

UTAH STATE DIGEST

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Sunnie Burningham, Managing Editor

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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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EDITOR'S NOTES

Publication Error in the July 1, 2020, Bulletin on the Filing for Rule R277-924

On 06/15/2020, the Utah State Board of Education (USBE) filed an amendment on Rule R277-924, Partnerships for Student Success Grant Program. During the processing of the filing, an error occurred where the marked-up text was removed and that was the text that was published in the July 1, 2020, Bulletin. USBE made this filing effective on 08/12/2020. USBE did a review after making the rule effective and discovered that the marked-up text was not published.

After a discussion with the Office of Administrative Rules, the decision was made that since USBE filed the rule correctly and had discussed the rule at public USBE meetings, the filing can be, and has been, made effective.

In the interests of a complete record, the correctly marked up text is provided below:

R277. Education, Administration.

R277-924. Partnerships for Student Success Grant Program.

R277-924-1. Authority and Purpose.

(1) This rule is authorized by:

- (a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board; and
- (b) Section 53F-5-406, which requires the Board to make rules to administer the Partnerships for Student Success Grant Program;

and

(c) 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.

(2) The purpose of this rule is to provide:

- (a) criteria for evaluating grant applications; and
- (b) procedures for:
 - (i) an eligible partnership to apply to the Board to receive grant money; and
 - (ii) the evaluation of an eligible partnership's use of grant money.

R277-924-2. Definitions.

(1) "Eligible partnership" means the same as that term is defined in Section 53F-5-401.

(2) "Eligible school feeder pattern" means the same as that term is defined in Section 53F-5-401.

(3) "Grant program" means the Partnerships for Student Success Grant Program established in Section 53F-5-402.

(4) "Lead applicant" means an LEA or local nonprofit organization designated by an eligible partnership to act as the lead applicant for a grant described in Title 53F, Chapter 5, Part 4, Partnerships for Student Success Grant Program and this Rule.

(5) "Low performing school" means the same as that term is defined in Section 53E-5-301.

R277-924-3. Grant Application.

(1) The Superintendent shall:

(a) develop a grant application that allows an eligible partnership, through the lead applicant, to apply to participate in the grant program; and

(b) make the grant application available on the Board's website.

(2) An eligible partnership may apply for a grant described in Section 53F-5-402 by submitting an application to the Superintendent

~~(a) on or before September 1, 2016; or~~

~~(b)] on or before the date published on the Board's website.~~

(3)(a) An eligible partnership or lead applicant may notify the Superintendent of the eligible partnership's intention to apply for a grant at any time.

(b) If an eligible partnership intends to be considered for a grant for the upcoming school year, the eligible partnership shall submit a letter of intent by the deadline established by the Superintendent and published on the Board's website.

(4) For each year the Superintendent is authorized to solicit grant applications, the Superintendent shall publish a timeline on the Board's website by March 1, including a date for the application release, and due dates for ~~the~~an LEA to submit required materials.

(5) The Superintendent shall evaluate each application using the criteria described in Section R277-924-4 to determine if the applying partnership is an eligible partnership.

(6) The Superintendent shall notify the lead applicant of successful receipt of a grant by July 1.

R277-924-4. Procedure and Criteria for Awarding a Grant.

(1) The Superintendent shall award grants to eligible partnerships based on the amount of funding available for the grant program.

(2) The Superintendent shall award the grant described in Subsection (1) to an eligible partnership based on the following criteria:

EDITOR'S NOTES

(a) the percentage of students who live in families with an income at or below 185% of the federal poverty level enrolled in schools within the eligible school feeder pattern;

(b) the comprehensive needs assessment of the eligible partnership, including the shared goals, outcomes and measurement practices based on the unique community needs and interests;

(c) the proposed program services to be implemented based on the comprehensive needs assessment described in Subsection (2)(b), including how the eligible partnership's plan aligns with:

(i) the five- and ten-year plan to address intergenerational poverty described in Section 35A-9-303; and

(ii) if the eligible partnership has a low performing school within the eligible partnership's school feeder pattern, the school turnaround plans of the low performing schools;

(d) how the eligible partnership will:

(i) improve educational outcomes for low income students through the formation of cross-sector partnerships; and

(ii) improve efforts focused on student success;

(e) the outcome-based measures selected by the eligible partnership, including the eligible partnership's plan to:

(i) objectively assess the success of the eligible partnership's program design plan; and

(ii) make changes to the eligible partnership's plan based on the assessment described in Subsection (2)(e)(i);

(f) the strength of the eligible partnership's commitment to:

(i) the establishment and maintenance of data systems that inform program decisions;

(ii) sharing of information and collaboration with ~~[third party]~~program evaluators; and

(iii) meeting annual reporting requirements;

(g) the eligible partnership's budget, including:

(i) identifying the estimated cost per student for the program;

(ii) an explanation for each proposed expenditure and how each expenditure aligns with the eligible partnership's proposed program;

and

(iii) providing matching funds as required in Section 53F-5-403.

(3) Additional points will be awarded to an eligible partnership that:

(a) includes a low performing school~~[-as defined in Section 53E-5-301]~~; or

(b) includes community and parent engagement as a part of the eligible partnership's plan.

(4) The Superintendent shall administer and oversee the evaluation of the program as provided in Section 53F-5-405.

KEY: Partnerships for Student Success, grant program[s], community, non-profit organizations

Date of Enactment or Last Substantive Amendment: ~~[October 11, 2016]~~2020

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53F-5-406; 53E-3-401(4)

Any questions should be directed to the: Office of Administrative Rules at rulesonline@utah.gov

End of the Editor's Notes Section

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 2020-50

Adopting Version 4.10 of the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation

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, the Utah Department of Health has released and updated the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation, which provide a color-coded health guidance system (hereinafter, "Utah COVID-19 Level of Restriction"), to guide economic engagement while still protecting public health;

WHEREAS, the Utah Department of Health has determined that the Utah COVID-19 Level of Restriction set forth in Executive Order 2020-49 should be maintained to protect public health throughout the state;

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. As used in this Order:
 - a. "Person" means the same as that term is defined in Utah Code § 68-3-12.5(18).
 - b. "Phased Guidelines" means the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation version 4.10.
2. The Utah COVID-19 Level of Restriction is:

EXECUTIVE DOCUMENTS

- a. Moderate Level of Restriction (Orange) in Salt Lake City;
 - b. Minimal Level of Restriction (Green) in Beaver County, Daggett County, Duchesne County, Emery County, Garfield County, Kane County, Millard County, Piute County, Uintah County, and Wayne County; and
 - c. Low Level of Restriction (Yellow) in each area of the State not identified in Subsection (2)(a) or (2)(b).
3. The provisions of the Phased Guidelines apply as follows:
- a. Each person in an area identified in Subsection (2)(a) shall comply with the Moderate Level of Restriction (Orange) provisions of the Phased Guidelines;
 - b. Each person in an area identified in Subsection (2)(b) shall comply with the Minimal Level of Restriction (Green) provisions of the Phased Guidelines;
 - c. Each person in an area identified in Subsection (2)(c) shall comply with the Low Level of Restrictions (Yellow) provisions of the Phased Guidelines; and
 - d. Notwithstanding any other provision of Section (3), any reference in the Phased Guidelines to the use of a mask or face covering is adopted:
 - i. as an order for:
 - A. each individual who is acting in the capacity as an employee of a business when the individual is unable to maintain a distance of six feet from another individual; and
 - B. each individual in a healthcare setting; and
 - ii. as a strong recommendation for any individual not identified in Subsection (3)(d)(i).
4. A political subdivision desiring an exception to this Order or the Phased Guidelines or desiring to move to Minimal Level of Restriction (Green) 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. Notwithstanding Subsections (3) or (4), a political subdivision desiring to adopt a mandatory face covering requirement may do so without prior approval from the Utah Department of Health by notifying the Utah Department of Health of their intent to adopt the requirement.
6. To the extent that any provision of this Order conflicts with a provision of Executive Order 2020-48 or Utah Public Health Order 2020-11, the provision of Executive Order 2020-48 or Utah Public Health Order 2020-11 shall control.
7. This Order rescinds and replaces Executive Order 2020-49.

This Order is declared effective immediately and shall remain in effect until 11:59 p.m. on August 20, 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 14th day of August, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/050/EO

EXECUTIVE ORDER
2020-51

Declaring a State of Emergency Due to the Ongoing COVID-19 Pandemic

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

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, the state of emergency declared in Executive Order 2020-1 expires on this day, August 20, 2020;

WHEREAS, COVID-19 has been characterized by the World Health Organization as a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

WHEREAS, the Utah Department of Health has reported 47,157 cases of COVID-19 and 2,804 COVID-19-related hospitalizations as of August 19, 2020;

WHEREAS, the Utah Department of Health has reported 369 COVID-19-related deaths as of August 19, 2020;

WHEREAS, due to the valiant efforts of state and local officials and health authorities and of the public in responding to the COVID-19 pandemic, COVID-19-related cases are declining, and Utah has experienced a seven-day average of 341 COVID-19 cases and a seven-day rolling average of 7.3% testing positivity as of August 19, 2020;

WHEREAS, despite improving conditions in Utah, COVID-19 continues to spread and threaten public health and safety throughout the state;

WHEREAS, it is imperative that state and local officials and health authorities implement measures to protect the health and safety of students, educators, and families throughout the state as schools and institutions of higher education resume classes;

WHEREAS, the negative economic and social impacts of the COVID-19 pandemic continue to be felt throughout the state;

WHEREAS, COVID-19 is a new disease caused by a virus for which there is no existing vaccine;

WHEREAS, the COVID-19 pandemic requires cooperation by public health authorities, hospitals, and the general population to avoid overwhelming hospitals and causing the higher case fatality rates experienced by other countries and regions of the United States;

WHEREAS, scientific and medical knowledge concerning COVID-19 is incomplete and continues to evolve, requiring constant adaptation by elected officials and public health authorities to address the pandemic based on new information;

WHEREAS, Utah Code § 53-2a-206(1) provides that a state of emergency may be declared by executive order of the governor if the governor finds a "disaster" has occurred or the occurrence or threat of a disaster is imminent in any area of the state in which state government assistance is required to supplement the response and recovery efforts of the affected political subdivision or political subdivisions;

WHEREAS, Utah Code § 53-2a-102(5) provides that a "disaster" is an event that causes, or threatens to cause, loss of life, human suffering, public or private property damage, or economic or social disruption resulting from "natural phenomena," among other things;

WHEREAS, Utah Code § 53-2a-102(13) provides that "natural phenomena" include an "epidemic," among other things;

WHEREAS, I find that the effects of the COVID-19 pandemic and its continuing threat to public health and economic and social stability are emergency conditions sufficient to constitute a disaster within the intent of the Utah Code Title 53, Chapter 2a, Disaster Response and Recovery Act;

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, declare a "State of Emergency" due to the aforesaid circumstances requiring aid, assistance, and relief available from State resources and hereby order:

1. the continued execution of the State Emergency Operations Plan;
2. assistance from State government to political subdivisions as needed and coordinated by the Utah Department of Health, the Utah Department of Public Safety, and other state agencies as necessary;
3. the continued dissemination of timely and accurate information by state agencies to the public that will mitigate the spread of COVID-19, prevent unnecessary confusion and alarm, and mitigate impacts to the economy;
4. the continued outreach and assistance to the populations most vulnerable to COVID-19; and
5. coordination with local authorities and the private sector to maximize access to appropriate medical care while preserving critical services for those most in need.

