pay the hospital provider assessment in a timely manner. It also makes other clarifications and technical changes.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

There is no impact to the state budget because this change only clarifies provisions within the text. It neither affects member services nor provider reimbursement.

B) Local governments:

There is no impact on local governments because this change only clarifies provisions within the text. It neither affects member services nor provider reimbursement.

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no impact on small businesses because this change only clarifies provisions within the text. It neither affects member services nor provider reimbursement.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no impact on non-small businesses because this change only clarifies provisions within the text. It neither affects member services nor provider reimbursement.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no impact on Medicaid providers and Medicaid members because this change only clarifies provisions within the text.

F) Compliance costs for affected persons:

There is no impact on a single Medicaid provider or Medicaid member because this change only clarifies provisions within the text.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Health, Joseph K. Miner, MD, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

Businesses will see neither revenue nor costs as this amendment only clarifies provisions to comply with the Hospital Provider Assessment Act.

B) Name and title of department head commenting on the fiscal impacts:

Joseph K. Miner, MD, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 26-1-5	Section 26-18-3	Title 26, Chapter 36d
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R414-517	Filing No.	52747
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Agency Information

1. Department:	Health
Agency:	Health Care Financing, Coverage and Reimbursement Policy
Building:	Cannon Health Building
Street address:	288 N 1460 W
Mailing address:	PO Box 143102
City, state, zip:	Salt Lake City, UT 84114-3102

Contact person(s):		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information**2. Rule or section catchline:**

R414-517. Inpatient Hospital Provider Assessments

3. Purpose of the new rule or reason for the change:

The purpose of this change, in accordance with the Inpatient Hospital Assessment Act, is to include a new provision for hospitals that fail to pay the hospital provider assessment in a timely manner.

4. Summary of the new rule or change:

This amendment specifies penalties and interest for hospitals that fail to pay the hospital provider assessment in a timely manner. It also clarifies provisions for a hospital with changed status and makes other technical changes.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

There is no impact to the state budget because this change only clarifies provisions within the text. It neither affects member services nor provider reimbursement.

B) Local governments:

There is no impact on local governments because this change only clarifies provisions within the text. It neither affects member services nor provider reimbursement.

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no impact on small businesses because this change only clarifies provisions within the text. It neither affects member services nor provider reimbursement.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no impact on non-small businesses because this change only clarifies provisions within the text. It neither affects member services nor provider reimbursement.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private**organization of any character other than an agency):**

There is no impact on Medicaid providers and Medicaid members because this change only clarifies provisions within the text.

F) Compliance costs for affected persons:

There is no impact on a single Medicaid provider or Medicaid member because this change only clarifies provisions within the text.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Health, Joseph K. Miner, MD, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

Businesses will see neither revenue nor costs as this amendment only clarifies provisions to comply with the Inpatient Hospital Assessment Act.

B) Name and title of department head commenting on the fiscal impacts:

Joseph K. Miner, MD, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 26-1-5	Section 26-18-3	Title 26, Chapter 36b
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on:	07/01/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE:	New
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Utah Admin. Code Ref (R no.):	R414-523	Filing No.	52748
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Agency Information

1. Department:	Health	
Agency:	Health Care Financing, Coverage and Reimbursement Policy	
Building:	Cannon Health Building	
Street address:	288 North 1460 West	
Mailing address:	PO Box 143102	
City, state, zip:	Salt Lake City, UT 84114-3102	
Contact person(s):		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R414-523. Medicaid Expansion Hospital Provider Assessments

3. Purpose of the new rule or reason for the change:

The purpose of this new rule is to implement provisions of the Medicaid Expansion Hospital Assessment Act in accordance with Title 26, Chapter 36c.

4. Summary of the new rule or change:

This new rule designates rate methodology for non-state government hospital-intergovernmental transfers. It also specifies provisions for the audit of hospitals, provisions for change in hospital status, and provisions for penalties and interest.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

The state will see an increase of \$12,000,000 in annual revenue due to expansion under the assessment.

B) Local governments:

Non-State Government-Owned (NSGO) facilities will pay a portion of about \$3,000,000 of the assessment. Nevertheless, these entities will see long-term gains in revenue as more individuals become eligible under the expansion. There is no data, however, to estimate what those gains in revenue will be.

C) Small businesses ("small business" means a business employing 1-49 persons):

Nearly six small business hospitals will pay a portion of about \$900,000 of the assessment. Nevertheless, these entities will see long-term gains in revenue as more

individuals become eligible under the expansion. There is no data, however, to estimate what those gains in revenue will be.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

Nearly 52 non-small business hospitals will pay a portion of about \$8,100,000 of the assessment. Nevertheless, these entities will see long-term gains in revenue as more individuals become eligible under the expansion. There is no data, however, to estimate what those gains in revenue will be.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

Up to 90,000 individuals may collectively see out-of-pocket savings up to \$12,000,000, upon becoming eligible for Medicaid services under the expansion.

F) Compliance costs for affected persons:

Each hospital will pay a portion of \$12,000,000 in annual cost under the assessment.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$3,000,000	\$0	\$0
Small Businesses	\$900,000	\$0	\$0
Non-Small Businesses	\$8,100,000	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$12,000,000	\$0	\$0
Fiscal Benefits			
State Government	\$12,000,000	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$12,000,000	\$0	\$0
Total Fiscal Benefits	\$24,000,000	\$0	\$0
Net Fiscal Benefits	\$12,000,000	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Health, Joseph K. Miner, MD, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

Businesses will see initial costs, but will later see overall revenue.

B) Name and title of department head commenting on the fiscal impacts:

Joseph K. Miner, MD, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 26-1-5	Section 26-18-3	Title 26, Chapter 36c
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE**TYPE OF RULE:** New

Utah Admin. Code Ref (R no.):	R433-002	Filing No.	52740
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Agency Information

1. Department:	Health	
Agency:	Family Health and Preparedness, Maternal and Child Health	
Street address:	3760 S Highland Drive	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 142002	
City, state, zip:	Salt Lake City, UT 84114-2002	
Contact person(s):		
Name:	Phone:	Email:
Nicole Bissonette	801-273-2859	nicolebissonette@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R433-2. Early Childhood Utah Advisory Council Membership, Duties and Procedures
3. Purpose of the new rule or reason for the change:
The purpose of this new rule is to define rules, membership, and procedures for the Early Childhood Utah Advisory Council, as required by Title 26, Chapter 66.
4. Summary of the new rule or change:
This rule delineates the required membership, duties, and procedures for the Early Childhood Utah Advisory Council.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
The proposed rule results in an estimated fiscal cost for the staff time to complete the following duties: plan, promote, and facilitate quarterly Early Childhood Utah (ECU) Advisory and Executive Meetings, take and distribute meeting minutes, support five workgroups

monthly meetings, follow up with partners to ensure required work is completed, development of yearly report for the Governor's Commission. Staff time/benefits are estimated at 20 hours/week at \$50 per hour = \$52,000.

Additionally, the ECU Council consists of 26 voluntary members from various sectors of the community. Nineteen members are state employees. Below is a breakdown of Utah Department of Health (UDOH) and other state members.

UDOH Members:

4 ECU Advisory Meetings at 5 hours (including drive time) = 20 hours x 8 members = 160 hours x \$50 per hour (pay/benefits) = \$19,000.

6 ECU Executive Meetings at 2 hours (including drive time) = 12 hours x 2 members = 24 hours x \$50 per hour (pay/benefits) = \$1,200.

12 Workgroup meetings at 3 hours (including drive time) = 36 hours x members/workgroup = 288 hours x \$50 per hour (pay/benefits) = \$14,400.

8 members x 3 hours = 24 hours/month x 12 = 288 hours/year x \$50 per hour (pay/benefits) = \$14,400 for outside work completed.

Estimated Total UDOH member per year \$49,000.

Other STATE Members:

4 ECU Advisory Meetings at 5 hours (including drive time) = 20 hours x 11 members = 220 hours x \$50 per hour (pay/benefits) = \$11,000.

6 ECU Executive Meetings at 2 hours (including drive time) = 12 hours x 4 members = 48 hours x \$50 per hour (pay/benefits) = \$2,400.

12 Workgroup meetings at 3 hours (including drive time) = 36 hours x 11 members/workgroup = 396 hours x \$50 per hour (pay/benefits) = \$19,800.

11 members x 3 hours = 33 hours/month x 12 = 396 hours/year x \$50 per hour (pay/benefits) = \$19,800 for outside work completed.

Estimated Total State member per year \$53,000.

B) Local governments:

This proposed rule is not expected to have any fiscal impact of local governments' revenues or expenditures. This rule does not regulate local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The ECU council has seven required members from small businesses. At this point, it is a required voluntary position. A breakdown of actual cost is below:

4 ECU Advisory Meetings at 5 hours (including drive time) = 20 hours x 7 members = 140 hours x \$50 per hour (pay/benefits) = \$7,000.

6 ECU Executive Meetings at 2 hours (including drive time) = 12 hours x 3 members = 36 hours x \$50 per hour (pay/benefits) = \$1,800.

1 workgroup x 12 meetings = 12 Workgroup meetings at 3 hours (including drive time) = 36 hours x 7

members/workgroup = 252 hours x \$50 per hour (pay/benefits) = \$12,600.
 7 members x 3 hours = 21 hours/month x 12 = 252 hours/year x \$50 per hour (pay/benefits) = \$12,600 for outside work completed.
 Estimated Total small business member per year= \$34,000.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This proposed rule is not expected to have any fiscal impact of non-small businesses' revenues or expenditures. This rule does not regulate non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This proposed rule is not expected to have any fiscal impact of persons other than small businesses, non-small businesses, state or local government entities revenues or expenditures. This rule does not regulate these groups.

F) Compliance costs for affected persons:

There are no anticipated costs and no additional resources needed to comply with this rule.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts are included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$154,000	\$154,000	\$154,000
Local Governments	\$0	\$0	\$0
Small Businesses	\$34,000	\$34,000	\$34,000
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$188,000	\$188,000	\$188,000
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Utah Department of Health, Joseph K. Miner, MD, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There is no fiscal impact on businesses because there are no requirements placed on businesses and any business participation on the committee is voluntary.

