

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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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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TABLE OF CONTENTS

EXECUTIVE DOCUMENTS	1
EXPANDING RETURN TO WORK AND RETURNSHIP OPPORTUNITIES IN UTAH (2021-08)	1
NOTICES OF PROPOSED RULES	3
AGRICULTURE AND FOOD	
Regulatory Services	
R70-590. Utah Domesticated Game Slaughter and Processing	4
COMMERCE	
Administration	
R151-2. Government Records Access and Management Act Rule	6
COMMUNICATIONS AUTHORITY BOARD (UTAH)	
Administration	
R174-1. Utah 911 Advisory Committee	8
ENVIRONMENTAL QUALITY	
Administration	
R305-11. Clean Air Support Restricted Account Grant Program	10
HEALTH	
Center for Health Data, Vital Records and Statistics	
R436-2. Infants of Unknown Parentage; Foundling Registration	11
HUMAN SERVICES	
Recovery Services	
R527-250. Emancipation	13
INSURANCE	
Title and Escrow Commission	
R592-6. Unfair Inducements and Marketing Practices in Obtaining Title Insurance	
Business	15
PUBLIC SAFETY	
Driver License	
R708-18. Regulatory and Administrative Fees	17
TAX COMMISSION	
Property Tax	
R884-24P-62. Valuation of State Assessed Unitary Properties Pursuant to Utah	
Code Ann. Section 59-2-201	19

TABLE OF CONTENTS

NOTICES OF CHANGES IN PROPOSED RULES23

 AGRICULTURE AND FOOD

 Animal Industry

 R58-21. Trichomoniasis24

 INSURANCE

 Administration

 R590-102. Insurance Department Fee Payment Rule26

 NATURAL RESOURCES

 Oil, Gas and Mining; Oil and Gas

 R649-1. Oil and Gas Definitions28

 R649-10. Administrative Procedures29

 R649-11. Administrative Penalties31

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION35

 AGRICULTURE AND FOOD

 Animal Industry

 R58-2. Diseases, Inspections, and Quarantines35

 R58-4. Use of Animal Drugs and Biologicals in the State of Utah36

 R58-14. Holding Live Raccoons or Coyotes in Captivity36

 COMMERCE

 Consumer Protection

 R152-1a. Internet Content Provider Ratings Methods Rule37

 R152-11. Utah Consumer Sales Practices Act Rule37

 R152-26. Telephone Fraud Prevention Act Rule38

 Occupational and Professional Licensing

 R156-40. Recreational Therapy Practice Act Rule39

 R156-57. Respiratory Care Practices Act Rule39

 R156-77. Direct-Entry Midwife Act Rule40

 CRIME VICTIM REPARATIONS

 Administration

 R270-1. Award and Reparation Standards40

 R270-2. Crime Victim Reparations Adjudicative Proceedings41

 R270-5. Electronic Meetings41

 R270-6. Recusal of a Board Member for a Conflict of Interest42

 HEALTH

 Center for Health Data, Vital Records and Statistics

 R436-5. New Birth Certificate After Legitimation, Court Determination of Paternity, or Adoption43

INSURANCE

 Title and Escrow Commission

 R592-15. Submission of a Schedule of Minimum Charges for Escrow Services43

LABOR COMMISSION

 Antidiscrimination and Labor, Fair Housing

 R608-1. Utah Fair Housing Rules44

 Antidiscrimination and Labor, Labor

 R610-1. Minimum Wage, Clarify Tip Credit, and Enforcement44

 R610-2. Employment of Minors45

 R610-3. Filing, Investigation, and Resolution of Wage Claims.....45

NATURAL RESOURCES

 Forestry, Fire and State Lands

 R652-122. Cooperative Agreements46

NOTICES OF RULE EFFECTIVE DATES47

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 2021-8

Expanding Return to Work and Returnship Opportunities in Utah

WHEREAS, diversity and life experience are valuable to the state of Utah and should be relevant to pay and opportunity in the workplace;

WHEREAS, Utah has the strongest economy in the country, and state leaders are interested in helping all Utahns have economic opportunity in professions;

WHEREAS, the state of Utah is working to optimize resources to assist and connect Utah citizens to meaningful skills, training, employment, and work-based learning opportunities (returnships);

WHEREAS, the state of Utah believes it is in the public benefit to assist those individuals who have left the labor force and now desire to return to work;

WHEREAS, a high number of individuals seeking to return to work throughout the state are seeking training and educational opportunities;

WHEREAS, the COVID-19 pandemic has contributed to the loss of more than 122,000 jobs and continues to disproportionately impact specific demographics of workers;

WHEREAS, all employers in Utah, both private and public, can provide opportunities, including returnships, to help those looking to return to work;

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the laws of the State of Utah, do hereby order that:

1. As used in this order, "agency":
 - a. means a department, division, office, bureau, or other organization within the state executive branch, including the State Tax Commission, the National Guard, and the Board of Pardons and Parole; and
 - b. does not include:
 - i. an institution of higher education;
 - ii. the Utah Board of Higher Education;
 - iii. the State Board of Education;
 - iv. an independent entity as defined in Utah Code § 63E-1-102;
 - v. the Attorney General's Office;
 - vi. the State Auditor's Office; or
 - vii. the State Treasurer's Office.

EXECUTIVE DOCUMENTS

2. No later than June 30, 2021, each agency shall review all procedures, policies, and rules to:
 - a. identify new ways to provide meaningful returnship opportunities to those individuals returning to the labor force;
 - b. remove any impediments that would currently exist to providing these opportunities; and
 - c. start providing return to work and returnship opportunities whenever appropriate.

3. Beginning October 1, 2021, each agency shall report to the Governor's Office and the Governor's Office of Planning and Budget on a semi-annual basis how many returnships have been filled.

4. The Utah Board of Higher Education shall direct all public institutions of higher education in Utah to consider what accommodations and assistance can be provided and marketed to those individuals looking to return to work.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed to the Great Seal of the state of Utah. Done in Roy, Utah, on this, the 1st day of April, 2021.