This Order shall take effect immediately upon the expiration or termination of Executive Order 2020-1 and shall remain in effect until September 19, 2020, unless extended by the Utah State Legislature, or earlier if I find the threat of danger has passed or reduced to the extent that emergency conditions no longer exist.

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 20th day of August, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/051/EO

EXECUTIVE ORDER
2020-52

Reauthorizing the Suspension of Utah Administrative Code R671-302 Regarding Public Access to Board of Pardons and Parole Hearings

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, on March 17, 2020, I issued Executive Order 2020-3, suspending Utah Administrative Code R671-302, which governs public access to hearings of the Board of Pardons and Parole, as necessary to mitigate the spread of COVID-19;

WHEREAS, the state of emergency declared in Executive Order 2020-1 expires on this day, August 20, 2020, causing the termination of several executive orders necessary to mitigate the spread of COVID-19, including Executive Order 2020-3;

WHEREAS, on this day, August 20, 2020, I issued Executive Order 2020-51, declaring a state of emergency due to the ongoing COVID-19 pandemic;

WHEREAS, the facts and conditions necessitating the suspension of Utah Administrative Code R671-302 persist;

WHEREAS, COVID-19 has been characterized by the World Health Organization as a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

WHEREAS, strict adherence to Utah Administrative Code R671-302, News Media and Public Access to Hearings, will substantially hinder necessary action by the Utah Department of Corrections in coping with and preventing the continuing spread of COVID-19;

WHEREAS, Utah Code § 53-2a-209(3) authorizes the governor to suspend by executive order the provisions of any order, rule, or regulation of any state agency, if the strict compliance with the provisions of the order, rule, or regulation would substantially prevent, hinder, or delay necessary action in coping with an emergency or disaster;

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 part 2 of the Emergency Management Act;

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, hereby order the suspension of Utah Administrative Code R671-302, News Media and Public Access to Hearings. Effective immediately, the Utah Board of Pardons and Parole ("Board") shall restrict in-person access to Board hearings as follows:

1. At any parole revocation hearing, including an evidentiary hearing, in-person access shall be limited to: (1) a Board member; (2) a hearing officer; (3) a prison staff member; (4) an offender; (5) legal counsel for the offender; (6) an Adult Probation and Parole agent; (7) legal counsel for Adult Probation and Parole; (8) a witness; (9) a victim; (10) one representative of each victim; and (11) up to two family members of each victim.

2. At any original hearing, rehearing, special attention review hearing, or redetermination hearing, in-person access shall be limited to: (1) a Board member; (2) a hearing officer; (3) a prison staff member; (4) an offender; (5) a victim; (6) one representative of each victim; and (7) up to two family members of each victim.

3. At any pardon hearing, in-person access shall be limited to: (1) a Board member; (2) a prison staff member; (3) a pardon applicant; (4) legal counsel for the pardon applicant; (5) a victim; (6) one representative of each victim; (7) up to two family members of each victim; and (8) an authorized representative of the arresting or investigative agency, sentencing court, or prosecutor's office for each conviction being addressed.

4. At any commutation hearing, in-person access shall be limited by the Board as the Board reasonably determines is necessary to prevent or control the spread of COVID-19.

Notwithstanding the foregoing restrictions, the Board shall simultaneously transmit by electronic means hearings for public viewing and listening.

This Order shall take effect immediately upon Executive Order 2020-51 becoming effective and shall remain in effect until the date the state of emergency declared in Executive Order 2020-51 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 20th day of August, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/052/EO

EXECUTIVE ORDER
2020-53

Reauthorizing the Suspension of Enforcement of Provisions of the Utah Postretirement Reemployment Restrictions Act

WHEREAS, on March 6, 2020, I issued Executive Order 2020-1, declaring a state of emergency due 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, on March 30, 2020, I issued Executive Order 2020-9, suspending provisions of the Utah Postretirement Reemployment Restrictions Act, found in Utah Code Title 49, Chapter 11, Part 12, as necessary to assist the State response to the COVID-19 pandemic emergency;

WHEREAS, the state of emergency declared in Executive Order 2020-1 expires on this day, August 20, 2020, causing the termination of several executive orders necessary to mitigate the spread of COVID-19, including Executive Order 2020-9;

WHEREAS, on this day, August 20, 2020, I issued Executive Order 2020-51, declaring a state of emergency due to the ongoing COVID-19 pandemic;

WHEREAS, the facts and conditions necessitating the suspension of provisions of the Utah Postretirement Reemployment Restrictions Act persist;

WHEREAS, COVID-19 has been characterized by the World Health Organization as a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

WHEREAS, despite improving conditions in Utah, COVID-19 continues to spread and threaten public health and safety throughout the state;

WHEREAS, it is imperative that healthcare facilities maximize the number of capable healthcare workers to ensure Utahns impacted by COVID-19 have access to medical treatment;

WHEREAS, state and local governmental entities must have staffing sufficient to appropriately address the impacts of COVID-19;

WHEREAS, the following governmental functions are critical because they enable state and local officials to protect their communities and ensure continuity of functions essential to public health and safety: communications, emergency services and first responders, energy, financial services, food and agriculture, government facilities, healthcare and public health facilities, information technology, transportation systems, and water and wastewater systems (the "Critical Government Functions");

WHEREAS, many retirees of the Utah Retirement Systems (URS) in the state are skilled workers willing to be reemployed to meet the Critical Government Functions staffing needs of state and local governmental entities that are URS participating employers to be able to appropriately address the impacts of COVID-19;

WHEREAS, certain provision of Utah Code Title 49, Chapter 11, Part 12, Postretirement Reemployment Restrictions Act, may restrict the ability of URS participating employers to reemploy certain retirees in Utah who may help provide or expedite Critical Government Functions needed for emergency response and recovery;

WHEREAS, Certain provisions of Utah Code §§ 49-11-1201 through 49-11-1208 may limit the ability of URS participating employers to have staffing sufficient to appropriately respond to the COVID-19 disaster and to ensure that Utahans have Critical Government Functions;

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, consistent with applicable federal law:

1. Utah Code § 49-11-1204(2), requiring cancellation of a retirement allowance for reemployment without a one-year break in service;
2. Utah Code § 49-11-1204(4)(b), to the extent it requires the participating employer to pay the amortization rate to URS;
3. Utah Code § 49-11-1206(1)(b), to the extent it requires a participating employer to immediately notify URS of the reemployment;
4. Utah Code § 49-11-1206(3), to the extent it requires a retiree to report the status of the reemployment to URS; and

5. Utah Code § 49-11-1207(1), to the extent it requires URS to take action regarding a violation of Subsection 49-11-1204(2) or (4)(b);

PROVIDED THAT, the suspensions in this Order apply only as to an individual who:

1. retired prior to March 30, 2020; and
2. becomes temporarily reemployed to ensure adequate staffing of Critical Government Functions for a URS participating employer during the state of emergency.

This Order shall take effect immediately upon Executive Order 2020-51 becoming effective and shall remain in effect until the date the state of emergency declared in Executive Order 2020-51 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 20th day of August, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/053/EO

EXECUTIVE ORDER
2020-54

Reauthorizing the Suspension of 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, on May 8, 2020, I issued Executive Order 2020-21, suspending the enforcement of certain provisions of the Retail License Act, found in Utah Code Title 32B, Chapter 5, Part 3, Section 309, as necessary to address the impacts of the COVID-19 pandemic;

WHEREAS, the state of emergency declared in Executive Order 2020-1 expires on this day, August 20, 2020, causing the termination of several executive orders necessary to mitigate the spread of COVID-19, including Executive Order 2020-21;

WHEREAS, on this day, August 20, 2020, I issued Executive Order 2020-51, declaring a state of emergency due to the ongoing COVID-19 pandemic;

WHEREAS, the facts and conditions necessitating the suspension of enforcement of Utah Code § 32B-5-309 persist;

WHEREAS, COVID-19 has been characterized by the World Health Organization as a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

EXECUTIVE DOCUMENTS

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 authorities have issued 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 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.

This Order shall take effect immediately upon Executive Order 2020-51 becoming effective and shall remain in effect until the date the state of emergency declared in Executive Order 2020-51 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 20th day of August, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/054/EO

EXECUTIVE ORDER
2020-55

Reauthorizing the Suspension of Enforcement of Statutes Relating to Telehealth Services

WHEREAS, on March 6, 2020, I issued Executive Order 2020-1, declaring a state of emergency due to 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, on May 15, 2020, I issued Executive Order 2020-23, suspending certain provisions of the Telehealth Act, found in Utah Code Title 26, Chapter 60, as necessary to mitigate the spread of COVID-19;

WHEREAS, the state of emergency declared in Executive Order 2020-1 expires on this day, August 20, 2020, causing the termination of several executive orders necessary to mitigate the spread of COVID-19, including Executive Order 2020-23;

WHEREAS, on this day, August 20, 2020, I issued Executive Order 2020-51, declaring a state of emergency due to the ongoing COVID-19 pandemic;

WHEREAS, the facts and conditions necessitating the suspension of provisions of the Telehealth Act persist;

WHEREAS, COVID-19 has been characterized by the World Health Organization as a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

WHEREAS, the Centers for Disease Control and Prevention have issued guidelines encouraging healthcare facilities to use telehealth services to reduce in-person healthcare visits and to prevent transmission of COVID-19 and other respiratory viruses;

WHEREAS, state and local health authorities have encouraged patients needing access to healthcare to use telehealth services when possible rather than go to a healthcare facility or doctor's office;

WHEREAS, the use of telehealth services is critical to ensure that the healthcare system is not overwhelmed and to mitigate the spread of COVID-19;

WHEREAS, Utah Code Title 26, Chapter 60, Telehealth Act governs the use of telehealth services in Utah;

WHEREAS, Utah Code §§ 26-60-102(9)(b)(ii) and 26-60-103(4)(a) may limit the ability of a healthcare provider to offer telehealth services during this state of emergency;

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 following:

1. Enforcement of the following statutes is suspended:
 - a. Utah Code § 26-60-102(9)(b)(ii); and
 - b. Utah Code § 26-60-103(4)(a) to the extent that it interferes with a medical provider's ability to offer telehealth services.
2. A medical provider that pursuant to this Order offers telehealth services that do not comply with the federal Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, 110 Stat. 1936, as amended, or the federal Health Information Technology for Economic and Clinical Health Act, Pub. L. No. 111-5, 123 Stat. 226, 467, as amended, shall:
 - a. inform the patient the telehealth service does not comply with those federal acts;
 - b. give the patient an opportunity to decline use of the telehealth service; and
 - c. take reasonable care to ensure security and privacy of the telehealth service.