B) Name and title of department head commenting on the fiscal impacts:

Joseph K. Miner, MD, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Title 26, Chapter 66		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on:	06/22/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative

Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-1	Filing No.	52709
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Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2120	
Building:	State Office Building	
Street address:	450 N Main St	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 141531	
City, state, zip:	Salt Lake City, UT 84114-1531	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R477-1. Definitions

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule was outdated and that some areas of the rule could use clarification.

4. Summary of the new rule or change:

This amendment removes outdated information, updates citations, corrects list formatting, and makes minor text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 67-19-6	Section 67-19-15	Section 67-19-18
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-2	Filing No.	52713
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Agency Information

1. Department:	Human Resource Management		
Agency:	Administration		
Room no.:	2120		
Building:	State Office Building		
Street address:	450 N Main St		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 141531		
City, state, zip:	Salt Lake City, UT 84114-1531		
Contact person(s):			
Name:	Phone:	Email:	
Bryan Embley	801-618-6720	bkembley@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R477-2. Administration

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule was outdated and that some areas of the rule could use clarification.

4. Summary of the new rule or change:

This amendment removes outdated information, corrects list formatting, makes minor text revisions for clarity and rules styling, and updates citations.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 52-3-1	Title 63G, Chapter 2	Section 63G-5-201
Title 63G, Chapter 7	Section 67-19-6	Section 67-19-15
Section 67-19-18		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-3	Filing No.	52714
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Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2120	
Building:	State Office Building	
Street address:	450 N Main St	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 141531	
City, state, zip:	Salt Lake City, UT 84114-1531	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R477-3. Classification

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed updating due to S.B. 95 passed in the 2020 General Session, some information was outdated, and that some areas of the rule could use clarification.

4. Summary of the new rule or change:

This amendment implements changes resulting from S.B. 95 passed in the 2020 General Session, updates citations, makes minor text revisions for clarity and rules styling, corrects list formatting, and removes an unnecessary provision.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and

do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0

Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 67-19-6 Section 67-19-12

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency

not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-4	Filing No.	52715
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Agency Information

1. Department:	Human Resource Management		
Agency:	Administration		
Room no.:	2120		
Building:	State Office Building		
Street address:	450 N Main St		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 141531		
City, state, zip:	Salt Lake City, UT 84114-1531		
Contact person(s):			
Name:	Phone:	Email:	
Bryan Embley	801-618-6720	bkembley@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R477-4. Filling Positions

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment corrects list formatting, corrects typographical errors, updates citations, makes text revisions consistent with rules styling, and eliminates an unnecessary section.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct affect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 67-19-6	Section 67-20-8	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-5	Filing No.	52716
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Agency Information

1. Department:	Human Resource Management
Agency:	Administration
Room no.:	2120
Building:	State Office Building
Street address:	450 N Main St

City, state:	Salt Lake City, UT	
Mailing address:	PO Box 141531	
City, state, zip:	Salt Lake City, UT 84114-1531	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:

R477-5. Employee Status and Probation

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment makes minor revisions to text for clarity, updates citations, makes text revisions consistent with rules styling, and eliminates an unnecessary section.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 67-19-6	Subsection 67-19-16(5)(b)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on:	07/01/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE:	Amendment
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Utah Admin. Code Ref (R no.):	R477-6	Filing No.	52717
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Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2120	
Building:	State Office Building	
Street address:	450 N Main St	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 141531	
City, state, zip:	Salt Lake City, UT 84114-1531	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R477-6. Compensation

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment corrects list formatting, corrects typographical errors, updates citations, makes text revisions consistent with rules styling, and eliminates an unnecessary subsection.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63F-1-106	Section 67-19-6	Section 67-19-12
Section 67-19-12.5	Subsection 67-19-15.1(4)	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members.

NOTICES OF PROPOSED RULES

Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-7	Filing No.	52718
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Agency Information

1. Department:	Human Resource Management		
Agency:	Administration		
Room no.:	2120		
Building:	State Office Building		
Street address:	450 N Main St		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 141531		
City, state, zip:	Salt Lake City, UT 84114-1531		
Contact person(s):			
Name:	Phone:	Email:	
Bryan Embley	801-618-6720	bkembley@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R477-7. Leave

3. Purpose of the new rule or reason for the change:

The agency needs to adjust rules related to sick leave and bereavement leave, implement rules pursuant to S.B. 207 passed in the 2020 General Session, and make small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment implements a new rule section to administer postpartum recovery leave, increases flexibility, corrects list formatting, corrects typographical errors, updates citations, makes text revisions consistent with rules styling, and eliminates an unnecessary section.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The head of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 34-43-103	Section 39-3-1	Section 63G-1-301
Section 67-19-6	Section 67-19-12.9	Section 67-19-14
Section 67-19-14.7		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-8	Filing No.	52719
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Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2120	
Building:	State Office Building	
Street address:	450 N Main St	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 141531	
City, state, zip:	Salt Lake City, UT 84114-1531	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R477-8. Working Conditions
3. Purpose of the new rule or reason for the change:
The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.
4. Summary of the new rule or change:
This amendment corrects list formatting, corrects typographical errors, updates citations, makes text revisions for clarity consistent with rules styling, and eliminates an unnecessary section.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 34A-2-114	Section 67-19-6	Section 67-19-6.7
Section 20A-3-103		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a

Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-9	Filing	No.
		52720	

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2120	
Building:	State Office Building	
Street address:	450 N Main St	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 141531	
City, state, zip:	Salt Lake City, UT 84114-1531	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R477-9. Employee Conduct

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment corrects list formatting, corrects typographical errors, updates citations, makes text revisions consistent with rules styling, and eliminates an unnecessary section.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)**Regulatory Impact Table**

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 63G-7-2	Section 67-19-6	Section 67-19-19
Subsection 5 U.S.C. 1502(a)(3)	Utah Exec Order No. 2018-1	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-10	Filing No.	52721
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Agency Information

1. Department:	Human Resource Management		
Agency:	Administration		
Room no.:	2120		
Building:	State Office Building		
Street address:	450 N Main St		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 141531		
City, state, zip:	Salt Lake City, UT 84114-1531		
Contact person(s):			
Name:	Phone:	Email:	
Bryan Embley	801-618-6720	bkembley@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R477-10. Employee Development

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment corrects list formatting, updates citations, makes text revisions consistent with rules styling, and eliminates unnecessary language.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the

Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 67-19-6

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-11	Filing No.	52722
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Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2120	
Building:	State Office Building	
Street address:	450 N Main St	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 141531	
City, state, zip:	Salt Lake City, UT 84114-1531	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R477-11. Discipline
3. Purpose of the new rule or reason for the change:
The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.
4. Summary of the new rule or change:
This amendment corrects list formatting, corrects typographical errors, updates and corrects citations, and makes text revisions consistent with rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 67-19-6	Section 67-19-18	Section 63G-2-3
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on:	07/01/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a

Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-12	Filing No.	52723
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Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2120	
Building:	State Office Building	
Street address:	450 N Main St	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 141531	
City, state, zip:	Salt Lake City, UT 84114-1531	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R477-12. Separations

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment corrects list formatting, corrects typographical errors, makes text revisions consistent with rules styling, and eliminates an unnecessary section.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures

because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 67-19-6	Section 67-19-18
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an

NOTICES OF PROPOSED RULES

association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-13	Filing	No.
		52724	

Agency Information

1. Department:	Human Resource Management		
Agency:	Administration		
Room no.:	2120		
Building:	State Office Building		
Street address:	450 N Main St		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 141531		
City, state, zip:	Salt Lake City, UT 84114-1531		
Contact person(s):			
Name:	Phone:	Email:	
Bryan Embley	801-618-6720	bkembley@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R477-13. Volunteer Programs

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small corrections to formatting.

4. Summary of the new rule or change:

This amendment makes text revisions consistent with rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.			
B) Name and title of department head commenting on the fiscal impacts:			
Paul Garver, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 67-19-6	Section 67-20-3	Section 67-20-4
Section 67-20-8		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-14	Filing No.	52725
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Agency Information

1. Department:	Human Resource Management
Agency:	Administration
Room no.:	2120
Building:	State Office Building
Street address:	450 N Main St
City, state:	Salt Lake City, UT
Mailing address:	PO Box 141531
City, state, zip:	Salt Lake City, UT 84114-1531

Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information**2. Rule or section catchline:**

R477-14. Substance Abuse and Drug-Free Workplace

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment corrects list formatting, corrects typographical errors, updates citations, makes text revisions consistent with rules styling, and eliminates an unnecessary section.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63G-2-3	Section 67-19-6	Section 67-19-18
Section 67-19-33	Section 67-19-34	Section 67-19-35
Section 67-19-36	Section 67-19-37	Section 67-19-38

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-15	Filing	No.
		52726	

Agency Information

1. Department:	Human Resource Management
Agency:	Administration
Room no.:	2120
Building:	State Office Building
Street address:	450 N Main St
City, state:	Salt Lake City, UT
Mailing address:	PO Box 141531
City, state, zip:	Salt Lake City, UT 84114-1531

Contact person(s):

Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R477-15. Workplace Harassment Prevention

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment corrects list formatting and makes text revisions consistent with rules styling.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)**Regulatory Impact Table**

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 67-19-6	Section 67-19-18	Section 63G-2-305
E.O. No. 2019-1		

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-16	Filing No.	52727
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Agency Information

1. Department:	Human Resource Management		
Agency:	Administration		
Room no.:	2120		
Building:	State Office Building		
Street address:	450 N Main St		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 141531		
City, state, zip:	Salt Lake City, UT 84114-1531		
Contact person(s):			
Name:	Phone:	Email:	
Bryan Embley	801-618-6720	bembley@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R477-16. Abusive Conduct Prevention

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment corrects list formatting, corrects typographical errors, updates citations, and makes text revisions consistent with rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.			
B) Name and title of department head commenting on the fiscal impacts:			
Paul Garver, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 67-19-6	Section 67-24-101
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on:	07/01/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-101	Filing No.	52728
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Agency Information

1. Department:	Human Resource Management
Agency:	Administration
Room no.:	2120
Building:	State Office Building
Street address:	450 N Main St
City, state:	Salt Lake City, UT
Mailing address:	PO Box 141531
City, state, zip:	Salt Lake City, UT 84114-1531

Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information**2. Rule or section catchline:**

R477-101. Administrative Law Judge Conduct Committee

3. Purpose of the new rule or reason for the change:

The agency found that some information in the rule needed small adjustments for clarification and corrections to formatting.