(State Seal)

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

2021/08/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 March 16, 2021, 12:00 a.m., and April 01, 2021, 11:59 p.m. are included in this, the April 15, 2021, 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 May 17, 2021. 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 August 13, 2021, 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 Digest*. 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: New		
Utah Admin. Code Ref (R no.):	R70-590	Filing No. 53379

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:
R70-590. Utah Domesticated Game Slaughter and Processing
3. Purpose of the new rule or reason for the change:
Currently, producers of domestic game animals are required to transport their live animals to a state or United States Department of Agriculture (USDA) inspected facility for slaughter and processing. This is not only onerous, but expensive and impractical for producers. Under this rule, that fulfills the requirements of H.B. 412, that was passed during the 2019 General Session, producers will be allowed to harvest the animal(s) in the field under the supervision of a veterinarian or his designee.
4. Summary of the new rule or change:
This new rule provides guidelines to allow domestic game producers to slaughter animals in the field, including requirements for registration, sanitation, slaughtering procedures, and antemortem and postmortem inspections, which will be conducted under the supervision of a veterinarian or his designee to ensure proper sanitation and handling and transportation and animals.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This is a new program that will cost the state budget approximately \$65,000 per year to pay for inspections and administer the program. The current inspection fee of \$100 per hour set in the fee schedule, as well as a registration fee of for the program of \$50 per participant will pay for the cost. Each facility would also need to register as a food manufacturing facility. The amount of this fee varies, depending on the size of the facility (between \$50 - \$150). The Department of Agriculture and Food (Department) has averaged this fee to \$100 for the purpose of this analysis. The Department has estimated that 30 facilities will be interested in this program, that there would be approximately 52 slaughter events per year, and that will each require 11.5 inspection hours. This should raise a total of \$66,100. Given that this is a new program, these are only estimates regarding participation and Department costs. As the program gets up and running, the Department will closely monitor the participation and costs to ensure fees are appropriate.
B) Local governments:
There should be no cost to local governments related to this rule because local governments will not be subject to or involved in the administration of the program.
C) Small businesses ("small business" means a business employing 1-49 persons):
The Department estimates that 50% of producers that will utilize this program will be classified as small businesses, or 15 facilities and 26 events per year. Given the fees listed above, this program will cost small businesses in the state approximately \$33,050 per year. Although the savings is not quantifiable, businesses will benefit from being able to slaughter their domestic game in the field rather than take them to a USDA or state inspected facility.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The Department estimates that 50% of producers that will utilize this program will be classified as non-small businesses, or 15 facilities and 26 events per year. Given the fees listed above, this program will cost small businesses in the state approximately \$33,050 per year. Although the savings is not quantifiable, businesses will benefit from being able to slaughter their domestic game in the field rather than take them to a USDA or state inspected facility.
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>):
No other individuals will be affected by or subject to this program.

F) Compliance costs for affected persons:			
Compliance costs for affected persons utilizing this program will consist of a \$50 facility registration fee, an averaged \$100 food manufacturing facility licensing fee, and a \$100 per hour inspection fee for each slaughter event.			
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	\$65,000	\$65,000	\$65,000
Local Governments	\$0	\$0	\$0
Small Businesses	\$33,050	\$33,050	\$33,050
Non-Small Businesses	\$33,050	\$33,050	\$33,050
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$131,100	\$131,100	\$131,100
Fiscal Benefits			
State Government	\$66,100	\$66,100	\$66,100
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$66,100	\$66,100	\$66,100
Net Fiscal Benefits	\$(65,000)	\$(65,000)	\$(65,000)
H) Department head approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approves the regulatory impact analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
While this new program does involve some cost for businesses, it is voluntary and allows businesses the option to slaughter domestic game in the field, which			

removes a burdensome process and will provide cost savings as well.
B) Name and title of department head commenting on the fiscal impacts:
Craig W. Buttars, Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):
Section 4-32a-208

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)	9 CFR Section 310 Post-Morten Inspection
Publisher	US Federal Government
Date Issued	January 1, 2012

	Second Incorporation
Official Title of Materials Incorporated (from title page)	9 CFR Section 352.10 Ante-Mortem Inspection
Publisher	US Federal Government
Issue, or version	January 1, 2003

	Third Incorporation
Official Title of Materials Incorporated (from title page)	9 CFR 313.2 Handling of Livestock
Publisher	US Federal Government
Issue, or version	January 1, 2011

	Fourth Incorporation
Official Title of Materials Incorporated (from title page)	9 CFR 314, Handling and Disposal of Condemned or Other Inedible Products at Official Establishments
Publisher	US Federal Government

NOTICES OF PROPOSED RULES

Issue, or version	January 1, 2012
	Fifth Incorporation
Official Title of Materials Incorporated (from title page)	9 CFR 317.2 Labels; definition; required features
Publisher	US Federal Government
Issue, or version	January 1, 2011

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:	5/17/2021
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10. This rule change MAY become effective on:	05/24/2021
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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:	Craig W. Buttars, Commissioner	Date:	03/22/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R151-2	Filing No. 53373

Agency Information

1. Department:	Commerce
Agency:	Administration
Street address:	160 E 300 S, 2nd FL
City, state, zip:	Salt Lake City, UT 84111

Contact person(s):		
Name:	Phone:	Email:
Masuda Medcalf	801-530-7663	mmedcalf@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R151-2. Government Records Access and Management Act Rule
3. Purpose of the new rule or reason for the change:
The purpose of this rule change is to update and clarify procedures for records requests.
4. Summary of the new rule or change:
Section R151-2-3 is amended to clarify language used and to update statutory references. Subsection R151-2-4(1) is amended to remove references to specific forms as not all Department of Commerce (Department) agencies use these forms in light of other methods available to the public, such as online requests through the Open Records Portal.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule does not amend fees or any revenue generation for the state and will not affect the state budget.
B) Local government:
Local governments are typically not involved in records requests before the Department and are not impacted by this amendment.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule is procedural in nature and has no discernable impact on the costs required for a small business to make a records request to the agency.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule is procedural in nature and has no discernable impact on the costs required for a non-small business to make a records request to the agency.