This Order shall take effect immediately upon Executive Order 2020-51 becoming effective and shall remain in effect until the date the state of emergency declared in Executive Order 2020-51 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 20th day of August, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/055/EO

EXECUTIVE ORDER
2020-56

Updating the State Facilities Face Covering Requirement

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, on August 8, 2020, I issued Executive Order 2020-48, requiring the use of face coverings by any individual while in a state facility to mitigate the spread of COVID-19;

WHEREAS, the state of emergency declared in Executive Order 2020-1 expires on this day, August 20, 2020;

WHEREAS, on this day, August 20, 2020, I issued Executive Order 2020-51, declaring a state of emergency due to the ongoing COVID-19 pandemic;

WHEREAS, the facts and conditions necessitating the use of face coverings in state facilities persist;

WHEREAS, COVID-19 has been characterized by the World Health Organization as a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

WHEREAS, COVID-19 can spread between individuals in close proximity through respiratory droplets produced when an infected individual speaks, coughs, or sneezes;

WHEREAS, an infected individual can transmit COVID-19 even if the individual does not present symptoms or know that the individual is infected;

WHEREAS, the United States Centers for Disease Control and Prevention and the Utah Department of Health have recommended the use of face masks or other face coverings to mitigate the transmission of COVID-19;

WHEREAS, the Utah Department of Health and I have determined that it is appropriate to continue to require individuals, including employees and members of the public, to wear face coverings while in state facilities to protect public health;

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. As used in this Order:
 - a. "Face covering" means a face mask or a face shield.
 - b. "Face mask" means a mask that:
 - i. covers the nose and mouth without openings that can be seen through;
 - ii. is made of synthetic or natural fabrics;
 - iii. secures under the chin;
 - iv. fits snugly against the nose and sides of the face; and
 - v. does not have an exhalation valve or vent.
 - c. "Face shield" means a shield that:
 - i. covers the entire face;
 - ii. protects the eyes of the wearer;
 - iii. is made of clear plastic or similar nonpermeable transparent material;
 - iv. secures around the top of the head;
 - v. does not secure under the chin;
 - vi. does not fit snugly against the nose or sides of the face; and
 - vii. can be used in conjunction with a mask for enhanced protection.
 - d. "State facility" means a building or structure, or part thereof, that is owned, leased, occupied, or controlled by the state or a state governmental entity.
 - e. "State facility" does not mean:
 - i. a state prison or state community correctional center;
 - ii. a detention facility or secure facility operated by the Division of Juvenile Justice Services; or
 - iii. a building or structure, or part thereof, that is owned, leased, occupied, or controlled exclusively by:
 - A. the legislative branch of the state;
 - B. the judicial branch of the state;
 - C. the Attorney General's Office;
 - D. the State Auditor's Office;
 - E. the State Treasurer's Office; or
 - F. an independent entity as defined in Utah Code § 63E-1-102.
 - f. "State governmental entity" means any department, board, commission, institution, agency, or institution of higher education of the state.
 2. Each individual in a state facility shall wear a face mask, except as provided in Section (3).
 3. Section (2) does not apply to:
 - a. a child who:
 - i. is in a childcare setting;
 - ii. is younger than three years old; or
 - iii. is three years old or older if the parent, guardian, or individual responsible for caring for the child cannot place the face mask safely on the child's face;
 - b. an individual with a medical condition, mental health condition, or disability that prevents wearing a face mask, including an individual with a medical condition for whom wearing a face mask could cause harm or obstruct breathing, or who is unconscious, incapacitated, or otherwise unable to remove a face mask without assistance;
 - c. an individual engaged in an activity where the ability to see the mouth is essential for communication, including an individual who is deaf or hard of hearing while communicating with others or an individual communicating with an individual who is deaf or hard of hearing, in which case a the individual shall wear a face shield without a mask or use alternative protection such as a plexiglass barrier;
 - d. an individual who is receiving or providing a service involving the nose or face for which temporary removal of the face mask is necessary to perform the service;
 - e. an individual who is outdoors;
 - f. an individual in a vehicle;
 - g. an individual who is actively engaged in any of the following activities while maintaining a physical distance of at least six feet from any other individual who is not from the same household or residence:
 - i. using an indoor recreational facility; or
 - ii. eating or drinking; or
 - h. a state employee who is not speaking in person with any other individual and who:
 - i. is the sole occupant of a fully enclosed room or office;
 - ii. is the sole occupant of a partially enclosed room, office, or similar space, including a cubicle, that is enclosed on at least three sides by walls or other physical barriers or dividers of a height that reaches no lower than the top of the employee's head when the employee is seated; or
 - iii. is seated or stationary, and maintains a physical distance of at least six feet from any other individual.
 - 4a. Except as provided in Subsections (4)(b) and (4)(c), a state governmental entity may not require an individual to provide medical documentation verifying the basis for an exemption under Subsection (3)(b).

EXECUTIVE DOCUMENTS

- b. A state governmental entity may require an individual employed by the state governmental entity to provide medical documentation verifying the basis for an exemption under Subsection (3)(b).
- c. A state institution of higher education may require an individual who is enrolled as a student of the state institution of higher education to provide medical documentation verifying the basis for an exemption under Subsection (3)(b).
- 5. A state governmental entity may refuse to provide in-person service to any individual who does not wear a mask in a state facility of the state governmental entity if:
 - a. an alternative means of service is available;
 - b. the state governmental entity specifies to the individual how to access the alternative means of service; and
 - c. the state governmental entity determines that the individual has reasonable access to the alternative means of service.
- 6. The Utah Department of Corrections shall implement requirements regarding the wearing of face coverings in a state prison or state community correctional center.
- 7. The Division of Juvenile Justice Services shall implement requirements regarding the wearing of face coverings in a detention facility or secure facility operated by the Division of Juvenile Justice Services.

This Order shall take effect immediately upon Executive Order 2020-51 becoming effective and shall remain in effect through September 4, 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 20th day of August, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/056/EO

EXECUTIVE ORDER
2020-57

Extending the Utah COVID-19 Level of Restriction

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, on August 14, 2020, I issued Executive Order 2020-50, extending the Utah COVID-19 Level of Restriction to mitigate the spread of COVID-19;

WHEREAS, the state of emergency declared in Executive Order 2020-1 expires on this day, August 20, 2020;

WHEREAS, on this day, August 20, 2020, I issued Executive Order 2020-51, declaring a state of emergency due to the ongoing COVID-19 pandemic;

WHEREAS, the facts and conditions necessitating the extension of the Utah COVID-19 Level of Restriction persist;

WHEREAS, COVID-19 has been characterized by the World Health Organization as a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

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, the Utah Department of Health has released and updated the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation, which provide a color-coded health guidance system (hereinafter, "Utah COVID-19 Level of Restriction"), to guide economic engagement while still protecting public health;

WHEREAS, the Utah Department of Health has determined that the Utah COVID-19 Level of Restriction set forth in Executive Order 2020-50 should be maintained to protect public health throughout the state;

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. As used in this Order:
 - a. "Person" means the same as that term is defined in Utah Code § 68-3-12.5(18).
 - b. "Phased Guidelines" means the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation version 4.10.
2. The Utah COVID-19 Level of Restriction is:
 - a. Moderate Level of Restriction (Orange) in Salt Lake City;
 - b. Minimal Level of Restriction (Green) in Beaver County, Daggett County, Duchesne County, Emery County, Garfield County, Kane County, Millard County, Piute County, Uintah County, and Wayne County; and
 - c. Low Level of Restriction (Yellow) in each area of the State not identified in Subsection (2)(a) or (2)(b).
3. The provisions of the Phased Guidelines apply as follows:
 - a. Each person in an area identified in Subsection (2)(a) shall comply with the Moderate Level of Restriction (Orange) provisions of the Phased Guidelines;
 - b. Each person in an area identified in Subsection (2)(b) shall comply with the Minimal Level of Restriction (Green) provisions of the Phased Guidelines;
 - c. Each person in an area identified in Subsection (2)(c) shall comply with the Low Level of Restrictions (Yellow) provisions of the Phased Guidelines; and
 - d. Notwithstanding any other provision of Section (3), any reference in the Phased Guidelines to the use of a mask or face covering is adopted:
 - i. as an order for:
 - A. each individual who is acting in the capacity as an employee of a business when the individual is unable to maintain a distance of six feet from another individual; and
 - B. each individual in a healthcare setting; and
 - ii. as a strong recommendation for any individual not identified in Subsection (3)(d)(i).
 4. A political subdivision desiring an exception to this Order or the Phased Guidelines or desiring to move to Minimal Level of Restriction (Green) 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. Notwithstanding Subsections (3) or (4), a political subdivision desiring to adopt a mandatory face covering requirement may do so without prior approval from the Utah Department of Health by notifying the Utah Department of Health of their intent to adopt the requirement.
 6. Any exception to the Phased Guidelines or mask mandate authorized by the Utah Department of Health and effective as of August 20, 2020, is hereby reauthorized.
 7. To the extent that any provision of this Order conflicts with a provision of Executive Order 2020-56 or Utah Public Health Order 2020-11, the provision of Executive Order 2020-56 or Utah Public Health Order 2020-11 shall control.

EXECUTIVE DOCUMENTS

This Order shall take effect immediately upon Executive Order 2020-51 becoming effective and shall remain in effect through September 4, 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 20th day of August, 2020.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/057/EO

End of the Executive Documents Section

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 August 01, 2020, 12:00 a.m., and August 14, 2020, 11:59 p.m. are included in this, the September 01, 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 October 01, 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 December 30, 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.):	R70-201	Filing No. 53005

Agency Information

1. Department:	Agriculture and Food	
Agency:	Regulatory Services	
Street address:	350 N Redwood Road	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-982-2204	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 or section catchline:
R70-201. Compliance Procedures
3. Purpose of the new rule or reason for the change:
The changes are necessary to update statutory references and make the violation section of this rule more clear.
4. Summary of the new rule or change:
The changes update outdated statutory references and add additional explanation as to when different penalty amounts might be used in order to add clarity to this rule.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget because the changes just add clarification but do not change the Department of Agriculture and Food (Department) compliance procedures.
B) Local governments:
There is no anticipated cost or savings to local governments because they do not follow or enforce Department compliance procedures.

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

There is no anticipated cost or savings for small businesses because these changes to this rule add clarification but do not change Department compliance procedures.

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

There is no anticipated cost or savings for non-small businesses because these changes to this rule add clarification but do not change Department compliance procedures.