4. Summary of the new rule or change:

This amendment corrects list formatting, corrects typographical errors, updates citations, and makes text revisions consistent with rules styling.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, Paul Garver, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

Paul Garver, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Sections 67-19e-101 through 67-19e-109

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 07/01/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Paul Garver, Executive Director	Date:	04/28/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R527-258	Filing No.	52710
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Agency Information

1. Department:	Human Services	
Agency:	Recovery Services	
Street address:	515 E 100 S	
City, state:	Salt Lake City, UT 84102-4211	
Mailing address:	PO Box 45033	
City, state, zip:	Salt Lake City, UT 84145-0033	
Contact person(s):		
Name:	Phone:	Email:
Scott Weight	801-741-7435	sweigh2@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Jonah Shaw	801-538-4225	jshaw@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R527-258. Enforcing Child Support When the Obligor is an Ex-Prisoner or in a Treatment Program

3. Purpose of the new rule or reason for the change:

The amendment extends the time period for which an obligor may contact the Office of Recovery Services (ORS) to initiate the ex-prisoner IV-A arrears forgiveness program from 30 days to 6 months.

4. Summary of the new rule or change:

Section R527-38-2 was amended so that an obligor with a IV-A arrears debt which accrued during his/her incarceration has up to 6 months to contact ORS make payment arrangements and begin the 12-month IV-A arrears forgiveness program.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

ORS collects current and past due child support from non-custodial parents (NCPs) when a custodial parent applies for and receives financial assistance through the Temporary Aid to Needy Families (TANF) program

administered by Department of Workforce Services. ORS terms the past due child support debt which accrues under TANF "IV-A arrears". Once collected by ORS, IV-A arrears monies reimburse the state for the costs of supporting children receiving TANF. ORS administers a program by which an ex-prisoner may be forgiven IV-A arrears debts which accrued during his/her period of incarceration if the individual, upon release, pays current child support due in full for at least 12 months. In the past decade an average of 2 NCPs per year participated in the program. This resulted in a \$14,234.48 total yearly average of IV-A arrears debt forgiven. With the proposed rule amendment, the window of opportunity to contact ORS is extended from 30 days to 6 months following release and there would be an estimated 12 NCPs per year participating in the program. This represents a 600% increase. $\$14,234.48 \times 600\% = \$85,406.88$. This indicates an on-going estimated $\$71,172.40$ ($\$85,406.88 - \$14,234.48$) average yearly increase in forgiven IV-A arrears with the rule amendment. State government is expected to experience an on-going direct fiscal cost and receive a decrease in revenues of approximately $\$71,172.40$.

B) Local governments:

Administrative rules of the ORS, Child Support Services do not apply to local governments. This rule lengthens the window of opportunity for NCPs to contact ORS to initiate involvement in the ex-prisoner IV-A arrears forgiveness program. Therefore, there are no anticipated costs or savings for local governments due to this amendment.

C) Small businesses ("small business" means a business employing 1-49 persons):

The amendments to this rule do not change ORS, Child Support Services processes or procedures regarding sending income withholdings or the volume of income withholdings sent. Therefore, there are no anticipated costs or savings to small businesses due to the amendments.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The amendments to this rule do not change ORS, Child Support Services processes or procedures regarding sending income withholdings or the volume of income withholdings sent. Therefore, there are no anticipated costs or savings to non-small businesses due to the amendments.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

In the past decade an average of 2 NCPs per year

participated in the ORS ex-prisoner IV-A arrears Forgiveness program representing a \$14,234.48 total yearly average amount of IV-A arrears debt forgiven. The condition for debt forgiveness is that the individual pays the current child support due in full for at least 12 months, which benefits the custodial parent and children. With the proposed 6-month window of opportunity, there would be an estimated 12 NCPs per year participating in the program resulting in an average yearly benefit to the participating NCPs of \$85,406.88. This indicates a total estimated yearly average, on-going indirect fiscal benefit of $\$71,172.40$ ($\$85,406.88 - \$14,234.48$) to NCPs participating in the program.

F) Compliance costs for affected persons:

There is no anticipated cost to other persons due to the amendments to this rule.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$71,172.40	\$71,172.40	\$71,172.40
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$71,172.40	\$71,172.40	\$71,172.40
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$71,172.40	\$71,172.40	\$71,172.40
Total Fiscal Benefits	\$71,172.40	\$71,172.40	\$71,172.40
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Services, Ann Silverberg Williamson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There are no anticipated fiscal impacts to businesses because the changes to this rule do not change ORS, Child Support Services processes or procedures regarding sending income withholdings or the volume of income withholdings sent.

B) Name and title of department head commenting on the fiscal impacts:

Ann Silverberg Williamson, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 62A-1-111	Section 62A-11-107	Section 62A-11-320
Section 62A-11-326.1	Section 62A-11-326.1	45 CFR 303.31
45 CFR 303.32		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Liesa Stockdale, Director	Date:	04/09/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R657-5	Filing No.	52734
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Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room no.:	Suite 2110	
Building:	Dept. of Natural Resources	
Street address:	1594 W North Temple	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state, zip:	Salt Lake City, UT 84114-6301	
Contact person(s):		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R657-5. Taking Big Game

3. Purpose of the new rule or reason for the change:

This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to Big Game Cooperative Wildlife Management Units (CWMUs).

4. Summary of the new rule or change:

The proposed amendments to this rule establish a management bison permit and set criteria for the use of the permit.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

The proposed rule amendments allows for the use of a management bison permit in units that have a zero

management objective for bison these changes can be initiated within the current workload and resources of the DWR, therefore, DWR has determined that these amendments do not create a cost or savings impact to the state budget or DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments add a management bison permit into current regulations, this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting opportunities provided by management bison permits.

F) Compliance costs for affected persons:

DWR has determined that this amendment will not create additional costs for those participating in bison hunting in Utah.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Brian Steed, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 23-14-18	Section 23-14-19
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an

NOTICES OF PROPOSED RULES

association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Mike Fowls, DWR Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R657-10	Filing No.	52735
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Agency Information

1. Department:	Natural Resources		
Agency:	Wildlife Resources		
Room no.:	Suite 2110		
Building:	Dept. of Natural Resources		
Street address:	1594 West North Temple		
City, state:	Salt Lake City, UT 84116		
Mailing address:	PO Box 146301		
City, state, zip:	Salt Lake City, UT 84114-6301		
Contact person(s):			
Name:	Phone:	Email:	
Staci Coons	801-450-3093	stacicoons@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R657-10. Taking Cougar

3. Purpose of the new rule or reason for the change:

This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to Big Game Cooperative Wildlife Management Units (CWMUs).

4. Summary of the new rule or change:

The proposed amendments to this rule amend the 72 hour response following a depredation incident to 96 hours.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The proposed rule amendments allows for an extended time to respond after a depredation incident this change can be initiated within the current workload and resources of the DWR, therefore, DWR has determined that these amendments do not create a cost or savings impact to the state budget or DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments only amends a current regulation, this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments do not have the potential to create a cost impact to those individuals experiencing depredation damage due to cougars.

F) Compliance costs for affected persons:

DWR has determined that this amendment will not create additional costs for those individuals experiencing depredation damage due to cougars in Utah.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Brian Steed, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 23-14-18 Section 23-14-19

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Mike Fowlks, DWR Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R657-33	Filing No.	52736
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Agency Information

1. Department:	Natural Resources
Agency:	Wildlife Resources
Room no.:	Suite 2110
Building:	Dept. of Natural Resources
Street address:	1594 W North Temple

NOTICES OF PROPOSED RULES

City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state, zip:	Salt Lake City, UT 84114-6301	
Contact person(s):		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:

R657-33. Taking Bear

3. Purpose of the new rule or reason for the change:

This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to Big Game Cooperative Wildlife Management Units (CWMUs).

4. Summary of the new rule or change:

The proposed amendments to this rule amend the 72 hour response following a depredation incident to 96 hours and allows for the take of depredating bears for chronic losses of livestock.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The proposed rule amendments allows for an extended time to respond after a depredation incident this change can be initiated within the current workload and resources of the DWR, therefore, DWR has determined that these amendments do not create a cost or savings impact to the state budget or DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments only amend a current regulation, this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments do not have the potential to create a cost impact to those individuals experiencing depredation damage due to bears.

F) Compliance costs for affected persons:

DWR has determined that this amendment will not create additional costs for those individuals experiencing depredation damage due to bears in Utah.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Brian Steed, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 23-14-18	Section 23-14-19	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on:	06/22/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Mike Fowlks, DWR Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R657-37	Filing	No.
		52737	

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room no.:	Suite 2110	
Building:	Dept. of Natural Resources	
Street address:	1594 W North Temple	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state, zip:	Salt Lake City, UT 84114-6301	
Contact person(s):		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R657-37. Cooperative Wildlife Management Units for Big Game or Turkey

3. Purpose of the new rule or reason for the change:

This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to Big Game Cooperative Wildlife Management Units (CWMUs).

4. Summary of the new rule or change:

The proposed amendments to this rule: 1) allow for a general season unit to be managed for a higher buck to doe ratio and older age class animals, consistent with limited entry units; and 2) add buck pronghorn and antlerless pronghorn to the list of species that qualify for the CWMU program.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

The proposed rule amendments alter management strategies for general season units and add both buck and antlerless pronghorn to the list of species in the program, all of these changes can be initiated within the current workload and resources of the DWR, therefore, DWR has determined that these amendments do not create a cost or savings impact to the state budget or DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments make adjustments to current regulations, this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting opportunities provided by CWMUs.