E) Persons other than small businesses, non-small businesses, or 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 is procedural in nature and has no discernable impact on the costs required for persons other than small businesses to make a records request to the agency.

F) Compliance costs for affected persons:

This rule is procedural in nature and has no discernable impact on compliance costs to make a records request to the agency.

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, Margaret W. Busse, has reviewed and approved this fiscal analysis.

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

There will be no fiscal impact on businesses.

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

Margaret W. Busse, Executive Director

Citation Information

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

Section 63G-2-204	Section 63G-2-603	
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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: 05/17/2021

10. This rule change MAY become effective on: 05/24/2021

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:	Margaret W. Busse, Executive Director	Date:	03/17/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R174-1	Filing No. 53362

Agency Information

1. Department:	Communications Authority Board (Utah)	
Agency:	Administration	
Street address:	5215 Wiley Post Way, Suite 550	
City, state:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Quinton Stephens	801-641-0547	qstephens@uca911.org
David Edmunds	435-640-8117	dedmunds@uca911.org
Nathan Marigoni	801-840-4200	marigonin@ballardspahr.com
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R174-1. Utah 911 Advisory Committee
3. Purpose of the new rule or reason for the change:
Significant legislation has been passed since the current version of the rule was promulgated. This legislation renders the existing rule moot and requires updates and revisions which are proposed through this submission.
4. Summary of the new rule or change:
The proposed rule addresses the methods and means for providing access and/or equipment to both the statewide public safety radio network and the statewide NG911 system. This rule also includes procedures for the distribution of statutorily provided funds in accordance with the Utah Communications Authority Act, Title 63H, Chapter 7a.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This proposed rule is not expected to have any fiscal impact on state government revenues or expenditures because this rule addresses participation by state entities in statewide emergency communications services that have already been procured and budgeted by the Utah

Communications Authority (UCA). All of UCA's funding comes from restricted accounts and service fees dedicated for these emergency communications services. Those portions of this rule addressing distributions from UCA's restricted accounts to participating entities only set forth the procedure for distributions already required by statute, i.e., Section 63H-7a-304.5. The proposed rule itself will have no effect on any state budget.

B) Local governments:

This proposed rule is not expected to have any fiscal impact on local governments' revenues or expenditures because this rule addresses participation by local government entities in statewide emergency communications services that have already been procured and budgeted by UCA. All of UCA's funding comes from restricted accounts and service fees dedicated for these emergency communications services. Those portions of the rule addressing distributions from UCA's restricted accounts to participating entities only set forth the procedure for distributions already required by statute, i.e., Section 63H-7a-304.5. The proposed rule itself will have no effect on any local government.

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

This proposed rule is not expected to have any fiscal impact on small businesses' revenues or expenditures because this rule addresses participation by state and local government entities in statewide emergency communications services maintained by UCA. UCA provides no services to businesses and businesses are not permitted to participate in these emergency communications services.

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

This proposed rule is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because the rule addresses participation by state and local government entities in statewide emergency communications services maintained by UCA. UCA provides no services to businesses and businesses are not permitted to participate in these emergency communications 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*):

This proposed rule is not expected to have any fiscal impact on other persons because this rule addresses participation by state and local government entities in statewide emergency communications services maintained by UCA. UCA provides no services to entities other than state and local government entities and no entities other than state and local government entities are

permitted to participate in these emergency communications services.

F) Compliance costs for affected persons:

This proposed rule is not expected to have any compliance costs because the rule addresses participation by state and local government entities in statewide emergency communications services maintained by UCA. This rule establishes only a procedure for UCA to manage participation in the system and participating entities and it is not anticipated that such entities will incur any compliance costs as a result of 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 Executive Director of the Utah Communications Authority, David Edmunds, has reviewed and approved this fiscal analysis.

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

As an independent state entity, I, David Edmunds, UCA's Executive Director, am the Department Head. I concur with the above statements and indicate that this rule, in and of itself, will have no direct fiscal impact.

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

David A. Edmunds, Executive Director

Citation Information

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

Title 63H, Chapter 7a	Section 63H-7a-304.5	Section 63H-7a-304
Section 63H-7a-303		

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: 05/17/2021

10. This rule change MAY become effective on: 05/24/2021

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:	David Edmunds, Executive Director	Date:	04/06/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: New		
Utah Admin. Code Ref (R no.):	R305-11	Filing No. 53378

Agency Information

1. Department:	Environmental Quality	
Agency:	Administration	
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144910	
City, state, zip:	Salt Lake City, UT 84114-4910	
Contact person(s):		
Name:	Phone:	Email:
Liam Thraikill	801-536-4419	lthraikill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R305-11. Clean Air Support Restricted Account Grant Program
3. Purpose of the new rule or reason for the change:
H.B. 339 from the 2020 General Session created the Clean Air Support Restricted Account. H.B. 339 gives authority to the Department of Environmental Quality to make rules specifying the requirements and procedures for the grant program. This proposed new rule, R305-11, is the rule that would do this.
4. Summary of the new rule or change:
As authorized by Section 19-1-109, this rule establishes the requirements and procedures for providing grants to 501(c)(3) organizations, as defined by the Internal Revenue Code. This rule establishes eligibility requirements, procedures for distributing funds from the account, and limitations.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
Section 19-1-109 establishes that the account shall be funded by: "contributions deposited into the account in accordance with Section 41-1a-422; private contributions; and donations or grants from public or private entities." The legislature has outlined how the account shall be funded, and there are no additional costs to the state

budget for administering the account or funding the account.

B) Local governments:

There are no anticipated cost or savings to local governments because this rule is not applicable to them.

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

There are no anticipated costs or savings to small businesses because this rule is not applicable to them.

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

There are no anticipated costs or savings to non-small businesses because this rule is not applicable to them.