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 anticipated cost or savings for other persons because these changes to this rule add clarification but do not change Department compliance procedures.

F) Compliance costs for affected persons:

There are no additional compliance costs for affected persons because the changes just add clarification 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	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 Commissioner of the Utah Department of Agriculture and Food, R. Logan Wilde, has reviewed and approves this fiscal analysis.

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

These changes add clarification to this rule and will not have any 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):

Subsection 4-2-103(1)(i)	Section 4-3-205	Section 4-3-403
Subsection 4-5-105(1)(a)	Section 4-5-202	Section 4-9-110
Section 4-9-111	Section 4-10-112	Section 4-33-108

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: 10/01/2020

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

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:	R. Logan Wilde, Commissioner	Date:	08/07/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R162-2f	Filing No. 52504

Agency Information

1. Department:	Commerce	
Agency:	Real Estate	
Room no.:	Second Floor	
Building:	Heber M. Wells	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT 84111	
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:
R162-2f. Real Estate Licensing and Practices Rules

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

The purposes of the proposed rule amendment are:
 1) to replace strict mandatory rule provisions for licensing decisions and the naming of trust accounts with more flexible rules;
 2) to extend a continuing education requirement to a holder of a license status other than an active license before activating the license;
 3) to provide a time limit for the enforcement of certain rule violations; and
 4) to update the rule consistent with current banking practices and Utah law.

4. Summary of the new rule or change:

In Section R162-2f-201, the change eliminates the mandatory denial of an application for licensure from a person who has entered into a felony plea agreement within five years of the date of application.

In Section R162-2f-202b, the change allows the term "escrow account" as an alternative name for a trust account.

In Sections R162-2f-203 and R162-2f-204, the change adds a requirement to complete the mandatory three-hour continuing education before a person who was issued an inactive license at the time of their last renewal, and their license is currently on inactive status or a person reinstating an expired license can activate or reinstate the license. Currently only a person with an active license is required to complete the course. The mandatory three-hour course does not add additional hours of required continuing education but satisfies three hours of the nine core class hours currently required.

In Sections R162-2f-205, R162-2f-207, R162-2f-401a, R162-2f-401b, R162-2f-401h, and R162-2f-401j, the changes establish a four-year time limit for the enforcement of a violation of certain of the provisions of these sections.

In Section R162-2f-401c, the change resolves overlap and inconsistencies between Utah law and other Administrative Rules relative to the obligation of a real estate broker to supervise affiliated sales agents and unlicensed staff.

In Section R162-2f-403a, the change amends the rule to require a principal broker to remit unclaimed funds to the State Treasurer's Office within three years as required by Utah law.

In Section R162-2f-403b, the change increases the amount of a broker's own funds that can be held in a real estate trust account from \$500 to \$1,000 consistent with current banking practices and account fee schedules.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The proposed rule amendment updates this rule and resolves inconsistencies but does not impose additional actions of the Division of Real Estate (Division) or its staff. After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact 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 Licensing and Practices Rules. After conducting a thorough analysis, it was determined that this proposed rule 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 this proposed rule amendment will not result in a fiscal impact to small business.

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 this proposed rule amendment will not result in a fiscal impact to non-small business.

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 this proposed rule 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 rule imposes a mandatory three-hour continuing education (CE) course for persons with an inactive license or persons reinstating an expired license. This class is not in addition to the currently required CE but satisfies three hours of the nine core class hours currently required. The Division is not able to determine if the cost of the mandatory three-hour CE course would cost more or less than the cost of three hours of other core CE courses but estimates that overall, the costs would be substantially the same. After conducting a thorough analysis, it was determined that the proposed rule 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	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 Commerce, Chris Parker, has reviewed and approved the fiscal analysis for small and non-small businesses.			
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 businesses nor do they increase the cost associated with any existing obligations. The proposed rule amendments will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
Chris Parker, 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 61-2f-103	Section 61-2f-204	Section 61-2f-206
Section 61-2f-404		

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:	10/01/2020
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10. This rule change MAY become effective on:	10/08/2020
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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:	07/13/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R277-100	Filing No.	53025
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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:
R277-100. Definitions for Utah State Board of Education (Board) Rules
3. Purpose of the new rule or reason for the change:
It was necessary to add two new definitions to Board Rule R277-100.
4. Summary of the new rule or change:
Board Rule R277-100 has been amended to add two new definitions: cumulative file or folder and multi-disciplinary team.

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 amendment defines certain terms to improve continuity of understanding across the system.
B) Local governments:
This rule change is not expected to have material fiscal impact on local governments' revenues or expenditures. The amendment defines certain terms to improve continuity of understanding across the system.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. The amendment defines certain terms to improve continuity of understanding across the system.
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 <i>agency</i>):

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The amendment defines certain terms to improve continuity of understanding across the system.

F) Compliance costs for affected persons:

There are no independent compliance costs for affected persons. The amendment defines certain terms to improve continuity of understanding across the system.

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 State Superintendent of the Utah State Board of Education, 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)	
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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: 10/01/2020

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

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:	Angie Stallings, Deputy Superintendent	Date:	08/14/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: New		
Utah Admin. Code Ref (R no.):	R277-319	Filing No. 53026

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:
R277-319. Special Educator Stipends

3. Purpose of the new rule or reason for the change:
The purpose of this new rule is providing standards and procedures for distributing money appropriated for stipends for special educators for additional days of work.

4. Summary of the new rule or change:
Utah State Board of Education repealed Rule R277-525, the rule on special educator stipends and incorporated the language into the new Board Rule R277-319, specifically to update the stipend disbursement process. (EDITOR'S NOTE: The proposed repeal of Rule R277-525 is under Filing No. 53028 in this issue, September 1, 2020, of the Bulletin.)

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This proposed rule is not expected to have material fiscal impact on state government revenues or expenditures. This new rule clarifies and updates stipend disbursement

processes. This should not impact stipend amounts or administrative costs for the program.

B) Local governments:

This proposed rule is not expected to have material fiscal impact on local governments' revenues or expenditures. This new rule clarifies and updates stipend disbursement processes. This should not impact stipend amounts or administrative costs for the program.

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

This proposed rule is not expected to have fiscal impact on small businesses' revenues or expenditures. This new rule clarifies and updates stipend disbursement processes. This should not impact stipend amounts or administrative costs for the program.

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 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 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 proposed rule is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This new rule clarifies and updates stipend disbursement processes. This should not impact stipend amounts or administrative costs for the program.

F) Compliance costs for affected persons:

There are no independent compliance costs for affected persons. This new rule clarifies and updates stipend disbursement processes. This should not impact stipend amounts or administrative costs for the program.

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 State Superintendent of the Utah State Board of Education, 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 proposed rule 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 proposed rule 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 53F-2-310(2)	Subsection 53E-3-401(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:	10/01/2020

10. This rule change MAY become effective on:	10/08/2020
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:	Angie Stallings, Deputy Superintendent	Date:	08/14/2020
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-406	Filing No. 53024

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:
R277-406. Early Learning Program and Benchmark Assessments
3. Purpose of the new rule or reason for the change:
Rule R277-406 establishes the windows for administering and reporting the Benchmark Reading Assessments. This assessment is administered in a one-on-one setting and will require additional time for increased cleaning and hygiene regimen. For this reason, this rule is being amended to allow for more time to complete the assessments.
4. Summary of the new rule or change:
The due date for completion of the benchmark assessment and reporting deadline for the 2020-2021 school year has been suspended and will be established by staff at the Utah State Board of Education (USBE) instead of being established in this rule.

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. This amendment provides local education agencies (LEAs) with additional time for increased cleaning protocols to protect students and staff from COVID-19.
B) Local governments:
This rule change is not expected to have material fiscal impact on local governments' revenues or expenditures. This amendment provides LEAs with additional time for increased cleaning protocols to protect students and staff from COVID-19.

C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This amendment provides LEAs with additional time for increased cleaning protocols to protect students and staff from COVID-19.			
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 <i>agency</i>):			
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This amendment provides LEAs with additional time for increased cleaning protocols to protect students and staff from COVID-19.			
F) Compliance costs for affected persons:			
There are no independent compliance costs for affected persons. This amendment provides LEAs with additional time for increased cleaning protocols to protect students and staff from COVID-19.			
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 State Superintendent of the Utah State Board of Education, 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 LEAs 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 53E-3-521	Subsection 53F-2-503(14)(a)
Subsection 53E-3-401(4)	Section 53E-4-307	Section 53E-4-307.5

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:	10/01/2020

10. This rule change MAY become effective on:	10/08/2020
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:	Angie Stallings, Deputy Superintendent	Date:	08/07/2020
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-492	Filing No. 53027

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:
R277-492. Utah Science Technology and Research Initiative (USTAR) Centers Program
3. Purpose of the new rule or reason for the change:
S.B. 93, passed in the 2020 General Session, Math and Science Opportunities for Students and Teachers amended the existing USTAR program to create the Math and Science Opportunities for Students and Teachers (MOST) Program, amended the duties and the authority of the State Board of Education related to the MOST Program, and repealed requirements on the State Charter School Board related to the MOST Program.
4. Summary of the new rule or change:
Rule R277-492 incorporates changes made to the program by S.B. 93 (2020).

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 amendments in this rule incorporate changes made by S.B. 93 (2020).
B) Local governments:
This rule change is not expected to have independent fiscal impact on local governments' revenues or expenditures. The amendments in this rule incorporate changes made by S.B. 93 (2020).
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 amendments in this rule incorporate changes made by S.B. 93 (2020).
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 amendments in this rule incorporate changes made by S.B. 93 (2020).

F) Compliance costs for affected persons:

There are no independent compliance costs for affected persons. The amendments in this rule incorporate changes made by S.B. 93 (2020).

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 State Superintendent of the Utah State Board of Education, 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 53E-3-521	Subsection 53F-2-503(14)(a)
Subsection 53E-3-401(4)	Section 53E-4-307	Section 53E-4-307.5

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: 10/01/2020

10. This rule change MAY become effective on:	10/08/2020
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:	Angie Stallings, Deputy Superintendent	Date:	08/14/2020
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal		
Utah Admin. Code Ref (R no.):	R277-525	Filing No. 53028

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:
R277-525. Special Educator Stipends
3. Purpose of the new rule or reason for the change:
The language in Board Rule R277-525 have been adopted into the new Board Rule R277-319. (EDITOR'S NOTE: The proposed new Rule R277-319 is under Filing No. 53026 in this issue, September 1, 2020, of the Bulletin.)
4. Summary of the new rule or change:
Board Rule R277-525 is being repealed in its entirety. This rule is no longer necessary.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have fiscal impact on state government revenues or expenditures. Rule R277-525 is being repealed and the language governing the programs contained in this rule are now covered by the new Rule R277-319.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. Rule R277-525 is being repealed and the language governing the programs contained in this rule are now covered by the new Rule R277-319.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. Rule R277-525 is being repealed and the language governing the programs contained in this rule are now covered by the new Rule R277-319.
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 repeal 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 <i>agency</i>):
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. Rule R277-525 is being repealed and the language governing the programs contained in this rule are now covered by the new Rule R277-319.
F) Compliance costs for affected persons:
There are no compliance costs for affected persons. Rule R277-525 is being repealed and the language governing the programs contained in this rule are now covered by the new Rule R277-319.