F) Compliance costs for affected persons:

DWR has determined that this amendment will not create additional costs for those participating in big game hunting in Utah.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)**Regulatory Impact Table**

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
Brian Steed, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 23-23-3

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Mike Fowls, DWR Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R657-57	Filing No.	52673
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Agency Information

1. Department:	Natural Resources
Agency:	Wildlife Resources
Room no.:	Suite 2110
Building:	Dept. of Natural Resources
Street address:	1594 W North Temple
City, state:	Salt Lake City, UT 84116
Mailing address:	PO Box 146301
City, state, zip:	Salt Lake City, UT 84114-6301

Contact person(s):

Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R657-57. Division Variance Rule

3. Purpose of the new rule or reason for the change:

This rule is established to provide authority, standards, and procedures for granting remedial relief to persons precluded from obtaining or using a wildlife document because of an event or condition beyond their control. The current amendment is needed due to the restrictions counties have put in place because of the COVID-19 pandemic. Sportsmen holding permits for the spring hunts have been unable to access the land that their permit is valid on due to not living in that county. This amendment allows certain types of permits to be extended to the next years season.

4. Summary of the new rule or change:

The proposed amendments to this rule adds the effects of COVID-19 to the list of qualifying events that will allow for a season variance on specified permits.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

The proposed rule amendments adds COVID-19 to the list of qualifying events that allow for a season extension this change can be initiated within the current workload and resources of the Division of Wildlife Resources (DWR), therefore, DWR has determined that these amendments do not create a cost or savings impact to the state budget or DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments add a qualifying event for the purpose of seasons extensions, this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting opportunities as there is no additional charge to extend a season on a permit.

F) Compliance costs for affected persons:

DWR has determined that this amendment will not create additional costs for those participating in big game hunting in Utah.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)**Regulatory Impact Table**

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Brian Steed, Executive Director

Citation Information**7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 23-14-18	Section 23-14-19	
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Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Mike Fowls, DWR Director	Date:	04/20/2020
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NOTICE OF PROPOSED RULE**TYPE OF RULE:** Amendment

Utah Admin. Code Ref (R no.):	R657-62	Filing No.	52738
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Agency Information

1. Department:	Natural Resources
Agency:	Wildlife Resources
Room no.:	Suite 2110
Building:	Dept. of Natural Resources
Street address:	1594 W North Temple
City, state:	Salt Lake City, UT 84116
Mailing address:	PO Box 146301
City, state, zip:	Salt Lake City, UT 84114-6301
Contact person(s):	
Name:	Phone: Email:
Staci Coons	801-450-3093 stacicoons@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R657-62. Drawing Application Procedures
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to Big Game Cooperative Wildlife Management Units (CWMUs).
4. Summary of the new rule or change:
The proposed amendments to this rule: 1) establish a management bison permit, and 2) set criteria for the use of bonus points and waiting periods.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
The proposed rule amendments allow for the use of a management bison permit in units that have a zero management objective for bison. These changes can be

initiated within the current workload and resources of the DWR, therefore, DWR has determined that these amendments do not create a cost or savings impact to the state budget or DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments adds a management bison permit into current regulations, this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting opportunities provided by management bison permits.

F) Compliance costs for affected persons:

DWR has determined that this amendment will not create additional costs for those participating in bison hunting in Utah.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Brian Steed, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 23-14-18 Section 23-14-19

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency

not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Mike Fowls, DWR Director	Date:	04/30/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R661-6	Filing No.	52699
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Agency Information

1. Department:	Navajo Trust Fund		
Agency:	Trustees		
Street address:	150 E 500 N		
City, state:	Blanding, UT 84511		
Mailing address:	PO Box 142315		
City, state, zip:	Salt Lake City, UT 84114-2315		
Contact person(s):			
Name:	Phone:	Email:	
Tony Dayish	435-678-1468	tdayish@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information
2. Rule or section catchline:

R661-6. Utah Navajo Trust Fund Higher Education Financial Assistance and Scholarship Program

3. Purpose of the new rule or reason for the change:

This amendment clarifies the rule.

4. Summary of the new rule or change:

The changes in Section R661-6-301 will fund Certificate Program or Associates Degree but not both. The

changes in Section R661-6-801 make consistent 15 calendar days for all deadlines for the Grievance and Appeal Process.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

There is no cost effect to the state budget. UNTF does not receive an appropriation from the state budget. The Utah Navajo Trust Fund (UNTF) operates from funding derived from oil and gas royalties, rent revenues, and interest revenues.

B) Local governments:

There is no cost effect to the local governments. This amendment is about clarifying an existing scholarship assistance rule. Local governments are not expected to contribute funds for this program. UNTF provides the funding for this program and bears the cost of administration and compliance.

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no cost effect to the small businesses. This amendment is about clarifying an existing scholarship assistance rule. Small businesses are not expected to contribute funds for this program. UNTF provides the funding for this program and bears the cost of administration and compliance.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no cost effect to the non-small businesses. This amendment is about clarifying an existing scholarship assistance rule. Non-small businesses are not expected to contribute funds for this program. UNTF provides the funding for this program and bears the cost of administration and compliance.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no cost effect to other persons. This amendment is about clarifying an existing scholarship assistance rule. Other persons are not expected to contribute funds for this program. UNTF provides the funding for this program and bears the cost of administration and compliance.

F) Compliance costs for affected persons:

There is no cost effect to the affected persons. This rule amendment will limit the number of lower level degrees or certificates to only one. UNTF provides the funding for

this program and bears the cost of administration and compliance.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

Tony Dayish, UNTF Administrator, has reviewed and approved this regulatory analysis that there is no cost effect. The education specialist reviews student applications and considers numerous criterions already.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There is no cost effect on businesses.

B) Name and title of department head commenting on the fiscal impacts:

Tony Dayish, UNTF Administrator

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Title 51, Chapter 10		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Tony Dayish, Administrator	Date:	04/27/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R661-7	Filing	No.
		52700	

Agency Information

1. Department:	Navajo Trust Fund
Agency:	Trustees
Street address:	150 E 500 N
City, state:	Blanding, UT 84511
Mailing address:	PO Box 142315
City, state, zip:	Salt Lake City, UT 84114-2315

Contact person(s):

Name:	Phone:	Email:
Tony Dayish	435-678-1468	tdayish@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R661-7. Utah Navajo Trust Fund Housing Projects Program

3. Purpose of the new rule or reason for the change:

This amendment clarifies the rule and adds a new section.

4. Summary of the new rule or change:

The changes in Section R661-7-101 clarify language regarding criterion numbering system. The changes in Section R661-7-201 clarify language regarding ADA-compliant requirements. The changes in Section R661-7-601 indicate only Utah Navajo Trust Fund (UNTF) staff can perform purchasing functions on housing projects. Section R661-7-901 is a new section that adds a new program to assist Utah Navajos that are above low-income status.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

There is no cost effect to the state budget. UNTF does not receive an appropriation from the state budget. UNTF operates entirely from funding derived from oil and gas royalties, rent revenues, and interest revenues.

B) Local governments:

There is no cost effect to local governments. This rule amendment has to do with clarifying existing rules, placing the responsibility of purchasing on UNTF staff, and adding a new program to assist Utah Navajos that are above low-income status. UNTF would be responsible to administer this rule, not the local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no cost effect to small businesses. This rule amendment has to do with clarifying existing housing assistance rules, placing the responsibility of purchasing on UNTF staff, and adding a new program to assist Utah Navajos that are above low-income status. UNTF would be responsible to administer this rule, not small businesses. Some small businesses may benefit by

selling their goods and services due the new non-low-income program, but the amount cannot be determined.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no cost effect to the non-small businesses. This rule amendment has to do with clarifying existing housing assistance rules, placing the responsibility of purchasing on UNTF staff, and adding a new program to assist Utah Navajos that are above low-income status. UNTF would be responsible to administer this rule, not the non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no cost effect to other persons. This rule amendment has to do with clarifying existing housing assistance rules, placing the responsibility of purchasing on UNTF staff, and adding a new program to assist Utah Navajos that are above low-income status. UNTF would be responsible to administer this rule, not other persons.

F) Compliance costs for affected persons:

There is no cost effect for compliance costs to affected persons. UNTF has the responsibility of bearing the compliance costs with this rule.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

UNTF Administrator, Tony Dayish, has reviewed and approved this fiscal analysis and has determined that there are no regulatory cost impacts for this amendment.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There are no cost effects on businesses. In the past, the Utah Navajo Chapters of the Navajo Nation government have performed some of the tasks for purchasing building materials and it has caused variations and near violations of the state purchasing rules. This change will allow for a consistent approach for UNTF and vendors to purchasing building materials that complies with the state purchasing rules. Businesses will be happy with the consistent approach.

B) Name and title of department head commenting on the fiscal impacts:

Tony Dayish, UNTF Administrator

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Title 51, Chapter 10		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on:	06/22/2020
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	Tony Dayish, Administrator	Date:	04/27/2020
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NOTICE OF PROPOSED RULE**TYPE OF RULE:** Amendment

Utah Admin. Code Ref (R no.):	R661-9-401	Filing No. 52701
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Agency Information

1. Department:	Navajo Trust Fund	
Agency:	Trustees	
Street address:	150 E 500 N	
City, state:	Blanding, UT 84511	
Mailing address:	PO Box 142315	
City, state, zip:	Salt Lake City, UT 84114-2315	
Contact person(s):		
Name:	Phone:	Email:
Tony Dayish	435-678-1468	tdayish@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R661-9-401. Funding
3. Purpose of the new rule or reason for the change:
This amendment adds a funding limit. This is a fiduciary responsibility to ensure the entire funding does not come only from the Utah Navajo Trust Fund (UNTF) on big expensive projects.
4. Summary of the new rule or change:
This change adds the limit of \$600,000 or 35% of total cost per project and makes \$1,000,000 available for public facility projects.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

There is no cost effect to the state budget. UNTF receives its funding from oil and gas royalties, rent revenues, and interest revenues. UNTF does not receive state appropriated monies.

B) Local governments:

There is no cost effect to local governments. Match funding is required from the Navajo Nation's Capital Improvement budget and other match funding resources before and after this amendment.

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no cost effect to small businesses because small businesses are not expected to contribute funds to a Public Facility Project that may cost \$500,000 to \$5,000,000 and the amendments of limiting the amount that UNTF contributes to a project has no effect on small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There if no cost effect to non-small businesses because non-small businesses are not expected to contribute funds to a Public Facility Project that may cost \$500,000 to \$5,000,000 and the amendments of limiting the amount that UNTF contributes to a project has no effect on non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There if no cost effect to other persons because other persons are not expected to contribute funds to a Public Facility Project that may cost \$500,000 to \$5,000,000 and the amendments of limiting the amount that UNTF contributes to a project has no effect on other persons.