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

The only aggregate savings would be to 501(c)(3) organizations, as defined by the Internal Revenue Code, who apply for the grant monies and then receive them. The savings would come from receiving grant monies to expend that would otherwise come from the organization's possessive funds.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons, as the only affected persons would be those who apply for the grant.

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, Kimberly D. Shelley, has reviewed and approved this fiscal analysis.

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

There are no anticipated fiscal impact on businesses as a result of this rule. This new rule will only be applicable to 501(c)(3) organizations who apply for the grant monies.

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

Kimberly D. Shelley, Executive Director

Citation Information

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

Sections 19-1-109

Public Notice Information

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

A) Comments will be accepted until: 05/17/2021

10. This rule change MAY become effective on: 05/24/2021

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:	Kimberly D. Shelley, Executive Director	Date:	03/22/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal and Reenact

Utah Admin. Code Ref (R no.):	R436-2	Filing No.	53374
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Agency Information

1. Department:	Health	
Agency:	Center for Health Data, Vital Records and Statistics	
Room no.:	140	
Building:	Cannon Health	
Street address:	288 N 1460 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 141012	
City, state, zip:	Salt Lake City, UT 84114-1012	
Contact person(s):		
Name:	Phone:	Email:
Linda Winger	801-538-6262	lindaw@utah.gov

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

General Information

2. Rule or section catchline:
R436-2. Infants of Unknown Parentage; Foundling Registration

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

Changes in the Section 26-2-7 were made during 2020 General Session under H.B. 97, Newborn Safe Haven Amendments. These changes included giving the Office of Vital Records and Statistics the ability to reconcile the birth certificate and foundling certificate should there be a previous registration of birth. This rule also clarifies some points that were ambiguous previously regarding the

naming of the foundling and how a determination of a Safe Haven relinquishment is made.

4. Summary of the new rule or change:

The new enacted rule establishes the process for naming a foundling for the purposes of recording the birth, instructs the hospital that receives the relinquished newborn to file a certificate of live birth or a foundling certificate of live birth with Vital Records, and requests that the Division of Child and Family Services establish whether the newborn child was safely relinquished as required in Section 62A-4a-802. The new rule also provides a process for reconciliation of certificates if there is already a birth registered for the foundling and a foundling certificate is created. No substantive provisions existed in the old rule that do not exist in the new rule.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The fiscal impact for the state budget is inestimable because there is no way to estimate the number of foundling birth certificates or the number of duplicated birth certificates that will need to be resolved. The law made a change to the window of time for a mother to relinquish her newborn using the safe haven law increasing it from 72 hours to 30 days. Therefore, there is no history of relinquishments to use for an estimate.

B) Local governments:

This proposed repeal and reenactment is not expected to have any fiscal impact on local governments because they do not register foundling births and will not be resolving conflicts between birth and foundling certificates.

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

This proposed repeal and reenactment is not expected to have any fiscal impact on small businesses because they are not involved in the process of providing birth certificates or foundling certificates and will not be resolving conflicts between birth and foundling certificates.

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

This proposed repeal and reenactment is not expected to have any fiscal impact on non-small businesses because they are not involved in the process of providing birth certificates or foundling certificates and will not be resolving conflicts between birth and foundling certificates.

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 repeal and reenactment is not expected to have any fiscal impact on other persons because they are not involved in the process of providing birth certificates or foundling certificates and will not be resolving conflicts between birth and foundling certificates.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons because they are not involved in the process of providing birth certificates or foundling certificates and will not be resolving conflicts between birth and foundling certificates.

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 Interim Executive Director of the Department of Health, Richard Sanders, has reviewed and approved this fiscal analysis.

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

Businesses will see neither revenue nor cost as this amendment updates the rule to comply with recent legislation.

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

Richard G. Saunders, Interim Executive Director

Citation Information

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

Section 26-2-6	Section 26-2-7
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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:	05/17/2021
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10. This rule change MAY become effective on:	05/24/2021
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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:	Linda S. Winger, Director	Date:	03/22/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R527-250	Filing No.	53388
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Agency Information

1. Department:	Human Services	
Agency:	Recovery Services	
Street address:	515 E 100 S	
City, state:	Salt Lake City, UT 84102-4211	
Mailing address:	PO Box 45033	
City, state, zip:	Salt Lake City, UT 84145-0033	
Contact person(s):		
Name:	Phone:	Email:
Scott Weight	801-741-7435	sweigh2@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Jonah Shaw	801-538-4225	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R527-250. Emancipation
3. Purpose of the new rule or reason for the change:
This rule is being amended to define a child's age of majority as 18 years of age, as opposed to defining age of majority at a child's emancipation date. This age of majority definition will be used by Office of Recovery Services (ORS) when determining the duration of a judgment for past due support.
4. Summary of the new rule or change:
The catchline is being changed from "Emancipation" to "Emancipation and a Child's Age of Majority". A section is being added to this rule, Section R527-250-6 Age of Majority, which defines a child's age of majority as 18 years of age and clarifies the duration of judgment timeframe for enforcement of past due support.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule is being amended to define a child's age of majority for purposes of determining the duration of a judgment for past due support. Therefore, there is no anticipated cost or savings to the state budget due to the amendments to this rule.