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 State Superintendent of the Utah State Board of Education, 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 repeal 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 repeal

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 53F-2-310(2)	Subsection 53E-3-401(4)
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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: 10/01/2020

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

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:	Angie Stallings, Deputy Superintendent	Date:	08/14/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-750	Filing No. 53029

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:
R277-750. Education Programs for Students with Disabilities
3. Purpose of the new rule or reason for the change:
Due to the passage of H.B. 29 from the 2019 General Session, Rule R277-750 is being amended per legislative requests.
4. Summary of the new rule or change:
Rule R277-750 is amended to incorporate by reference a new edition of the Board's special education rule manual.

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. H.B. 29 (2019) required the board to incorporate the Special Education Rules Manual by reference. This amendment was delayed due to multiple iterations of updating the Special Education Rules Manual.
B) Local governments:
This rule change is not expected to have independent fiscal impact on local governments' revenues or expenditures. H.B. 29 (2019) required the board to incorporate the Special Education Rules Manual by reference. This amendment was delayed due to multiple iterations of updating the Special Education Rules Manual.

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. H.B. 29 (2019) required the board to incorporate the Special Education Rules Manual by reference. This amendment was delayed due to multiple iterations of updating the Special Education Rules Manual.
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. H.B. 29 (2019) required the board to incorporate the Special Education Rules Manual by reference. This amendment was delayed due to multiple iterations of updating the Special Education Rules Manual.
F) Compliance costs for affected persons:
There are no independent compliance costs for affected persons. H.B. 29 (2019) required the board to incorporate the Special Education Rules Manual by reference. This amendment was delayed due to multiple iterations of updating the Special Education Rules Manual.
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 State Superintendent of the Utah State Board of Education, 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)	Title 53E, Chapter 7, Part 2
Subsection 53E-3-501(1)		

Incorporations by Reference Information

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)	Special Education Rules Manual
Publisher	Utah State Board of Education
Date Issued	July 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:	10/01/2020

10. This rule change MAY become effective on:	10/08/2020
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:	Angie Stallings, Deputy Superintendent	Date:	08/14/2020
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-925	Filing No. 53030

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:
R277-925. Effective Teachers in High Poverty Schools Incentive Program
3. Purpose of the new rule or reason for the change:
Board Rule R277-925 has been amended due to H.B. 107 from the 2020 General Session and for prior recodification process.
4. Summary of the new rule or change:
Board Rule R277-925 includes changes from the recodification process and more recent legislative changes from H.B. 107 (2020) affecting who is eligible for the program.

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 amendments reflect changes made by H.B. 107 (2020).

B) Local governments:																
This rule change is not expected to have material fiscal impact on local governments' revenues or expenditures. The amendments reflect changes made by H.B. 107 (2020).																
C) Small businesses ("small business" means a business employing 1-49 persons):																
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. The amendments reflect changes made by H.B. 107 (2020).																
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 Insutry 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 <i>agency</i>):																
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The amendments reflect changes made by H.B. 107 (2020).																
F) Compliance costs for affected persons:																
There are no independent compliance costs for affected persons. The amendments reflect changes made by H.B. 107 (2020).																
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																
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2021</th> <th>FY2022</th> <th>FY2023</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table>	Fiscal Cost	FY2021	FY2022	FY2023	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0
Fiscal Cost	FY2021	FY2022	FY2023													
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 State Superintendent of the Utah State Board of Education, 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 53F-2-513(2)(b)	Subsection 53E-3-401(4)
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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:	10/01/2020
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10. This rule change MAY become effective on:	10/08/2020
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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:	Angie Stallings, Deputy Superintendent	Date:	08/14/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R307-230	Filing No. 53003

Agency Information

1. Department:	Environmental Quality
Agency:	Air Quality
Room no.:	Fourth Floor
Building:	Multi Agency State Office Building

Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-4820	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R307-230. NOx Emission Limits for Natural Gas-Fired Water Heaters
3. Purpose of the new rule or reason for the change:
The Utah State Legislature passed H.B. 374 passed in the 2020 General Session which amended the State Construction and Fire Codes Act, which caused the Division of Air Quality (Division) to amend Rule R307-230 to align this rule with state code, maintain the efficacy of this rule, and to assist affected parties in finding compliant water heater models.
4. Summary of the new rule or change:
The amendment incorporates the updated language in state code. Additionally, the amendment requires written approval from the Division Director on a form provided by the Division. The form would request the heat input rating of the water heater being replaced, and Division staff would use the information to compare to the South Coast Air Quality Management District (SCAQMD) List of Certified Units to identify whether an ultra-low NOx model is available for a given heat rating. If a certified ultra-low NOx water heater is found to be unavailable for the BTU rating of the unit being replaced, the exemption would then be approved.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There will be very minimal to no cost for the state budget as a result of this rule amendment. The minimal costs would be in setting up the online application and receiving the applications, both of which will fall into the duties of currently employed staff.
B) Local governments:
There will be no costs or savings to local governments as this rule amendment is not applicable to them.

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

Anticipated costs or savings to small businesses may come from filling out an application, although the anticipated application will be short and easily accessible, so there will be no major commitments from small businesses to complete this process.

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

Anticipated costs or savings to non-small businesses may come from filling out an application, although the anticipated application will be short and easily accessible, so there will be no major commitments from small businesses to complete this process.

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**):

Anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities may come from filling out an application, although the anticipated application will be short and easily accessible, so there will be no major commitments from small businesses to complete this process.

F) Compliance costs for affected persons:

There are no anticipated compliance costs for affected persons as the rule amendment simply incorporates state statute and adds the provision of filling out an application for the exemption, of which the application will be easily accessible and short.

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

NOTICES OF PROPOSED RULES

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 Environmental Quality, L. Scott Baird, 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 amendment to Rule R307-230 incorporates state statute as amended by H.B. 374 (2020), and adds a provision for an application to be sent to the Director of the Division, neither of which are anticipated to have a fiscal impact on businesses.

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

L. Scott Baird, 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 19-2-101	Section 19-2-104	Section 19-2-107.7
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Incorporations by Reference Information

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)	15A-6-102 Nitrogen Oxide emission limits for natural gas-fired water heaters
Publisher	Utah State Code
Issue, or version	07/01/2020

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:	10/01/2020
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10. This rule change MAY become effective on:	11/05/2020
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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:	Bryce Bird, Director	Date:	07/14/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: New		
Utah Admin. Code Ref (R no.):	R307-240	Filing No. 53004

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room no.:	Fourth Floor	
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-4820	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule or section catchline:
R307-240. Prescribed Burning
3. Purpose of the new rule or reason for the change:
This new rule comes in response to H.B. 92 being passed and enacted during the 2020 General Session. Rule R307-240 incorporates Section 19-2a-105 into the air quality rules.
4. Summary of the new rule or change:
This new rule incorporates by reference Section 19-2a-105 and reiterates the need for Director approval of an application before allowing prescribed burning or pile burning when the clearing index is below 500.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is anticipated to be very minimal or no cost to the state budget as a result of this new rule. The minimal costs would be in setting up and creating the application along with staff time directed at receiving and considering the applications. The duties will be assigned to existing staff and will be placed into current duties, resulting in no additional hires.
B) Local governments:
There will be no costs or savings to local governments as this rule is not applicable to them.
C) Small businesses ("small business" means a business employing 1-49 persons):
Small businesses are not expected to incur any costs from this new rule as the application is not anticipated to be strenuous or time consuming and should not require any additional hires to complete. Additionally, this rule is incorporating by reference existing state statute, so no new provisions are being imposed.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Non-small businesses are not expected to incur any costs from this new rule as the application is not anticipated to be strenuous or time consuming and should not require any additional hires to complete. Additionally, this rule is incorporating by reference existing state statute, so no new provisions are being imposed.
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):

Anticipated costs to persons other than small businesses, non-small businesses, state, or local government entities is expected to be negligible as the only possibility comes from filling out an application, which will not be strenuous.

F) Compliance costs for affected persons:

There are no anticipated compliance costs for affected persons as the rule amendment simply incorporates state statute and reiterates the need to fill out an application and receive approval from the Director before conducting a prescribed burn or pile fire burn when the clearing index is below 500.

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 Environmental Quality, L. Scott Baird, has reviewed and approved this fiscal analysis.

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

New Rule R307-240 incorporates state statute as amended by H.B. 92 (2020) and reiterates the need for approval from the Director to be granted an exemption to conduct a prescribed burn or pile fire burn when the clearing index is below 500. This new rule is not anticipated to have any fiscal impact on businesses.

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

L. Scott Baird, 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 19-2-101	Section 19-2-104	Section 19-2a-105
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Incorporations by Reference Information

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)	19-2a-105. Prescribed fires, pile burns, and nonfull suppression events
Publisher	Utah State Code
Issue, or version	07/01/2020

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:	10/01/2020
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10. This rule change MAY become effective on:	10/08/2020
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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:	Bryce Bird, Director	Date:	07/15/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R539-5	Filing No.	53010

Agency Information

1. Department:	Human Services	
Agency:	Services for People with Disabilities	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Kelly Thomson	435-669-4855	kthomson@utah.gov
Jonah Shaw		jshaw@utah.gov

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

General Information

2. Rule or section catchline:
R539-5. Self-Administered Services

3. Purpose of the new rule or reason for the change:
The reason for the change is to make the option of paying parents, guardians, and spouses possible during a declared emergency. Increase the budget limit of self-administered services to \$63,400 from \$50,000.

4. Summary of the new rule or change:
The amendment permits the Division of Services for People with Disabilities (DSPD) to maximize use of Appendix K emergency provisions when authorized by the Centers for Medicare and Medicaid Services. The exception will add flexibility that allows DSPD to rapidly respond to states of emergency. To keep up with cost of living, the individual budget limit for self-administered services is increased. Also, rule language was remediated to conform to the rule writing manual.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

An emergency rule was concurrently submitted that contains the anticipated cost of paying parents, guardians, and spouses during the 120 day timeframe. (EDITOR'S NOTE: A corresponding emergency filing on Section R539-5-5 that was effective on 08/13/2020 is under Filing No. 53009 in this issue, September 1, 2020, of the Bulletin.)

This amendment does not have anticipated costs or savings associated with it. The added exception allows DSPD to use state and federal money when allocated for that purpose. State funding to pay parents, guardians, and spouses will end September 30, 2020, unless additional money is approved. The Self-Administered Services (SAS) budget limit increase would likely have little to no fiscal impact. The amended section of rule already allows the DSPD Director to waive the budget limitation. In FY 2020, 188 people were granted an exception to the SAS limit, and the amended amount increases the budget limit by the average amount spent.