F) Compliance costs for affected persons:

There is no compliance cost effects to the affected persons. UNTF has the responsibility for compliance with the UNTF rules.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
UNTF Administrator, Tony Dayish, has reviewed and approved this fiscal analysis. There is no regulatory cost impact.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
The head of UNTF, Tony Dayish, has reviewed and determined that there is no fiscal impact on businesses. These big expensive projects require the assistance of the Division of Facilities Construction and Management (DFCM), project managers, architects, engineers, code review, licensed building contractors, subcontractors, and coordination with the end user of the project. These projects are developed and initiated when there is a legitimate need, when the end users focus their energy and interest, when the collection of funding occurs, when land is made available, etc. It is difficult to predict when all these factors will happen at one time, which is what is needed to make a project go. So it is difficult to predict what type of fiscal impact this has on businesses.			

B) Name and title of department head commenting on the fiscal impacts:

Tony Dayish, UNTF Administrator

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Title 51, Chapter 10

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Tony Dayish, Administrator	Date:	04/27/2020
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NOTICE OF PROPOSED RULE**TYPE OF RULE:** Amendment

Utah Admin. Code Ref (R no.):	R661-10-201	Filing No.	52702
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Agency Information

1. Department:	Navajo Trust Fund
Agency:	Trustees
Street address:	150 E 500 N
City, state:	Blanding, UT 84511
Mailing address:	PO Box 142315

City, state, zip:	Salt Lake City, UT 84114-2315	
Contact person(s):		
Name:	Phone:	Email:
Tony Dayish	435-678-1468	tdayish@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information**2. Rule or section catchline:**

R661-10-201. UNTF STT Funding

3. Purpose of the new rule or reason for the change:

This amendment corrects a dollar amount.

4. Summary of the new rule or change:

The decimal needs to be in the right place to read \$500 instead of \$5,000.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

There is no cost effect to the state budget. UNTF does not receive an appropriation of money from the state budget; any fiscal liability from this program would rest upon UNTF.

B) Local governments:

There is no cost effect to local governments. UNTF does not receive an appropriation of money from local governments for this program; any fiscal liability from this program would rest upon UNTF.

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no cost effect to small businesses. UNTF does not receive an appropriation of money from small businesses for this program; any fiscal liability from this program would rest upon UNTF.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no cost effect to non-small businesses. UNTF does not receive an appropriation of money from non-small businesses for this program; any fiscal liability from this program would rest upon UNTF.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no cost effect to other persons. UNTF does not receive an appropriation of money from other persons for this program; any fiscal liability from this program would rest upon UNTF.

F) Compliance costs for affected persons:

There is no cost effect to the affected persons (students). UNTF has the responsibility of compliance with this rule.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

UNTF Administrator, Tony Dayish, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There is no fiscal impact that this rule has on businesses. Fortunately, no applicant has tried to take advantage of

this mistake where the decimal point was in the wrong place.

B) Name and title of department head commenting on the fiscal impacts:

Tony Dayish, UNTF Administrator

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Title 51, Chapter 10

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title: Tony Dayish, Administrator
Date: 04/27/2020

NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.): R661-13
Filing No.: 52703

Agency Information

1. Department: Navajo Trust Fund
Agency: Trustees

Street address:	150 E 500 N	
City, state:	Blanding, UT 84511	
Mailing address:	PO Box 142315	
City, state, zip:	Salt Lake City, UT 84114-2315	
Contact person(s):		
Name:	Phone:	Email:
Tony Dayish	435-678-1468	tdayish@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R661-13. Veterans' Housing Program Policy

3. Purpose of the new rule or reason for the change:

This amendment clarifies the rule and adds a new subsection.

4. Summary of the new rule or change:

The change increases amount of Veterans Housing Assistance to a higher amount, require matching sources, and include house renovation projects as eligible projects in addition to new housing projects.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

There is no cost effect to the state budget. UNTF does not receive state appropriated monies.

B) Local governments:

The local Utah Navajo Chapters have to contribute a match amount to the UNTF Veterans Housing Fund using UNTF allocations to Chapters. Because the UNTF Veterans amount is higher, the Chapter's contribution from their UNTF allocation is lower, so it has a beneficial effect to Chapters, who can then assist more non-veterans with housing. The cost effect to UNTF is a zero sum game since both amounts are coming from UNTF. Other than this, there is no cost effect to local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no cost effect to small businesses. The only interaction with small businesses on Veterans Housing projects is the buying of building materials which is expected to stay at the same rate as before.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no cost effect to non-small businesses. There is no interaction with non-small businesses on Veterans Housing projects.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no cost effect to other persons. The only other persons affected would be the client that is benefitting from the Veterans house that is being built.

F) Compliance costs for affected persons:

There is no compliance cost effect to the affected persons. It is beneficial since it makes it slightly easier to receive assistance for the Veteran because the Chapter is more likely to assist a Veteran since the Chapter has to come up with a little less money from their UNTF Chapter allocation.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

UNTF Administrator, Tony Dayish, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There is no fiscal impact on businesses other than a slight percentage of increase in the purchase of building materials since Chapters are more likely to approve more Veteran's Housing due to this change.

B) Name and title of department head commenting on the fiscal impacts:

Tony Dayish, UNTF Administrator

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Title 51, Chapter 10		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Tony Dayish, Administrator	Date:	04/27/2020
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NOTICE OF PROPOSED RULE**TYPE OF RULE:** Amendment

Utah Admin. Code Ref (R no.):	R728-409	Filing	No.
		52730	

Agency Information

1. Department:	Public Safety		
Agency:	Peace Officer Standards and Training		
Street address:	410 W 9800 S		
City, state:	Sandy UT 84070		
Mailing address:	410 W 9800 S		
City, state, zip:	Sandy UT 84070		
Contact person(s):			
Name:	Phone:	Email:	
Scott Stephenson	801-256-2322	sstephen@utah.gov	
Kim Gibb	801-556-8198	kgibb@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:
R728-409. Suspension, Revocation, or Relinquishment of Certification
3. Purpose of the new rule or reason for the change:
The purpose of the rule amendment is to incorporate changes made upon passage of H.B. 43, passed in the 2020 General Session.
4. Summary of the new rule or change:
The changes: 1) specify that, the respondent is only entitled to materials after filing a written response with the Division of Peace Officer Standards and Training (POST) as required in Section R728-409-7; 2) specify that the council will consider rather than review the Administrative Law Judge's (ALJ's) findings of fact and conclusions of law; 3) include a letter of caution as a potential action type; and 4) specify that the council does not have appellate review authority of the ALJ's findings of fact and conclusions of law.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

POST does not anticipate any costs or savings to the state budget as a result of this administrative rule change. The changes only clarify the council's role with regards to the adjudicative proceeding, add an additional action type that may be recommended by the ALJ, and specify that a written response must be filed in order to receive materials in connection with an administrative proceeding.

B) Local governments:

POST does not anticipate any costs or savings to local governments as a result of this administrative rule change. The changes only clarify the council's role with regards to the adjudicative proceeding, add an additional action type that may be recommended by the ALJ, and specify that a written response must be filed in order to receive materials in connection with an administrative proceeding.

C) Small businesses ("small business" means a business employing 1-49 persons):

POST does not anticipate any costs or savings to small businesses as a result of this administrative rule change. No small businesses will be impacted by the rule change. The changes only clarify the council's role with regards to the adjudicative proceeding, add an additional action type that may be recommended by the ALJ, and specify that a written response must be filed in order to receive materials in connection with an administrative proceeding.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

POST does not anticipate any costs or savings to non-small businesses as a result of this administrative rule change. No non-small businesses will be impacted by the rule change. The changes only clarify the council's role with regards to the adjudicative proceeding, add an additional action type that may be recommended by the ALJ, and specify that a written response must be filed in order to receive materials in connection with an administrative proceeding.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

POST does not anticipate any costs or savings to persons other than small businesses, non-small businesses, state, or local government entities as a result of this administrative rule change. The changes only clarify the council's role with regards to the adjudicative proceeding, add an additional action type that may be

recommended by the ALJ, and specify that a written response must be filed in order to receive materials in connection with an administrative proceeding.

F) Compliance costs for affected persons:

POST does not anticipate any compliance costs for affected persons as a result of this administrative rule change. The changes only clarify the council's role with regards to the adjudicative proceeding, add an additional action type that may be recommended by the ALJ, and specify that a written response must be filed in order to receive materials in connection with an administrative proceeding.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There are not any small or non-small businesses in Utah that will be impacted as a result of this rule amendment. The rule amendment specifies that, the respondent is only entitled to materials after filing a written response with POST as required in Section R728-409-7, and incorporates applicable statutory changes made in H.B. 43 (2020), that clarify the council's role with regards to the adjudicative proceeding, and include an additional action type that may be recommended by the ALJ.

B) Name and title of department head commenting on the fiscal impacts:

Jess L. Anderson, Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 53-6-211	Section 53-6-211.5	Section 53-6-309
Section 53-6-311		

Incorporations by Reference Information

(If this rule incorporates more than two items by reference, please include additional tables.)

8. A) This rule adds, updates, or removes the following title of materials incorporated by references:

	First Incorporation
Official Title of Materials Incorporated (from title page)	POST Council Disciplinary Guidelines
Publisher	Utah Department of Public Safety, Peace Officer Standards and Training
Date Issued	January 4, 2016

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/15/2020
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10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Scott Stephenson, Director	Date:	05/11/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R877-23V-24	Filing No. 52694
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Agency Information

1. Department:	Tax Commission	
Agency:	Motor Vehicle Enforcement	
Building:	Utah State Tax Commission	
Street address:	210 N 1950 W	
City, state:	Salt Lake City, UT 84134	
Mailing address:	210 N 1950 W	
City, state, zip:	Salt Lake City, UT 84134	
Contact person(s):		
Name:	Phone:	Email:
Chantay Asper	801-297-3901	casper@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R877-23V-24. Advisory Board Procedures
3. Purpose of the new rule or reason for the change:
The reason for the change is to establish procedures for the motor vehicle business advisory board to conduct electronic meetings when necessary or expedient.
4. Summary of the new rule or change:
Specifies the requirements and procedures consistent with the Utah Open and Public Meeting Act for the motor vehicle business advisory board to conduct electronic meeting under certain circumstances.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This proposed amendment is unlikely to result in a measurable fiscal impact to state government revenues because the necessary equipment is readily available.