B) Local governments:			
Administrative rules of the Office of Recovery Services do not apply to local governments. This rule concerns emancipation and age of majority. Therefore, there are no anticipated costs or savings for local government due to this amendment.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
The amendment to this rule does not change ORS processes or procedures regarding sending income withholdings or the volume of income withholdings sent. Therefore, there are no anticipated costs or savings to small businesses due to the amendment to this rule.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
The amendment to this rule does not change ORS processes or procedures regarding sending income withholdings or the volume of income withholdings sent. Therefore, there are no anticipated costs or savings to non-small businesses due to the amendment to this rule.			
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 amendment to this rule does not change ORS processes or procedures regarding sending income withholdings or the volume of income withholdings sent. Therefore, there are no anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities due to the amendment to this rule.			
F) Compliance costs for affected persons:			
The amendments to this rule do not change ORS processes or procedures regarding sending income withholdings or the volume of income withholdings sent. Therefore, there are no anticipated costs or savings to any affected persons due to the amendment 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 Interim Executive Director of the Department of Human Services, Tracy Gruber, 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 Department does not anticipate any fiscal impact on businesses as a result of language changes throughout this rule.			
B) Name and title of department head commenting on the fiscal impacts:			
Tracy Gruber, Interim Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 62A-11-107	Section 62A-11-303	Section 62A-11-401
Section 72B-5-202	Section 72B-12-102	Section 78B-12-219

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:	05/17/2021
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10. This rule change MAY become effective on:	05/24/2021
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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:	Liesa Stockdale, ORS Director	Date:	03/01/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R592-6	Filing No. 53375

Agency Information

1. Department:	Insurance	
Agency:	Title and Escrow Commission	
Room no.:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R592-6. Unfair Inducements and Marketing Practices in Obtaining Title Insurance Business

3. Purpose of the new rule or reason for the change:
The current provisions prohibit and authorize certain conduct but do so in a confusing and inconsistent way. The amendment eliminates those problems.

The Title and Escrow Commission voted at its March 8 meeting to amend this rule by a margin of 5 to 0.

4. Summary of the new rule or change:
The current rule contains a list of prohibited conduct, with exceptions, and list of authorized conduct, with exceptions. It then states that those lists of prohibitions and authorizations serve as exceptions to each other. This created confusion for the Department of Insurance and for the title insurance industry. In fact, the language of this rule made it logically impossible in some situations to determine whether a prohibition or an authorization applied.

The amendments: 1) eliminate the statement that the prohibitions and authorizations are exceptions to each other; 2) plainly state what is prohibited conduct; 3) plainly state what is authorized conduct; and 4) state that in the event of a conflict between the prohibitions and the authorizations, the authorizations are controlling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The changes merely clarify existing regulations and do not make or remove any requirements.

B) Local governments:
There is no anticipated cost or savings to local governments. The changes merely clarify existing regulations and do not make or remove any requirements.

C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The changes merely clarify existing regulations and do not make or remove any requirements.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. The changes merely clarify existing regulations and do not make or remove any requirements.

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 to any other persons. The changes merely clarify existing regulations and do not make or remove any requirements.

F) Compliance costs for affected persons:

There are no compliance costs for any affected persons. The changes merely clarify existing regulations and do not make or remove any requirements.

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 Insurance Department, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

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

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

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

Jonathan T. Pike, 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 31A-2-404

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: 05/17/2021

10. This rule change MAY become effective on: 05/24/2021

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:	Steve Gooch, Public Information Officer	Date:	03/22/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal		
Utah Admin. Code Ref (R no.):	R708-18	Filing No. 53384

Agency Information

1. Department:	Public Safety	
Agency:	Driver License	
Room no.:	3rd Floor	
Building:	Calvin Rampton Complex	
Street address:	4501 S 2700 W	
City, state:	Taylorsville, UT 84129	
Mailing address:	PO Box 1445001	
City, state, zip:	Salt Lake City, UT 84114-5001	
Contact person(s):		
Name:	Phone:	Email:
Kim Gibb	801-965-4018	kgibb@utah.gov
Tara Zamora	801-964-4483	tarazamora@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R708-18. Regulatory and Administrative Fees
3. Purpose of the new rule or reason for the change:
Upon conducting a five-year review of this rule, it was determined that the language which previously authorized this rule under Subsection 53-3-104(2) was removed from the Utah Code upon passage of S.B. 174 during the 2000 General Session. This rule is no longer authorized by statute.
4. Summary of the new rule or change:
In addition to the authority for the rule being removed from statute, the information currently outlined in the rule is unnecessary because: 1) Section R708-18-3 references fees that are required by statute under Sections 53-3-105, 53-3-808, and 53-3-905; and 2) Section R708-18-4 references language previously found in Subsection 53-3-105(33)(b), which has been renumbered to Subsection 53-3-105(28)(b); however, the language is codified in statute, and is therefore not needed in this rule.

Nothing will change as a result of the repeal of this rule because the topics originally addressed in this rule are now codified in statute.

This rule is repealed in its entirety.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is not an anticipated cost or savings to the state budget as a result of the repeal of this rule because: 1) the language contained in this rule under Section R708-18-3 regarding the required fees and authority to collect the fees is codified under Sections 53-3-105, 53-3-808, and 53-3-905; and 2) the language clarifying the exemption for a municipal, county, state or federal agency to pay a fee under Section R708-18-4 is codified under Subsection 53-3-105(28)(b).
B) Local governments:
There is not an anticipated cost or savings to local governments as a result of the repeal of this rule because: 1) the language contained in this rule under Section R708-18-3 regarding the required fees and authority to collect the fees is codified under Sections 53-3-105, 53-3-808, and 53-3-905; and 2) the language clarifying the exemption for a municipal, county, state or federal agency to pay a fee under Subsection R708-18-4 is codified under Section 53-3-105(28)(b).
C) Small businesses ("small business" means a business employing 1-49 persons):
There is not an anticipated cost or savings to small businesses as a result of the repeal of this rule because: 1) the language contained in this rule under Section R708-18-3 regarding the required fees and authority to collect the fees is codified under Sections 53-3-105, 53-3-808, and 53-3-905; and 2) the language clarifying the exemption for a municipal, county, state or federal agency to pay a fee under Section R708-18-4 is codified under Subsection 53-3-105(28)(b).
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is not an anticipated cost or savings to non-small businesses as a result of the repeal of this rule because: 1) the language contained in this rule under Section R708-18-3 regarding the required fees and authority to collect the fees is codified under Sections 53-3-105, 53-3-808, and 53-3-905; and 2) the language clarifying the exemption for a municipal, county, state or federal agency to pay a fee under Section R708-18-4 is codified under Subsection 53-3-105(28)(b).