B) Local governments:

There is no anticipated impact. Local governments do not contribute funds to state provided waiver services.

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

There is no anticipated impact. Small businesses do not contribute funds to state provided waiver services.

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

There is no anticipated impact. Non-small businesses do not contribute funds to state provided waiver services.

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*):

Persons other than small businesses, non-small businesses, state, or local government entities will not see a cost or savings. SAS budgets are funded by state and federal money.

F) Compliance costs for affected persons:

This amendment will not result in compliance costs for affected parties. The management of SAS budgets will not change.

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 Human Services, Ann 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:

After conducting a thorough analysis, it was determined that this proposed rule change will not result in a significant fiscal impact to small businesses.

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

Ann 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-5-102	Section 62A-5-103
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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:	10/01/2020
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10. This rule change MAY become effective on:	10/08/2020
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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:	Ann Williamson, Executive Director	Date:	08/13/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R602-2-1	Filing No. 53008

Agency Information

1. Department:	Labor Commission
Agency:	Adjudication
Room no.:	Third Floor
Building:	Heber M Wells
Street address:	160 E 300 S
City, state:	Salt Lake City, UT
Mailing address:	PO Box 146600
City, state, zip:	Salt Lake City, UT 84114-6600

Contact person(s):		
Name:	Phone:	Email:
Aurora Holley	801-530-6865	auroraholley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R602-2-1. Pleadings and Discovery
3. Purpose of the new rule or reason for the change:
This rule is an amendment to change the title (catchline) and to include a new section addressing abstracts and the process to obtain an abstract.
4. Summary of the new rule or change:
The title of the rule is being changed to better describe the content of the rule. An injured worker may request an abstract. The judge may hold a hearing if the abstract is contested. Different processes apply to cases involving permanent total disability benefits.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is anticipated no cost or savings as a result of this rule change. This rule change simply creates a formalized process for obtaining an abstract.
B) Local governments:
There is anticipated no cost or savings as a result of this rule change. This rule change simply creates a formalized process for obtaining an abstract.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is anticipated no cost or savings as a result of this rule change. This rule change simply creates a formalized process for obtaining an abstract.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is anticipated no cost or savings as a result of this rule change. This rule change simply creates a formalized process for obtaining an abstract.

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 anticipated no cost or savings as a result of this rule change. This rule change simply creates a formalized process for obtaining an abstract.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons. The compliance cost of seeking an abstract would be the same for both parties before and after the rule change.

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 Commissioner of the Labor Commission, Jaceson R Maughan, 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 should be no fiscal impact on businesses by this rule change, as it merely outlines a process for requesting an abstract from a Labor Commission decision.

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

Jaceson R. Maughan, 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	Section	Subsection
34A-1-301 et seq.	63G-4-102 et seq.	34A-1-304(2)
Section 34A-2-212		

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: 10/01/2020

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

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:	Date:
Jaceson R. Maughan, Commissioner	08/12/2020

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R884-24P-33	Filing No. 53011

Agency Information

1. Department:	Tax Commission	
Agency:	Property Tax	
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:
R884-24P-33. 2020 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-107
3. Purpose of the new rule or reason for the change:
The valuation guides and schedules contained in this rule are reviewed and updated annually by the Property Tax Division. The personal property guides and schedules are used for property tax valuation and assessment of business personal property and certain motor vehicles.
4. Summary of the new rule or change:
Section 59-2-107 authorizes the State Tax Commission to promulgate rules that define classes of items considered to be personal property and provide valuation percent good schedules to value personal property. County assessors must use the percent good schedules as contained in this rule. Any deviation which affects an entire class or type of personal property requires a written report documenting the schedule change to be submitted to the Tax Commission for approval prior to use.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
The amount of savings or cost to state government is not affected by this rule. Tax revenue generated by taxing personal property is distributed to local governments to finance public services, programs, school districts, and

local districts. No tax revenues generated by taxation of personal property will be retained by state government.

B) Local governments:

The amount of saving or cost to local government is undetermined. Local governmental entities receive tax revenue based on increased or decreased personal property values and the change in the annual property tax rate. Increases or decreases in 2021 property tax revenue cannot be determined, even if there were no changes in the percent good tables, because taxpayer acquisitions and deletions of personal property during 2021 are unknown. The proposed personal property schedules in this amendment are raised, lowered, or remain the same for 2021 based upon the type and age of the personal property assessed. Schedules used to value business personal property increase or decrease based upon the calculation of economic trends from cost indexes published by the Marshall Valuation Service. It is anticipated that the change in the annual property tax rate will have a larger impact on revenue than will the proposed amendments to this rule.

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

In the aggregate, the amount of savings or cost to small businesses is undetermined. Affected businesses pay property taxes based on increased or decreased personal property values and the change in the annual property tax rate. The proposed personal property schedules in this rule are raised, lowered or remain the same for 2021 based upon the type and age of the property. Since some schedules are increased and some decreased, it is not possible to determine the change to affected persons without knowing the 2021 personal property mix compared to the previous year.

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

In the aggregate, the amount of savings or cost to non-small businesses is undetermined. Affected non-small businesses pay property taxes based on increased or decreased personal property values and the change in the annual property tax rate. The proposed personal property schedules in this rule are raised, lowered or remain the same for 2021 based upon the type and age of the property. Since some schedules are increased and some decreased, it is not possible to determine the change to affected persons without knowing the 2021 personal property mix compared to the previous year.

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 aggregate, the amount of savings or cost to persons other than small businesses, non-small businesses, and

state or local government entities is undetermined. Affected persons pay property taxes based on increased or decreased personal property values and the change in the annual property tax rate. The proposed personal property schedules in this rule are raised, lowered, or remain the same for 2021 based upon the type and age of the property. Since some schedules are increased and some decreased, it is not possible to determine the change to affected persons without knowing the 2021 personal property mix compared to the previous year.

F) Compliance costs for affected persons:

Local business owners and property tax practitioners will be required to be aware of new percent good figures. This is an annual occurrence; therefore, the ongoing compliance cost to complete this assessment process will not change. The change in taxes charged for these persons depends entirely on the owner's mix of personal property since some percent good schedules are increasing and others decreasing. For example, the owner of a business may discard some personal property items and add new equipment or replace equipment which may increase or decrease personal property values. In addition, the personal property percent good schedule percentages often change from the previous year due to current economic conditions.

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:

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:

The fiscal impact on businesses is undetermined. Some personal property schedules are raised, some are lowered, and some remain the same. Without knowing the 2021 personal property mix compared to the previous year, it is not possible to determine the impact on affected 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 59-2-107		
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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: 10/01/2020

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

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

NOTICES OF PROPOSED RULES

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:	08/11/2020
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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.

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.):	R277-419	Filing No. 53006

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	
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.stalling@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R277-419. Pupil Accounting
3. Effective Date:
08/07/2020

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

Relying on student attendance as a measurement for state funding is not reliable when student learning takes place out of the classroom or out of the presence of a teacher. Due to the impacts of COVID-19 on in-classroom learning, the Utah State Board of Education (USBE) has been asked whether they will: 1) provide waivers from the 180 day/990 hour requirements for the 2020-21 school year; or 2) amend the 180 day/990 hour requirements. USBE received feedback from stakeholders requesting USBE waive the 990 instructional hour requirement for the 2020-21 school year to provide more flexibility to local education agencies (LEAs) to provide learner based educational services.

5. Summary of the new rule or change:

This rule change waives the existing requirement for a LEA to provide 990 hours of instruction of educational services a year, based on certain conditions being met. This updated rule also: changes the terminology around the 990 hour requirement by basing the 990 on hours of providing "educational services" rather than instruction; eliminates the minimum school day hour requirements; eliminates prescriptive language about what may or may not be counted as hours of instruction or educational services; and changes terminology of "continuing enrollment measurement" to "learner validated enrollment measurement."

6. Regular rulemaking would:

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 waives the existing requirement for an LEA to provide 990 hours of instruction of educational services a year, based on certain conditions being met. The flexibility for LEAs is necessary to implement immediately to alleviate the pressure LEAs feel to require students return to in-person or at-school instruction for 6-7 hours per day. The language included will allow LEAs flexibility to support distance and blended learning models for students beginning in August 2020. Without the change, LEAs have less flexibility to provide different educational models to mitigate against the spread of COVID-19 in advance of the traditional school year.

Fiscal Information

7. 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. It should not require USBE to significantly change operations or practices but provides LEAs with the flexibility necessary to account for student enrollments during the COVID-19 Pandemic.
B) Local governments:
This rule change is not expected to have material fiscal impact on local governments' revenues or expenditures. It should not require LEAs to significantly change operations or practices but provides them with the flexibility necessary to account for student enrollments during the COVID-19 Pandemic.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. It should not require LEAs to significantly change operations or practices but provides them with the flexibility necessary to account for student enrollments during the COVID-19 Pandemic.
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):
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. It should not require LEAs to significantly change operations or practices but provides them with the flexibility necessary to account for student enrollments during the COVID-19 Pandemic.

8. Compliance costs for affected persons:
There are no independent compliance costs for affected persons. This rule change should not require LEAs to significantly change operations or practices but provides them with the flexibility necessary to account for student enrollments during the COVID-19 Pandemic.
9. 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 (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 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 LEAs and will not have a fiscal impact on small businesses either.
B) Name and title of department head commenting on the fiscal impacts:
The State Superintendent of the Utah Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

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):		
Article X, Section 3	Subsection 53E-3-602(2)	Subsection 53G-5-404(4)
Subsection 53E-3-401(4)	Subsection 53E-3-301(3)(d)	Subsection 53E-3-501(1)(e)
Section 53G-4-404		

Incorporations by Reference Information

11. 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)	Continuity of Education Plan
Publisher	Utah State Board of Education
Date Issued	July 23, 2020
Issue, or version	Version 1

B) This rule adds, updates, or removes the following title of materials incorporated by references :	
	Second Incorporation
Official Title of Materials Incorporated (from title page)	School Reopening Requirements Template
Publisher	Utah State Board of Education
Date Issued	July 23, 2020
Issue, or version	Version 1

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent	Date:	08/06/2020
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NOTICE OF EMERGENCY (120-DAY) RULE		
Utah Admin. Code Ref (R no.):	R305-7-104	Filing No. 53002

Agency Information

1. Department:	Environmental Quality	
Agency:	Administration	
Room no.:	Fourth Floor	
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@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:
08/17/2020
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 under Rule R305-7. Among these rules is Subsection R305-7-104(5), which 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 Subsections R305-7-203(5) (for petitions for review); and R305-7-303(5) (for requests for agency action). The current rule expressly states that email submission is insufficient to initiate an adjudicative proceeding, 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 this 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 this 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 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.