B) Local governments:

This proposed amendment is unlikely to result in measurable fiscal impact on local governments' revenues because the necessary equipment is readily available.

C) Small businesses ("small business" means a business employing 1-49 persons):

This proposed amendment is unlikely to result in measurable costs or savings to small businesses because the necessary equipment is readily available.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This proposed amendment is unlikely to result in measurable costs or savings to non-small businesses because the necessary equipment is readily available.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This proposed amendment is not expected to result in costs or savings to persons other than small businesses or local governments because the necessary equipment is readily available.

F) Compliance costs for affected persons:

This proposed amendment is not expected to result in any change to compliance costs for affected persons because the necessary equipment is readily available.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
Commissioner Rebecca L. Rockwell of the Utah State Tax Commission, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
This proposed amendment is unlikely to result in either costs or savings to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
Rebecca Rockwell, Commissioner			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 41-3-106		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/15/2020

10. This rule change MAY become effective on: 06/22/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Rebecca L. Rockwell, Commissioner	Date:	04/23/2020
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End of the Notices of Proposed Rules Section

NOTICES OF 120-DAY (EMERGENCY) RULES

An agency may file a **120-DAY (EMERGENCY) RULE** when it finds that regular rulemaking procedures would:

- (a) cause an imminent peril to the public health, safety, or welfare;
- (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
- (c) place the agency in violation of federal or state law (Subsection 63G-3-304(1)).

As with a **PROPOSED RULE**, a **120-DAY RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **120-DAY RULE** including the name of a contact person, justification for filing a **120-DAY RULE**, anticipated cost impact of the rule, and legal cross-references.

Following the **RULE ANALYSIS**, the text of the **120-DAY RULE** is printed. New text is underlined (example) and text to be deleted is struck out with brackets surrounding the deleted text ([~~example~~]). An emergency rule that is new is entirely underlined. Likewise, an emergency rule that repeals an existing rule shows the text completely struck out. A row of dots in the text (.) indicates that unaffected text was removed to conserve space.

A **120-DAY RULE** is effective when filed with the Office of Administrative Rules, or on a later date designated by the agency. A **120-DAY RULE** is effective for 120 days or until it is superseded by a permanent rule. Because of its temporary nature, a **120-DAY RULE** is not codified as part of the *Utah Administrative Code*.

The law does not require a public comment period for **120-DAY RULES**. However, when an agency files a **120-DAY RULE**, it may file a **PROPOSED RULE** at the same time, to make the requirements permanent.

Emergency or **120-DAY RULES** are governed by Section 63G-3-304, and Section R15-4-8.

NOTICE OF EMERGENCY (120-DAY) RULE		
Utah Admin. Code Ref (R no.):	R21-3	Filing No. 52674

Agency Information

1. Department:	Administrative Services	
Agency:	Debt Collection	
Building:	Taylorsville State Office Building	
Street address:	4315 South 2700 West Floor 3	
City, state, zip:	Taylorsville, UT 84127-2128	
Mailing address:	Division of Finance, PO Box 141031	
City, state, zip:	Salt Lake City, UT 84114-1031	
Contact person(s):		
Name:	Phone:	Email:
John Reidhead	801-957-7734	jreidhead@utah.gov
Cory Weeks	801-957-7713	cweeks@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R21-3. Debt Collection Through Administrative Offset
3. Effective Date:
04/20/2020
4. Purpose of the new rule or reason for the change:
The purpose of this rule allows the Office of State Debt Collection to suspend matching receivables in the event of a declared state of emergency. This was necessitated by COVID-19 economic relief measures approved by the governor's office.
5. Summary of the new rule or change:
The added language to the rule explains how the division may suspend matching receivables in the administrative offset program in the event of a declared state of emergency. (EDITOR'S NOTE: A corresponding proposed amendment to Rule R21-3 is under ID No. 52679 in this issue, May 15, 2020, of the Bulletin.)

6. Regular rulemaking would:	
X	cause an imminent peril to the public health, safety, or welfare;
	cause an imminent budget reduction because of budget restraints or federal requirements; or
	place the agency in violation of federal or state law.
Specific reason and justification:	
This rule change authorizes actions taken as part of the state's COVID-19 relief efforts.	

Fiscal Information

7. Aggregate anticipated cost or savings to:
A) State budget:
\$330,000 lost FY2020 revenue to the Division of Finance estimated from fees that would have been collected on levies had the office not halted operations.
It is also estimated that the state government will have about \$4,600,000 in lost collection of receivables for FY2020.
If the actions in this rule are exercised again in the future, timing impacts make future years inestimable.
B) Local governments:
It is estimated that local governments will have about \$500,000 in lost collection of receivables in FY2020.
C) Small businesses ("small business" means a business employing 1-49 persons):
There should be no impact for small businesses. This rule only applies to government entities.
D) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
Individuals that otherwise would have been garnished will receive a cumulative benefit of \$5,430,000, equal to the amount of estimated lost revenues and collections for state and local governments.
8. Compliance costs for affected persons:
None--The only cost of compliance is hours spent by Division of Finance staff.
9. A) Comments by the department head on the fiscal impact this rule may have on businesses:
I have reviewed this fiscal analysis, and agree with the described fiscal impacts associated with this rule.

B) Name and title of department head commenting on the fiscal impacts:
Tani Pack Downing, Executive Director

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 63A-3-310	Subsection 63A-3-504 (2)(f)	

Agency Authorization Information

Agency head or designee, and title:	John Reidhead, Director	Date:	04/20/2020
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NOTICE OF EMERGENCY (120-DAY) RULE

Utah Admin. Code Ref (R no.):	R305-7-104	Filing No. 52677
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Agency Information

1. Department:	Environmental Quality	
Agency:	Administration	
Room no.:	Fourth Floor, South	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144810	
City, state, zip:	Salt Lake City, UT 84114-4810	
Contact person(s):		
Name:	Phone:	Email:
Becky Larsen	801-536-0095	beckylarsen@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R305-7-104. Filing and Service of Notices, Orders, Motions, and Other Papers
3. Effective Date:
04/20/2020
4. Purpose of the new rule or reason for the change:
The Utah Department of Environmental Quality (UDEQ) has rulemaking authority under Subsection

19-1-201(1)(d)(ii) to make procedural rules that govern adjudicative proceedings under Section 19-1-301, and special adjudicative proceedings under Section 19-1-301.5. UDEQ has promulgated those rules, codified at Rule R305-7. Subsection R305-7-104(5), in part, governs the form and timeliness of filings to initiate adjudicative proceedings regarding agency actions. Filing to initiate an adjudication on an agency decision must occur within 30 days of that decision. See Subsection R305-7-203(5) (for petitions for review); and Subsection R305-7-303(5) (for requests for agency action). The current rule expressly states that email submission is insufficient to initiate an adjudicative proceeding in Subsection R305-7-104(5)(a). Therefore, paper submissions that must be filed in person or by mail are currently the only filing option to initiate new adjudicative proceedings.

The UDEQ offices are located in the Multi-Agency State Office Building (MASOB). The MASOB is now closed to the public due to the COVID-19 Pandemic. Few agency employees currently staff the agency offices. Consequently, although the current rule requires that those wishing to initiate an adjudicative proceeding must file a paper copy in person, or via an overnight courier service, at MASOB, they cannot do so at this time because the building is closed to the public. Although filing by U.S. Mail is still an option under the rule, processing of mail may be delayed due to reduced on-site staffing. Nothing in the rule requires a filer to use mail if personal filing is not available and hand-delivery, either in person or via an overnight courier service, are still allowed under the rule.

The closing of the MASOB to the public and both Salt Lake City and Salt Lake County shelter in place orders suggest that allowing people to enter the MASOB and have contact with the limited staff onsite is a threat to public health, safety, or welfare as it might contribute to further spreading of COVID-19. The reason for this closing is to prevent the spread of the virus. Even if the MASOB were open to the public for the limited purposes of complying with the filing requirements of Section R305-7-105 raises the risk that, for example, an asymptomatic carrier of COVID-19 could unwittingly spread the virus to others in MASOB.

UDEQ divisions continue to function and make final agency actions through limited on-site staff and telework. Those final agency decisions trigger the right to seek a legal remedy by initiating adjudicative proceedings. Because the MASOB is currently closed and agency actions issued by DEQ must provide notice as to how appeals are to be filed, a standard 120-day rulemaking process to allow for electronic submission would be too long and may impair the right of interested members of the public or industry to initiate adjudicative proceedings based on agency decisions made in the interim. Because such decisions are made routinely by all divisions of UDEQ, the lack of an immediate ability to file to initiate adjudicative proceedings presents an imminent threat to public health, safety, and welfare that

must be addressed immediately. Therefore, an emergency rule filing is necessary to allow, on a temporary basis, electronic filing of Requests for Agency Action and Petitions for Review to avoid impairing the ability to initiate an adjudicative proceeding.

5. Summary of the new rule or change:

The new changes would allow temporary electronic filing of requests for agency action and petitions for review to initiate adjudicative proceedings contesting UDEQ actions.

6. Regular rulemaking would:

- | | |
|---|---|
| X | cause an imminent peril to the public health, safety, or welfare; |
| | cause an imminent budget reduction because of budget restraints or federal requirements; or |
| | place the agency in violation of federal or state law. |

Specific reason and justification:

The MASOB is closed to the public due to the COVID-19 Pandemic, which is currently the only place allowed by rule to file contests to agency decisions. The legal right to contest agency decisions is provided under the Utah Administrative Procedures Act and Title 19 of the Environmental Quality Code, and impairment of the ability to exercise that right is an imminent peril to the public welfare. Therefore, a rule amendment that allows for electronic filing of new administrative adjudications, in lieu of personal filing at the MOSAB, is necessary. As agency decisions are currently being made daily or weekly and the standard 120-day rulemaking would exceed the standard 30-day deadline for filing to initiate an adjudicative proceeding, an emergency rule filing is necessary to temporarily address this situation until the pandemic ends and MASOB reopens to the public.