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 not an anticipated cost or savings to persons other than small businesses, non-small businesses, state or local government entities as a result of the repeal of this rule because:

- 1) the language contained in this rule under Section R708-18-3 regarding the required fees and authority to collect the fees is codified under Sections 53-3-105, 53-3-808, and 53-3-905; and
- 2) the language clarifying the exemption for a municipal, county, state or federal agency to pay a fee under Section R708-18-4 is codified under Subsection 53-3-105(28)(b).

F) Compliance costs for affected persons:

There is not an anticipated compliance cost for affected persons as a result of the repeal of this rule because:

- 1) the language contained in this rule under Section R708-18-3 regarding the required fees and authority to collect the fees is codified under Sections 53-3-105, 53-3-808, and 53-3-905; and
- 2) the language clarifying the exemption for a municipal, county, state or federal agency to pay a fee under Section R708-18-4 is codified under Subsection 53-3-105(28)(b).

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 Department of Public Safety, Jess L. Anderson, has reviewed and approved this fiscal analysis.

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

It is determined that the repeal of this rule will result in a fiscal impact on businesses. The repeal of this rule does not change the requirements outlined in this rule because they are statutorily required in the Utah Code.

The language contained in this rule under Section R708-18-3 regarding the required fees and authority to collect the fees is codified under Sections 53-3-105, 53-3-808, and 53-3-905; and the language clarifying the exemption for a municipal, county, state or federal agency to pay a fee under Section R708-18-4 is codified under Subsection 53-3-105(28)(b).

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

Jess L. Anderson, Commissioner

Citation Information

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

Subsection 63J-1-301(2)	Section 41-6a-402	Subsection 53-3-104(2)
Section 53-3-105	Section 53-3-808	Section 53-3-905
Subsection 53-3-221(2)	Subsection 53-3-221(3)	

Public Notice Information

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

A) Comments will be accepted until:	05/17/2021
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10. This rule change MAY become effective on:	05/24/2021
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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:	Chris Caras, Division Director	Date:	03/30/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R884-24P-62	Filing No.	53377
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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	
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-62. Valuation of State Assessed Unitary Properties Pursuant to Utah Code Ann. Section 59-2-201

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

The purpose of this amendment is to clarify definitional and calculation issues related to the valuation of centrally assessed property.

4. Summary of the new rule or change:

This amendment addresses the treatment of obsolescence and intangible property for the purpose of determining the value of centrally assessed property for property taxation.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This amendment is not expected to impact the state budget because property tax revenue does not impact the state general fund.

B) Local governments:

This amendment is not expected to increase or decrease costs or revenues to local governments because any increase or decrease in property tax for a particular taxpayer as a result of this amendment will cause the certified tax rate to be recalculated to maintain funding for the local government at budgeted levels. However, it should be noted that this amendment could result in a minor shift in the source of property tax revenue from centrally assessed taxpayers to locally assessed taxpayers.

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

This amendment could result in a minor increase in property tax liability for small locally assessed business property. This amendment may result in a shift of property tax liability from centrally assessed businesses to locally assessed businesses and residences. The extent of this increase cannot be estimated but will be dependent on the mix of centrally assessed property and locally assessed property in each county and the extent to which the centrally assessed property in the county experiences a tax decrease.

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

This amendment could result in a minor increase in property tax liability for non-small locally assessed business property. The extent of this increase cannot be estimated but will be dependent on the mix of centrally assessed property and locally assessed property in each county and the extent to which centrally assessed property in the county experiences a tax decrease. Alternatively, for any non-small business that is centrally assessed, there could be a minor reduction in property tax revenue subject to the type of business property that is subject to tax.

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 amendment could result in a minor increase in property tax liability for persons other than small businesses, non-small businesses, state, or local government entities. This amendment may result in a shift of property tax liability from centrally assessed businesses to locally assessed businesses and residences. The extent of this increase cannot be estimated but will be dependent on the mix of centrally assessed property and locally assessed property in each county and the extent to which the centrally assessed property in the county experience a tax decrease.

F) Compliance costs for affected persons:

This change is expected to reduce compliance costs on centrally assessed business taxpayers by clarifying issues related to the valuation of certain business property.

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

The Commissioner of the Tax Commission, Rebecca L. Rockwell, 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 exact fiscal impact of this amendment cannot be estimated but depending on the type of property owned by a taxpayer and whether the taxpayer is subject to central or local assessment, this amendment could result in either a minor increase or decrease in property tax liability.

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 59-2-201		
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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: 05/17/2021

10. This rule change MAY become effective on: 05/24/2021

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

Agency Authorization Information

Agency head or designee, and title:	Rebecca L. Rockwell, Commissioner	Date:	03/24/2021
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End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

After an agency has published a **PROPOSED RULE** in the *Utah State Bulletin*, it may receive comment that requires the **PROPOSED RULE** to be altered before it goes into effect. A **CHANGE IN PROPOSED RULE** allows an agency to respond to comments it receives.

As with a **PROPOSED RULE**, a **CHANGE IN PROPOSED RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **CHANGE IN PROPOSED RULE** including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends May 17, 2021.

From the end of the 30-day waiting period through August 13, 2021, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective 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. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

CHANGES IN PROPOSED RULES are governed by Section 63G-3-303, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5b, R15-4-7, R15-4-9, and R15-4-10.