This is the second emergency filing for this rulemaking. UDEQ was unaware of how long COVID-19 would be closing down regular operating business at the time of the first filing, but it is apparent this needs to be extended for the well-being of staff and citizens.

5. Summary of the new rule or change:

These changes will 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 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:

There are no anticipated compliance costs for affected persons, as compliance with the rule requires minimal work.

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

This emergency rulemaking is not expecting to have any fiscal impacts on businesses, as the amendment relates to administrative procedures in which compliance is not burdensome.

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:	08/03/2020
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NOTICE OF EMERGENCY (120-DAY) RULE

Utah Admin. Code Ref (R no.):	R539-5-5	Filing No. 53009
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Agency Information

1. Department:	Human Services
Agency:	Services for People with Disabilities
Building:	MASOB
Street address:	195 N 1950 W
City, state, zip:	Salt Lake City, UT 84116

Contact person(s):		
Name:	Phone:	Email:
Kelly Thomson	435-669-4855	kthomson@utah.gov
Jonah Shaw	801-538-4219	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R539-5-5. Employee Requirements
3. Effective Date:
08/13/2020
4. Purpose of the new rule or reason for the change:
The Centers for Medicare and Medicaid Services will waive restrictions on payment to legally responsible caregivers and guardians when requested by the state through Appendix K. The Division of Services for People with Disabilities (DSPD) received Appendix K approval between January 27, 2020 and January 26, 2021 and requests a temporary rule change to permit payment. DSPD must also revise a current rule that restricts payment. An amendment was concurrently submitted.
5. Summary of the new rule or change:
This change is an addition of an exception that allows legally responsible caregivers and spouses to be paid support staff during the COVID-19 emergency. (EDITOR'S NOTE: A corresponding amendment to the entire Rule R539-9 is under Filing No. 53010 in this issue, September 1, 2020, of the Bulletin.)
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:
The COVID-19 emergency has reduced the provider network available to people with intellectual/developmental disabilities, acquired brain injuries, and physical disabilities. The people served by DSPD services rely on those services to complete daily tasks, care for themselves, and stay safe. Current state and federal guidance encourage people to stay home and limit contact in order to slow the spread of the virus. Many people receiving services live with a family member who can provide care but may need to reduce other employment to do so. As the virus spreads, direct support professionals

may become ill and unable to work, which will reduce the availability of support staff.

Fiscal Information

7. Aggregate anticipated cost or savings to:
A) State budget:
DSPD estimates that the temporary rule will cost \$1,638,550.43 over 120 days. At least 70% of the estimated funds will come from federal funding.
B) Local governments:
No fiscal impact to local governments because DSPD services are operated at the state level.
C) Small businesses ("small business" means a business employing 1-49 persons):
No fiscal impact to small businesses. Family members will be paid by the state.
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 <i>agency</i>):
Family members will be paid by the state through this change. It is estimated that over 120 days, a \$1,638,550.43 fiscal benefit will be distributed to persons other than small businesses, non-small businesses, state, or local government entities.
8. Compliance costs for affected persons:
The exception is permissive and lacks a compliance component. No compliance costs for the person.
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 proposed emergency rule amendment will not result in a fiscal impact to businesses.
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-5-102 Section 62A-5-103

NOTICES OF 120-DAY (EMERGENCY) RULES

Agency Authorization Information

Agency head or designee, and title:	Ann Williamson, Executive Director	Date:	08/13/2020
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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.):	R156-50	Filing No. 50286

Agency Information

1. Department:	Commerce	
Agency:	Occupational and Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state, zip:	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 catchline:
R156-60. Private Probation Provider Licensing Act Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 58, Chapter 50, provides for the licensure and regulation of private probation providers. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing (Division) may adopt and enforce rules to administer Title 58. Subsection 58-1-202(1)(a)

provides that the Private Probation Provider's Licensing Board's duties, functions, and responsibilities includes recommending to the director appropriate rules. This rule was enacted to clarify the provisions of Title 58, Chapter 50, with respect to private probation providers.

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:

Since this rule was last reviewed in September 2015, the rule has been amended one time in July/August 2019. With regards to the proposed rule filing under DAR No. 43779, the Division received numerous written comments. A July 29, 2019, form with four names/signatures on the form indicated "objection to proposed rule change – DAR File No. 43779"; however, nothing was provided on the form as to what amendments the four persons were objecting to. Numerous written comments were received in July 2019 with regards to the proposed amendments in the referenced DAR file number. Some of the written comments agreed with the proposed rule amendments and some comments disagreed with the proposed rule amendments. Based on Division review of the comments, it was determined some of the comments were vague and some of the comments were the same "canned" comment sent by multiple persons via email. In response to the written comments, the Division indicates the governing statute for private probation providers provided that probation services and therapy services could be within the same private probation provider company. The proposed amendments to the rule were just clarifying what disclosures are needed for both types of services. The proposed rule amendments became effective on August 8, 2019. The Private Probation Provider also reviewed the written comments at their August 2019 board meeting and determined no additional rule amendments would be filed based on the written comments.

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 as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 50. This rule should also be continued as it provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession.

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Division Director	Date:	04/30/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-122	Filing No. 50582
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Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room no.:	Fourth Floor	
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-4820	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule catchline:
R307-122. General Requirements: Heavy Duty Vehicle Tax Credit
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Rule R307-122 establishes procedures to provide proof of a qualified purchase, in accordance with Subsections 59-7-618(6)(a) or 59-10-1033(6)(a), to the director for a

qualified heavy-duty vehicle for which an income tax credit is allowed under Sections 59-7-618 or 59-10-1033. As of July 20, 2020, the aforementioned subsections no longer exist in the Utah Code. However, this rule is still necessary for those who are completing their 2020 taxes, those who may amend their previous taxes, and for those who may apply in the future for when they were previously eligible. Section 19-2-104 states the "board may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act," which allows for the Board to have the authority to create and continue this rule.

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 written comments received during and since the last five-year review of this rule from interested persons supporting or opposing 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:

This rule should be continued because it can still be used for this current tax year, for those who may amend previous tax years, and for those who were previously qualified and may apply if there are credits still available. Additionally, staff would like to continue this rule with the chance that the Legislature may enact a similar statute in which this rule could apply, saving the Division of Air Quality from having to draft a new rule.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	07/20/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R512-43	Filing No. 51220
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Agency Information

1. Department:	Human Services	
Agency:	Child and Family Services	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Carol Miller	801-557-1772	carolmiller@utah.gov

Jonah Shaw	801-538-4219	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R512-43. Adoption Assistance
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 62A-4a-102 authorizes the Division of Child and Family Services to establish rules in order to provide programs and services that support the strengthening of family values, including services which preserve and enhance family life and relationships; protect children, youth, and families; and advocate and defend family values established by public policy and advocacy and education.
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:
Continuation of this rule is necessary in order for the Division of Child and Family Services to continue to offer adoption assistance to qualifying families.

Agency Authorization Information

Agency head or designee, and title:	Diane Moore, Director	Date:	08/03/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R512-205	Filing No. 51238

Agency Information

1. Department:	Human Services
Agency:	Child and Family Services
Building:	MASOB
Street address:	195 N 1950 W
City, state, zip:	Salt Lake City, UT 84116

Contact person(s):		
Name:	Phone:	Email:
Carol Miller	801-557-1772	carolmiller@utah.gov
Jonah Shaw	801-538-4219	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R512-205. Child Protective Services, Investigation of Domestic Violence Related Child Abuse
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 62A-4a-102 authorizes the Division of Child and Family Services to establish rules in order to provide programs and services that support the strengthening of family values, including services which preserve and enhance family life and relationships; protect children, youth, and families; and advocate and defend family values established by public policy and advocacy and education.
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:
Continuation of this rule is necessary in order for the Division of Child and Family Services to investigate an allegation of Domestic Violence Related Child Abuse.

Agency Authorization Information

Agency head or designee, and title:	Diane Moore, Director	Date:	08/03/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R527-34	Filing No. 51273

Agency Information

1. Department:	Human Services
Agency:	Recovery Services

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Street address:	515 E 100 S	
City, state, zip:	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
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R527-34. Non-IV-A 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:
Section 62A-11-107 gives the Office of Recovery Services (ORS) the authority to adopt, amend, and enforce rules necessary to carry out its responsibilities under state law. Provisions found in Section 62A-11-104 require the office to provide child support services to those that are legally entitled to receive those services and requires that ORS collect money due the agency which could help offset state expenditures. This rule also summarizes the services available to recipient of Non-IV-A child support services, individual not receiving case assistance who are otherwise eligible for child support services. 45 CFR 302.33 states that ORS must provide that an application fee will be charged for each individual who applies for services, that ORS shall collect the application fee from the individual or pay the application fee out of state funds, and that ORS may elect to recover any costs incurred in excess of any fees collected to cover administrative costs.
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 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:
This rule should be continued because the Non-IV-A services outlined in this rule are still provided by ORS. In addition, this rule incorporates 45 CFR 302.33 by reference, which is still in effect. This federal regulation addresses costs that a state may elect to recover for providing Non-IV-A services, and it is still necessary to

specify the fees that ORS has elected to charge, or not charge, for child support services.

Agency Authorization Information

Agency head or designee, and title:	Liesa Stockdale, ORS Director	Date:	08/04/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R527-231	Filing No. 51284
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Agency Information

1. Department:	Human Services	
Agency:	Recovery Services	
Street address:	515 E 100 S	
City, state, zip:	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 catchline:
R527-231. Review and Adjustment of Child Support Order
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 62A-11-107 gives the Office of Recovery Services (ORS) the authority to adopt, amend, and enforce rules necessary to carry out its responsibilities under state law. Section 78B-12-210 provides the guidelines for establishing or modifying a judicial or administrative child support order. Section 62A-11-320.5 requires ORS to review and adjust child support orders every three years, taking into account the best interest of the child involved. Section 62A-11-320.6 allows ORS to review a child support order at any time if there has been a substantial change in circumstances.

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 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:

This rule should be continued because the state and federal laws are still in effect which require review and adjustment processes for child support orders. In addition, this rule provides essential clarification by listing specific situations where a review and adjustment will or will not be pursued by ORS.

Agency Authorization Information

Agency head or designee, and title:	Liesa Stockdale, ORS Director	Date:	08/04/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R527-800	Filing No. 51305
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Agency Information

1. Department:	Human Services	
Agency:	Recovery Services	
Street address:	515 E 100 S	
City, state, zip:	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
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R527-800. Acquisition of Real Property, and Medical Support Cooperation Requirements
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 62A-11-104 gives the Office of Recovery Services (ORS) the authority to determine whether an applicant or recipient of cash assistance or Medicaid is cooperating in good faith. Section 62A-11-111 provides ORS with reasonable costs of sale and settlement of property or an estate when it becomes necessary to sell property or settle and estate. Section 59-2-1101 states that property owned by the state is tax exempt. 42 CFR 433.147-148 authorizes ORS to gather information from a recipient of medical assistance regarding Third Party Liability, establishment of paternity for children to establish medical support liability, and in utilizing all available third party resources to offset Medicaid expenditures, and by failing to provide this information, the recipient may be removed from the medical assistance case.