Fiscal Information

7. Aggregate anticipated cost or savings to:

A) State budget:

There is no anticipated cost or savings to the state budget, as the state will simply be receiving electronically-filed requests for agency action or petitions for review.

B) Local governments:

None anticipated, as the state is the governmental entity that receives petitions for review or requests for agency action. Should a local government seek to initiate an adjudication, it will result in the marginal savings of not having to send an employee to file in person.

C) Small businesses ("small business" means a business employing 1-49 persons):

Any savings to small businesses will be to those who do not have to incur expenses to travel to MASOB to file to initiate an adjudicative proceeding.

D) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

Any savings will be to those who do not have to incur expenses to travel to MASOB to file to initiate an adjudicative proceeding.

8. Compliance costs for affected persons:

No anticipated costs because these regulations exist in another form.

9. A) Comments by the department head on the fiscal impact this rule may have on businesses:

This will have no impact on businesses based on our fiscal analysis.

B) Name and title of department head commenting on the fiscal impacts:

L. Scott Baird, Executive Director

Citation Information**10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Subsection 19-1-201(1)(d)(ii)	Section 63G-3-304
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Agency Authorization Information

Agency head or designee, and title:	L. Scott Baird, Executive Director	Date:	04/20/2020
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NOTICE OF EMERGENCY (120-DAY) RULE

Utah Admin. Code Ref (R no.):	R512-80	Filing No. 52733
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Agency Information

1. Department:	Human Services
Agency:	Child and Family Services
Building:	MASOB
Street address:	195 North 1950 West
City, state, zip:	Salt Lake City, UT 84116

Contact person(s):

Name:	Phone:	Email:
Carol Miller	801-557-1772	carolmiller@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R512-80. Definitions of Abuse, Neglect, and Dependency

3. Effective Date:

04/30/2020

4. Purpose of the new rule or reason for the change:

This rule is being changed in response to H.B. 244 passed during the 2020 General Session.

5. Summary of the new rule or change:

The proposed changes to this rule bring the rule in-line with statute from H.B. 244 (2020).

6. Regular rulemaking would:

<input type="checkbox"/>	cause an imminent peril to the public health, safety, or welfare;
<input type="checkbox"/>	cause an imminent budget reduction because of budget restraints or federal requirements; or
<input checked="" type="checkbox"/>	place the agency in violation of federal or state law.

Specific reason and justification:

H.B. 244 (2020) becomes effective in May 2020. Changes to this rule bring it in line with those statutory requirements.

Fiscal Information**7. Aggregate anticipated cost or savings to:****A) State budget:**

The proposed changes to this rule are not expected to have any fiscal impacts on state government revenues or expenditures as the revised language brings the rule current to language in H.B. 244 (2020).

B) Local governments:

There is no impact to local governments due to these rule changes. These revisions bring the rule in-line with H.B. 244 (2020).

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no impact to small businesses due to this rule

modification. These revisions bring the rule in-line with H.B. 244 (2020).

D) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no impact to other persons due to revision made to this rule. These revisions bring the rule in-line with H.B. 244 (2020).

8. Compliance costs for affected persons:

There are no compliance costs for affected persons associated with implementing this rule because these changes are not fiscal in nature.

9. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to small or non-small businesses because this rule brings definitions used by the Division of Child and Family Services in-line with statute.

B) Name and title of department head commenting on the fiscal impacts:

Ann Williamson, Executive Director

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 62A-4a-102		
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Agency Authorization Information

Agency head or designee, and title:	Diane Moore, Director	Date:	04/29/2020
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NOTICE OF EMERGENCY (120-DAY) RULE

Utah Admin. Code Ref (R no.):	R986-700	Filing No. 52676
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Agency Information

1. Department:	Workforce Services
Agency:	Employment Development
Building:	Olene Walker Building
Street address:	140 E 300 S
City, state, zip:	Salt Lake City, UT 84111

Mailing address:	PO Box 45244	
City, state, zip:	Salt Lake City, UT 84145-0244	
Contact person(s):		
Name:	Phone:	Email:
Amanda B. McPeck	801-517-4709	ampeck@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:

R986-700-900. Emergency Rules, Pandemic

3. Effective Date:

04/20/2020

4. Purpose of the new rule or reason for the change:

The purpose of the new emergency section is to maintain services for child care subsidy families and providers during the COVID-19 pandemic.

5. Summary of the new rule or change:

The new emergency section allows the Department of Workforce Services, Office of Child Care to exclude Federal Pandemic Unemployment Compensation from unearned income for purposes of determining eligibility for child care subsidy payments.

6. Regular rulemaking would:

<input checked="" type="checkbox"/>	cause an imminent peril to the public health, safety, or welfare;
<input type="checkbox"/>	cause an imminent budget reduction because of budget restraints or federal requirements; or
<input type="checkbox"/>	place the agency in violation of federal or state law.

Specific reason and justification:

Due to the COVID-19 pandemic, there are child care subsidy (CC) customers who have lost employment through no fault of their own and require additional funds in order to care for their children. Excluding the \$600 per week Federal Pandemic Unemployment Compensation (FPUC) payments from CC income eligibility determinations will allow families who are eligible for CC to maintain eligibility while receiving FPUC, thus allowing them to return to work more quickly once business resumes. The emergency section also allows child care providers to continue to receive CC funding based on the enrollment of families covered. This will allow child care providers to have the resources to maintain payroll, pay rent, pay for materials, and meet health and safety requirements for families continuing to need child care.

Fiscal Information**7. Aggregate anticipated cost or savings to:****A) State budget:**

The new emergency section is not expected to have any fiscal impacts on state revenues or expenditures. There are no additional state employees or resources needed to oversee the new emergency section. The new emergency section will not increase workload and can be carried out with existing budget. Any costs will be paid with funds granted to the state through the federal Child Care and Development Fund.

B) Local governments:

The new emergency section is not expected to have any fiscal impact on local governments' revenues or expenditures because the program is federally-funded and does not rely on local governments for funding, administration, or enforcement.

C) Small businesses ("small business" means a business employing 1-49 persons):

The majority of child care providers are small businesses (North American Industry Classification System (NAICS) 624410). It is anticipated that this new emergency section will allow approximately 397 families with 725 children to continue to receive child care based on data obtained on April 17, 2020. The average subsidy payment per child each month is \$478. As a result, this will allow approximately \$346,550 per month to continue to flow to child care providers so they can maintain their businesses. In the absence of the rule change, these programs will lose this funding at a time when enrollment and revenues in programs are dramatically reduced.

D) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

It is anticipated that this emergency section will allow approximately 397 families with 725 children to continue to receive child care based on data obtained on April 17, 2020. The average subsidy payment per child each month is \$478. The new emergency section will support low-income parents to maintain their child care arrangements during the COVID-19 pandemic.

8. Compliance costs for affected persons:

The new emergency section is not expected to cause any compliance costs for affected persons because the

amendment does not create any new administrative fees. Provider compliance responsibilities are not changed with this amendment.

9. A) Comments by the department head on the fiscal impact this rule may have on businesses:

The funding for child care is provided by the federal Child Care and Development Block Grant (CCDBG). At this time, child care programs continue to receive subsidy payments for all families that were determined eligible for subsidies at the time of application unless their earnings exceed the federally established income threshold of 85% of the state median income (SMI). The CCDBG Act allows states to establish the definition of "income" for purposes of determining whether a family is at 85% SMI. Utah includes standard unemployment benefits as "income" for purposes of eligibility. This rule will not change that underlying requirement. However, by excluding the additional unemployment payment of \$600 per week established in the Coronavirus Aid, Relief, and Economic Security Act of 2020 for all qualified UI recipients, Utah will be supporting the child care businesses that rely on family tuition payments to meet most operating expenses by maintain program income through a stable child care subsidy program. This is of great economic importance to Utah given that approximately 38% of licensed centers and 18% of licensed family child care programs have already had to close during the COVID-19 pandemic due to low enrollment.

B) Name and title of department head commenting on the fiscal impacts:

Jon Pierpont, Executive Director

Citation Information**10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):**

Section 35A-3-310	Section 53F-5-210	
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End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **PROPOSED RULE**; continue the rule as it is by filing a **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (REVIEW)**; or amend the rule by filing a **PROPOSED RULE** and by filing a **REVIEW**. By filing a **REVIEW**, the agency indicates that the rule is still necessary.

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at <https://rules.utah.gov/>. The rule text may also be inspected at the agency or the Office of Administrative Rules. **REVIEWS** are effective upon filing.

REVIEWS are governed by Section 63G-3-305.

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R70-610	Filing No. 50172

Agency Information

1. Department:	Agriculture and Food	
Agency:	Regulatory Services	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84115	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Travis Waller	801-538-7150	twaller@utah.gov
Kelly Pehrson	801-538-7102	kwpehrson@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R70-610. Uniform Retail Wheat Standards of Identity

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

This rule is adopted under the authority of Section 4-2-102, as well as Section 4-5-104 that allows the Department of Agriculture and Food (Department) to make rules to efficiently enforce the Utah Wholesome Food Act and Section 4-5-207 that allows the Department to adopt rules establishing definitions and standards of identity.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

No written comments were received.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule should continue because it provides standards of identity and labeling standards for wheat grown and sold in Utah that ensure that products are safe and consumers and businesses are fully aware of what they are purchasing.

Agency Authorization Information

Agency head or designee, and title:	Kelly Pehrson, Deputy Commissioner	Date:	04/29/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R70-620	Filing No. 50178
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Agency Information

1. Department:	Agriculture and Food	
Agency:	Regulatory Services	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84115	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Travis Waller	801-538-7150	twaller@utah.gov
Kelly Pehrson	801-538-7102	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R70-620. Enrichment of Flour and Cereal Products
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is promulgated under the rulemaking authority of Section 4-5-104 that allows the Department of Agriculture and Food to make rules to enforce the Utah Wholesome Food Act.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule should continue because it adopts federal standards related to enrichment standards and labeling requirements for vitamins and minerals added to flour and cereal products. These standards protect the public and ensure transparency in products they are buying.