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF CHANGE IN PROPOSED RULE		
Utah Admin. Code Ref (R no.):	R58-21	Filing No. 53311

Agency Information

1. Department:	Agriculture and Food	
Agency:	Animal Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84116	
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
Dr. Dean Taylor	801-982-2243	djtaylor@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:		
R58-21. Trichomoniasis		
3. Change in Proposed Rule:		
Changes Name, date of prior filing:	FILING Publication	R58-21. Trichomoniasis, published 02/15/2021
4. Reason for this change:		
Changes are made in response to public comments received on this rule regarding a need to take bison out of this rule.		
5. Summary of this change:		
The changes define the word bison in this rule and remove "and bison" from references to cattle in this rule. (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the February 15, 2021, issue of the Utah State Bulletin, on page 36. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the		

changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

6. Aggregate anticipated cost or savings to:
A) State budget:
The Department of Agriculture and Food (Department) is not aware of any bison being tested in the last two years so there should not be a significant cost or savings due to the change removing bison from the testing requirement. There could be a potential revenue increase to the Department due to the addition of a \$1,000 penalty for bison escaping with a total increase of approximately \$2,000 a year given that the Department estimates that two bison may escape per year and be assessed the penalty.
B) Local government:
There are no anticipated costs or savings to local governments because they do not own animals or administer this program.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is a potential cost to small businesses due to the addition of a penalty if bison escape a facility. The Department estimates that two bison might escape per year with ownership split equally between small and non-small businesses. The penalty amount is \$1,000 for a total cost of \$2,000 per year split equally between small and non-small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is a potential cost to non-small businesses due to the addition of a penalty if bison escape a facility. The Department estimates that two or fewer bison might escape per year with ownership split equally between small and non-small businesses. The penalty amount is \$1,000 for a total cost of \$2,000 per year split equally between small and non-small businesses.
E) Persons other than small businesses, non-small businesses, or 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>):
There is no impact for other persons because they do not own animals that are affected by trichomoniasis or administer the Department's trichomoniasis program.

F) Compliance costs for affected persons:

Compliance costs will not change because fees charged by the Department and requirements for compliance 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	\$1,000	\$1,000	\$1,000
Non-Small Businesses	\$1,000	\$1,000	\$1,000
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$2,000	\$2,000	\$2,000
Fiscal Benefits			
State Government	\$2,000	\$2,000	\$2,000
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$2,000	\$2,000	\$2,000
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approves the regulatory impact analysis.

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

These additional changes should have a minimal impact on businesses in the state. The only potential cost relates

to a penalty for non-compliance, that should be assessed on rare occasions.

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

Craig W. Buttars, Commissioner

Citation Information

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

Section 4-31-109

Public Notice Information

10. 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: 05/17/2021

11. This rule change MAY become effective on: 05/24/2021

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 11, 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: Craig W. Buttars, Commissioner **Date:** 04/01/2021

NOTICE OF CHANGE IN PROPOSED RULE

Utah Admin. Code Ref (R no.): R590-102 **Filing No.** 53271

Agency Information

1. Department: Insurance
Agency: Administration

NOTICES OF CHANGES IN PROPOSED RULES

Room no.:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state, zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:		
R590-102. Insurance Department Fee Payment Rule		
3. Change in Proposed Rule:		
Changes FILING Name, Publication date of prior filing:	FILING Publication date of prior filing:	R590-102, Insurance Department Fee Payment Rule, published 01/15/21
4. Reason for this change:		
During the 2021 General Session, the Legislature declined to approve the graduated fee schedule for captive insurers and the separation of industrial insured captives from the larger class of captive insurers.		
5. Summary of this change:		
This change removes the proposed graduated fee schedule for captive insurers, updates the fee increases that the Legislature approved in S.B. 2 during the 2020 General Session, and removes the proposed section that specifically addressed industrial insured captives. (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the January 15, 2021, issue of the Utah State Bulletin, on page 36. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)		

Fiscal Information

6. Aggregate anticipated cost or savings to:
A) State budget:
The Legislature approved an annual captive license fee increase of \$1,125, or half of the originally requested

amount. With 381 captive licensees currently, this will result in the Insurance Department (Department) collecting an additional \$428,625 in annual revenue.

B) Local government:

There is no anticipated cost or savings to local governments. The fee relates to captive insurers only and has no bearing on any other parties.

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

Only a very small number of captives operating in Utah have employees. Of the 381 currently licensed captives, fewer than 20 are estimated to have 1 to 49 employees. These captives will have a cost increase of \$1,125 for their annual license fees, resulting in an aggregate cost increase of less than \$22,500 annually.

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

There is no anticipated cost or savings to non-small businesses. No captives operating in Utah have more than 50 employees.

E) Persons other than small businesses, non-small businesses, or 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*):

Most captives operating in Utah have no employees. Of the 381 currently licensed captives, an estimated 362 have no employees. These captives will have a cost increase of \$1,125 for their annual license fees, resulting in an aggregate cost increase of \$407,250 annually.

F) Compliance costs for affected persons:

The Legislature approved an increase of \$1,125 for the annual renewal cost of a captive insurer license. Any person that forms and runs a captive insurer in Utah will pay an annual license fee of \$6,125. This is the first captive license fee increase in nearly 20 years. Despite this increase, Utah remains one of the most price competitive captive domiciles in the nation.

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	\$0	\$0	\$0
Government			

Local Governments	\$0	\$0	\$0
Small Businesses	\$21,375	\$22,500	\$23,625
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$407,250	\$428,625	\$450,000
Total Fiscal Cost	\$428,625	\$451,125	\$473,625
Fiscal Benefits			
State Government	\$428,625	\$451,125	\$473,625
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$428,625	\$451,125	\$473,625
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

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

There will be an additional annual cost of \$1,125 to all affected parties as a result of this rule. However, insurers are required to have a minimum of \$250,000 of unimpaired capital to form and maintain a captive in Utah; the additional \$1,125 a year will not be fiscally burdensome. The Department invited existing captives in the state to comment at a rule hearing, and no captives appeared or submitted any comments. The Department has not increased the cost of a captive insurer license in 20 years, despite the increasing costs of regulating them. In S.B. 2, passed during the 2020 General Session, the Legislature approved half of the requested increase for a captive insurer license, which will help the Department in its regulatory duties. Utah will remain one of the nation's most cost competitive domiciles for captives.