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 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:

This rule should be continued because the laws that require ORS to initiate enforcement actions against real property in order to satisfy financial obligations when other methods have failed or are unavailable are still in effect.

Agency Authorization Information

Agency head or designee, and title:	Liesa Stockdale, ORS Director	Date:	08/04/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R527-936	Filing No. 51310
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Agency Information

1. Department:	Human Services	
Agency:	Recovery Services	
Street address:	515 E 100 S	
City, state, zip:	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

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Casey Cole	801-741-7523	cacole@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R527-936. Third Party Liability, Medicaid
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 26, Chapter 19; Section 26-18-8; and Subsection 26-18-10(4) require the Office of Recovery Services (ORS) to promulgate rules to administer the Third Party Liability Program.
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 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:
This rule should be continued because it is needed to continue the Third Party Liability program required by the Medical Benefits Recovery Act found in Title 26, Chapter 19.

Agency Authorization Information

Agency head or designee, and title:	Liesa Stockdale, ORS Director	Date:	08/04/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R986-600	Filing No. 52201

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

End of the Five-Year Notices of Review and Statements of Continuation Section

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 catchline:
R986-600. Workforce Innovation and Opportunity Act
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 35A-1-104(1) of the Employment Security Act authorizes the Department of Workforce Services (Department) to adopt rules as authorized by Title 35A. Section 35A-1-303 authorizes the Department to adopt rules governing adjudicative procedures. The Utah Administrative Procedures Act, Title 63G, Chapter 4, defines the procedures the Department must follow in administrative hearings. Subsection 35A-1-104(4) authorizes the Department to establish eligibility standards for its programs. Section 35A-3-103 directs the Department to administer public assistance programs assigned to the Department. Section 35A-5 et seq. directs the Department to administer the Workforce Innovation and Opportunity Act (WIOA).
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 comments have been received in the last five years.
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 to set eligibility standards for all WIOA programs and establishing factors used in determining priority for services. This rule is also necessary to establish the requirement for an employment plan. This rule also sets the standards for providers seeking approval for funding for students. Without this rule and standards, training providers and clients would not know the requirements for these programs or that the training providers are meeting those standards. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jon Pierpont, Executive Director	Date:	08/14/2020
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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.

Administrative Services

Archives and Records Service

No. 52792 (Amendment): R17-6 Records Storage and Disposal -- Archives Responsibility
Published: 06/16/2020
Effective: 08/07/2020

Records Committee

No. 52789 (Amendment): R35-1 State Records Committee Appeal Hearing Procedures
Published: 06/16/2020
Effective: 08/07/2020

No. 52791 (Amendment): R35-4 Compliance with State Records Committee Decisions and Orders
Published: 06/16/2020
Effective: 08/07/2020

Agriculture and Food

Administration

No. 52825 (New Rule): R51-7 Open and Public Meetings Act Electronic Meetings
Published: 07/01/2020
Effective: 08/10/2020

Horse Racing Commission (Utah)

No. 52824 (Amendment): R52-7 Horse Racing
Published: 07/01/2020
Effective: 08/10/2020

Plant Industry

No. 52822 (Amendment): R68-26 Industrial Hemp Product Registration and Labeling
Published: 07/01/2020
Effective: 08/10/2020

No. 52813 (Amendment): R68-28 Cannabis Processing
Published: 07/01/2020
Effective: 08/10/2020

No. 52808 (Amendment): R68-29 Quality Assurance

Testing on Cannabis
Published: 07/01/2020
Effective: 08/10/2020

No. 52625 (New Rule): R68-33 Industrial Hemp Retailer Permit

Published: 06/15/2020
Effective: 08/10/2020

Commerce

Consumer Protection

No. 52858 (Amendment): R152-32a Pawnshop and Secondhand Merchandise Transaction Information Act Rule
Published: 07/01/2020
Effective: 08/10/2020

Education

Administration

No. 52839 (Amendment): R277-113 LEA Fiscal and Auditing Policies
Published: 07/01/2020
Effective: 08/12/2020

No. 52845 (Amendment): R277-303 Educator Preparation Programs

Published: 07/01/2020
Effective: 08/12/2020

No. 52811 (Amendment): R277-318 Teacher Salary Supplement Program

Published: 07/01/2020
Effective: 08/12/2020

No. 52870 (Amendment): R277-404 Requirements for Assessments of Student Achievement

Published: 07/15/2020
Effective: 08/24/2020

NOTICES OF RULE EFFECTIVE DATES

No. 52835 (Amendment): R277-409 Public School Membership in Associations
Published: 07/01/2020
Effective: 08/12/2020

No. 52846 (Amendment): R277-444 Distribution of Money to Arts and Science Organizations
Published: 07/01/2020
Effective: 08/12/2020

No. 52852 (Amendment): R277-460 Distribution of Substance Abuse Prevention Account
Published: 07/01/2020
Effective: 08/12/2020

No. 52912 (Amendment): R277-473 Utah Computer Science Grant
Published: 07/15/2020
Effective: 08/24/2020

No. 52853 (Repeal): R277-483 LEA Reporting and Accounting Requirements
Published: 07/01/2020
Effective: 08/12/2020

No. 52854 (Amendment): R277-497 School Accountability System
Published: 07/01/2020
Effective: 08/12/2020

No. 52855 (Repeal): R277-498 Grant for Math Teaching Training
Published: 07/01/2020
Effective: 08/12/2020

No. 52857 (Amendment): R277-550 Charter Schools - Definitions
Published: 07/01/2020
Effective: 08/12/2020

No. 52860 (Amendment): R277-607 Truancy Prevention
Published: 07/01/2020
Effective: 08/12/2020

No. 52861 (Amendment): R277-609 Standards for LEA Discipline Plans and Emergency Safety Interventions
Published: 07/01/2020
Effective: 08/12/2020

No. 52862 (Amendment): R277-615 Standards and Procedures for Student Searches
Published: 07/01/2020
Effective: 08/12/2020

No. 52871 (Repeal): R277-624 Electronic Cigarette Products in Schools
Published: 07/15/2020
Effective: 08/24/2020

No. 52873 (New Rule): R277-625 Mental Health Screening Program
Published: 07/01/2020
Effective: 08/12/2020

No. 52872 (Amendment): R277-752 Special Education Intensive Services Fund
Published: 07/15/2020
Effective: 08/24/2020

No. 52864 (Amendment): R277-910 Underage Drinking Prevention Program
Published: 07/01/2020
Effective: 08/12/2020

No. 52865 (Amendment): R277-924 Partnerships for Student Success Grant Program
Published: 07/01/2020
Effective: 08/12/2020

Environmental Quality

Air Quality

No. 52601 (Repeal and Reenact): R307-165 Emission Testing
Published: 07/01/2020
Effective: 08/10/2020

No. 52751 (Amendment): R307-410 Modeling of Criteria Pollutant Impacts in Attainment Areas
Published: 06/01/2020
Effective: 08/06/2020

Waste Management and Radiation Control, Waste Management

No. 52765 (Amendment): R315-270 Hazardous Waste Permit Program -- Permit Modification at the Request of the Permittee
Published: 06/15/2020
Effective: 08/17/2020

Governor

Criminal and Juvenile Justice (State Commission on), Indigent Defense Commission

No. 52660 (New Rule): R364-2 Indigent Defense Commission Complaint Rule
Published: 05/01/2020
Effective: 08/11/2020

Health

Child Care Center Licensing Committee

No. 52829 (Repeal and Reenact): R381-60 Hourly Child Care Centers
Published: 07/01/2020
Effective: 09/01/2020

No. 52830 (Repeal and Reenact): R381-70 Out of School Time Child Care Programs
Published: 07/01/2020
Effective: 09/01/2020

No. 52832 (Repeal and Reenact): R381-100 Child Care Centers
Published: 07/01/2020
Effective: 09/01/2020

Disease Control and Prevention, Environmental Services
No. 52636 (Amendment): R392-302 Design, Construction and Operation of Public Pools
Published: 04/15/2020
Effective: 08/10/2020

Family Health and Preparedness, Child Care Licensing
No. 52850 (Repeal and Reenact): R430-8 Exemptions From Child Care Licensing
Published: 07/01/2020
Effective: 09/01/2020

No. 52851 (Repeal and Reenact): R430-50 Residential Certificate Child Care
Published: 07/01/2020
Effective: 09/01/2020

No. 52849 (Repeal and Reenact): R430-90 Licensed Family Child Care
Published: 07/01/2020
Effective: 09/01/2020

Human Resource Management Administration

No. 52913 (Amendment): R477-7 Postpartum Recovery Leave Postponed
Published: 07/15/2020
Effective: 08/24/2020

Human Services

Child and Family Services
No. 52801 (Amendment): R512-80 Definitions of Abuse, Neglect, and Dependency
Published: 07/01/2020
Effective: 08/10/2020

Substance Abuse and Mental Health
No. 52826 (Amendment): R523-4 Certification Requirements for Screening, Assessment, Prevention, Treatment and Recovery Support Programs for Adults
Published: 07/01/2020
Effective: 08/13/2020

No. 52812 (New Rule): R523-22 Assertive Community Treatment Standards
Published: 07/01/2020
Effective: 08/13/2020

Insurance

Administration
No. 52828 (Amendment): R590-102 Insurance Department Fee Payment Rule
Published: 07/01/2020
Effective: 08/10/2020

Lieutenant Governor

Elections
No. 52758 (New Rule): R623-6 Verification of Requests to Withhold Voter Registration Information
Published: 06/01/2020
Effective: 08/01/2020

Natural Resources

Wildlife Resources
No. 52840 (Amendment): R657-6 Taking Upland Game
Published: 07/01/2020
Effective: 08/10/2020

No. 52841 (Amendment): R657-9 Taking Waterfowl , Wilson's Snipe and Coot
Published: 07/01/2020
Effective: 08/10/2020

No. 52842 (Amendment): R657-54 Taking Wild Turkey
Published: 07/01/2020
Effective: 08/10/2020

Public Safety

Peace Officer Standards and Training
No. 52730 (Amendment): R728-409 Suspension, Revocation, or Relinquishment of Certification
Published: 05/15/2020
Effective: 08/25/2020

Technology Services

Administration
No. 52626 (Amendment): R895-14 Access to Information Technology for Users with Disabilities
Published: 06/01/2020
Effective: 08/12/2020

Workforce Services

Employment Development
No. 52838 (Amendment): R986-700 Unearned Income, Pandemic
Published: 07/01/2020
Effective: 08/14/2020

Housing and Community Development
No. 52888 (New Rule): R990-400 Pandemic Housing Assistance
Published: 07/15/2020
Effective: 08/26/2020

End of the Notices of Rule Effective Dates Section