Agency Authorization Information

Agency head or designee, and title:	Kelly Pehrson, Deputy Commissioner	Date:	04/29/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R70-950	Filing No. 50179
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Agency Information

1. Department:	Agriculture and Food	
Agency:	Regulatory Services	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84115	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Travis Waller	801-982-2250	twaller@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R70-590. Uniform National Type Evaluation
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is promulgated under the authority of Section 4-9-103 which allows the Department of Agriculture and Food (Department) to make rules related to enforcement of Title 4, Chapter 9, related to weights and measures.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary because it adopts the National

Type Evaluation Program and allows the Department to require any weight or measure or any weighing or measuring instrument be issued a certificate of conformance with the program. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Kelly Pehrson, Deputy Commissioner	Date:	04/29/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R277-417	Filing No. 50423
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Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state, zip:	Salt Lake City, UT 84111-3272	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R277-417. Prohibiting LEAs and Third Party Providers from Offering Incentives or Disbursement for Enrollment or Participation
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; and Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no written comments received.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule is necessary because it provides standards and procedures for prohibiting local education agencies (LEAs) and third party providers from offering incentives for student enrollment. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent	Date:	04/16/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R414-40	Filing No. 50989
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Agency Information

1. Department:	Health	
Agency:	Health Care Financing, Coverage and Reimbursement Policy	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state, zip:	Salt Lake City,UT	
Mailing address:	PO Box 143102	
City, state, zip:	Salt Lake City, UT 84114-3102	
Contact person(s):		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R414-40. Private Duty Nursing Service
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 26-18-3 requires the Department of Health (Department) to implement the Medicaid program through administrative rules, and Section 26-1-5 authorizes the Department to adopt rules as necessary for the provision of Medicaid services.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Department did not receive any written or oral comments regarding this rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

The Department will continue this rule because it sets forth provisions of eligibility and coverage for Medicaid members, and specifies program requirements and reimbursement for Medicaid providers.

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	04/28/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R434-100	Filing No. 51105
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Agency Information

1. Department:	Health	
Agency:	Family Health and Preparedness, Primary Care and Rural Health	
Room no.:	361	
Street address:	3760 S Highland Drive	
City, state, zip:	Salt Lake City, UT 84106	
Mailing address:	PO Box 142005	
City, state, zip:	Salt Lake City, UT 84114-2005	
Contact person(s):		
Name:	Phone:	Email:
Ashley Moretz	801-273-6605	amoretz@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R434-100. Physician Visa Waivers
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 1182(e) and Section 1184 of Title III of the Immigration and Nationality Act and 22 CFR 41.63 provide that the state may request a waiver of the federal

two year home residence requirement on behalf of J-1 visa physicians each fiscal year if they work in a medically underserved area of the state and if the waiver is in the public interest. Utah Code Section 26-1-18 authorizes the Utah Department of Health to implement this program. Utah Administrative Rule R434-100 establishes the criteria to determine whether it is in the public interest to request a J-1 visa waiver for an applicant. It establishes the procedures for the submission, review, and disposition of applications.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

No written comments have been received since the last five-year review of the rule from interested persons supporting or opposing the rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

The rule should be continued because it has met the requirements of its authorizing statute and the rule has facilitated a well-administered program that meets the statutory purposes of Section 26-1-18 providing physician services in areas that typically have difficulty attracting and retaining physicians.

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	04/13/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R495-883	Filing No. 51180
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Agency Information

1. Department:	Human Services	
Agency:	Administration	
Street address:	515 East 100 S	
City, state, zip:	Salt Lake City, UT 84102-4211	
Mailing address:	PO Box 45033	
City, state, zip:	Salt Lake City, UT 84102-4211	
Contact person(s):		
Name:	Phone:	Email:
Casey Cole	801-741-7523	cacole@utah.gov
Jonah Shaw	801-538-4225	jshaw@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:

R495-883. Children in Care Support Services

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

The Office of Recovery Services (ORS) has the authority to adopt, amend, and enforce rules necessary to carry out its responsibilities under state law pursuant to Section 62A-11-107. Provisions found in Section 62A-11-104 require the office to provide child support services to those children who lives out of the home in protective custody, temporary custody, or custody or care of the State. ORS is required to collect child support and third party payments in behalf of children placed in the custody of the in accordance with Sections 78A-6-1106, 78B-12-101 et seq., 62A-1-117, 62A-11-301 et seq., and Federal Regulations 45 CFR 300-307.

Section 78B-12-106 authorizes recovery of support from a natural or adoptive parent whose minor child becomes the ward of the , or any other state until the child reaches the age of majority. Section 78B-12-108 requires the parent without physical custody of the child to pay the amount of support ordered without the need to modify the order for the state when the child is outside the home in custody of the State. Section 78B-12-301 and Section 78B-12-302 provide ORS the base amounts to be used when establishing or modifying child support orders and Section 62A-11-320.5 and Section 62A-11-320.6 provide the authority for ORS to conduct a review and adjustment of a support order when there are substantial changes in circumstances. This rule provides needed information for ORS to provide services to children in the care or custody of the pursuant to federal regulations and state laws.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

There have been no comments received since the last five-year review of the rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule should be continued because the laws and guidelines that require ORS to establish and modify child support orders and collect support for children who are in the care or custody of the state are still in effect. This rule also provides additional information for ORS to use when establishing and enforcing orders for children in care or custody of the state.

Agency Authorization Information

Agency head or designee, and title:	Ann Williamson, Executive Director	Date:	04/15/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R590-231	Filing No. 51414
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Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	3110	
Building:	State Office Building	
Street address:	450 N State St	
City, state, zip:	Salt Lake City, UT 84114	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-538-3803	sgooch@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:

R590-231. Workers' Compensation Market of Last Resort

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

Section 31A-2-201 authorizes the Insurance Commissioner to write rules to implement the provisions of Title 31A, Insurance Code. Section 31A-19a-404 authorizes the Insurance Commissioner to adopt rules to record and report statistical data and experience rating data. Section 31A-20-103 authorizes the Insurance Commissioner to define by rule lines and classes of insurance. Section 31A-22-1010 sets the reporting requirements for workers' compensation deductible policies.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Insurance Department (Department) has received no written comments regarding this rule during the past five years.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule is not necessary any longer. While performing this five-year review, it was determined that the rule should be repealed. The Department will begin the repeal filing process immediately but the rule is continued so the repeal can go through the process.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer I	Date:	04/17/2020
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR EXPIRATIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). The Office of Administrative Rules (Office) is required to notify agencies of rules due for review at least 180 days prior to the anniversary date. If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR EXTENSION (EXTENSION)** with the Office. However, if the agency fails to file either the **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION** or the **EXTENSION** by the date provide by the Office, the rule expires.

Upon expiration of the rule, the Office files a **NOTICE OF FIVE-YEAR EXPIRATION (EXPIRATION)** to document the action. The Office is required to remove the rule from the *Utah Administrative Code*. The agency may no longer enforce the rule and it must follow regular rulemaking procedures to replace the rule if it is still needed.

The Office has filed **EXPIRATIONS** for each of the rules listed below which were not reviewed in accordance with Section 63G-3-305. These rules have expired and have been removed from the *Utah Administrative Code*.

The expiration of administrative rules for failure to comply with the five-year review requirement is governed by Subsection 63G-3-305(8).

NOTICE OF EXPIRED RULE		
Utah Admin. Code Ref (R no.):	R765-571	Filing No. 51990

Agency Information

1. Department:	Regents (Board of)
Agency:	Administration
Building:	Board of Regents Building, The Gateway
Street address:	60 S 400 W
City, state, zip:	Salt Lake City, UT 84101-1284
Mailing address:	PO Box 45202
City, state, zip:	Salt Lake City, UT 84145-0202
Contact person(s):	

Name:	Phone:	Email:
Nancy Lancaster	801-957-7102	nllancaster@utah.gov

General Information

2. Title of rule (catchline):	
R765-571. Delegation of Purchasing Authority	
3. Effective Date:	04/29/2020
4. Summary:	
The five-year review and notice of continuation was not filed on Rule R765-571 by the deadline so it expired and will be removed from the Utah Administrative Code.	

End of the Notices of Notices of Five Year Expirations Section

NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **PROPOSED RULES** or **CHANGES IN PROPOSED RULES** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** or a related **CHANGE IN PROPOSED RULE** the rule lapses.

Agencies have notified the Office of Administrative Rules that the rules listed below have been made effective.

NOTICES OF EFFECTIVE DATE are governed by Subsection 63G-3-301(12), Section 63G-3-303, and Sections R15-4-5a and R15-4-5b.

Human Services

Administration

No. 52591 (Amendment): R495-810. Government Records Access and Management Act
Published: 03/15/2020
Effective: 05/11/2020

Administration, Administrative Services, Licensing

No. 52595 (Amendment): R501-12. Foster Care Services
Published: 03/15/2020
Effective: 05/11/2020

No. 52578 (Amendment): R501-22. Residential Support Programs
Published: 03/1/2020
Effective: 05/11/2020

Insurance

Administration

No. 52585 (Amendment): R590-277. Prohibited Policy Provisions
Published: 03/15/2020
Effective: 04/22/2020

Labor Commission

Boiler, Elevator and Coal Mine Safety

No. 52612 (Amendment): R616-3. Elevator Rules
Published: 04/01/2020
Effective: 05/11/2020

UTech Board of Trustees

Administration

No. 52603 (Amendment): R945-1. UTech Technical College Scholarship
Published: 04/01/2020
Effective: 05/11/2020

Workforce Services

Employment Development

No. 52521 (Amendment): R986-100. A Client Must Inform the Department of All Material Changes
Published: 03/15/2020
Effective: 04/20/2020

No. 52604 (Amendment): R986-700. Child Care Assistance
Published: 04/01/2020
Effective: 05/09/2020

Housing and Community Development

No. 52602 (Amendment): R990-101. Qualified Emergency Food Agencies Fund (QEFAF)
Published: 04/01/2020
Effective: 05/09/2020

Unemployment Insurance

No. 52589 (Amendment): R994-508. Appeal Filing Procedures Amendments
Published: 03/15/2020
Effective: 04/22/2020

End of the Notices of Rule Effective Dates Section