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

Jonathan T. Pike, Commissioner

Citation Information

8. 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 31A-3-103(3)

Public Notice Information

10. 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: 05/17/2021

11. This rule change MAY become effective on: 05/24/2021

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 11, 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:	Steve Gooch, Public Information Officer	Date:	04/01/2021
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NOTICE OF CHANGE IN PROPOSED RULE

Utah Admin. Code Ref (R no.):	R649-1	Filing No. 53303
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Agency Information

1. Department:	Natural Resources
Agency:	Oil, Gas and Mining; Oil and Gas

NOTICES OF CHANGES IN PROPOSED RULES

Building:	Department of Natural Resources	
Street address:	1594 W North Temple, Suite 1210	
City, state, zip:	Salt Lake City, UT 84114	
Contact person(s):		
Name:	Phone:	Email:
Natasha Ballif	801-538-5328	natashaballif@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:	
R649-1. Oil and Gas Definitions	
3. Change in Proposed Rule:	
Changes FILING Name, Publication date of prior filing:	R649-1. Oil and Gas Definitions, published 02/15/2021
4. Reason for this change:	
After evaluating the comments received during the 30-day public comment period, the Board of Oil, Gas, and Mining decided to implement suggestions that were given.	
5. Summary of this change:	
Changes include adding removed definitions from Rule R649-10 (adjudicative proceeding, agency, agency head, license, party, person, presiding officer, resource detriment, and respondent), two definitions were reordered because they were not in alphabetical order (authorized agent and aquifer). (EDITOR'S NOTES: The change in proposed rule on Rule R649-10 is under Filing No. 53306 in this issue, April 15, 2021, of the Bulletin. Also, the original proposed amendment upon which this change in proposed rule (CPR) was based was published in the February 15, 2021, issue of the Utah State Bulletin, on page 83. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)	

Fiscal Information

6. Aggregate anticipated cost or savings to:
A) State budget:
All changes in the rule filing are purely administrative and will have no additional fiscal impact on the state budget.

B) Local government:			
This rule does not apply to local governments.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
There will be no additional fiscal impact to small businesses because of these proposed changes as they are purely administrative.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
There will be no additional fiscal impact to businesses because of these proposed changes as these changes are purely administrative.			
E) Persons other than small businesses, non-small businesses, or 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 does not affect persons other than small businesses, businesses, or local government entities.			
F) Compliance costs for affected persons:			
There will be no compliance costs for oil and gas operators as this rule change is purely administrative.			
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 Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

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

There will be no additional fiscal impact to businesses because of these proposed rule changes.

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

Brian Steed, Executive Director

Citation Information

8. 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 40-6-1 et seq.		
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Public Notice Information

10. 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: 05/17/2021

11. This rule change MAY become effective on: 05/24/2021

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

Agency Authorization Information

Agency head or designee, and title:	John Baza, Director	Date:	03/26/2021
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NOTICE OF CHANGE IN PROPOSED RULE

Utah Admin. Code Ref (R no.):	R649-10	Filing No. 53306
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Agency Information

1. Department:	Natural Resources	
Agency:	Oil, Gas and Mining; Oil and Gas	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple, Suite 1210	
City, state, zip:	Salt Lake City, UT 84114	
Contact person(s):		
Name:	Phone:	Email:
Natasha Ballif	801-538-5328	natashaballif@utah.gov

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

General Information

2. Rule or section catchline:
R649-10. Administrative Procedures

3. Change in Proposed Rule:

Changes FILING Name, Publication date of prior filing:	R649-10. Administrative Procedures, published 02/15/2021
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4. Reason for this change:
After evaluating the comments received during the 30-day public comment period, the Board of Oil, Gas, and Mining decided to implement suggestions that were given.

5. Summary of this change:
Changes include removing Section R649-10-2, Definitions, which will be moved to Rule R649-1, renumbering each subsequent section, updating citations,

NOTICES OF CHANGES IN PROPOSED RULES

adding "immediate and significant danger" to the renumbered Section R649-10-6, and making other technical changes. (EDITOR'S NOTES: The change in proposed rule on Rule R649-1 is under Filing No. 53303 in this issue, April 15, 2021, of the Bulletin. Also, the original proposed amendment upon which this change in proposed rule (CPR) was based was published in the February 15, 2021, issue of the Utah State Bulletin, on page 88. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

6. Aggregate anticipated cost or savings to:
A) State budget:
All changes in the rule filing are purely administrative and will have no additional fiscal impact on the state budget.
B) Local government:
This rule does not apply to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
There will be no additional fiscal impact to small businesses because of these proposed changes as these changes are purely administrative.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There will be no additional fiscal impact to businesses because of these proposed changes as they are purely administrative.
E) Persons other than small businesses, non-small businesses, or 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 does not affect persons other than small businesses, businesses, or local government entities.
F) Compliance costs for affected persons:
There will be no compliance costs for oil and gas operators as this rule change is purely administrative.
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 Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.			
7. A) Comments by the department head on the fiscal impact the rule may have on businesses:			
There will be no additional fiscal impact to businesses because of these proposed rule changes.			
B) Name and title of department head commenting on the fiscal impacts:			
Brian Steed, Executive Director			

Citation Information

8. 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 40-6-1 et seq.		
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Public Notice Information

10. 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:	05/17/2021
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11. This rule change MAY become effective on:	05/24/2021
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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 11, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Baza, Director	Date:	03/26/2021
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NOTICE OF CHANGE IN PROPOSED RULE

Utah Admin. Code Ref (R no.):	R649-11	Filing No. 53305
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Agency Information

1. Department:	Natural Resources
Agency:	Oil, Gas and Mining; Oil and Gas
Building:	Department of Natural Resources
Street address:	1594 W North Temple, Suite 1210
City, state, zip:	Salt Lake City, UT 84114

Contact person(s):

Name:	Phone:	Email:
Natasha Ballif	801-538-5328	natashaballif@utah.gov

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

General Information

2. Rule or section catchline:

R649-11. Administrative Penalties

3. Change in Proposed Rule:

Changes FILING Name, Publication date of prior filing:	R649-11. Administrative Penalties, published 02/15/2021
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4. Reason for this change:

After evaluating the comments received during the 30-day public comment period, the Board of Oil, Gas, and Mining decided to implement suggestions that were given.

5. Summary of this change:

Changes include updating citations, revisions to Division Enforcement Orders, the creation of Emergency Orders, and replacing "the environment" with "resource detriment". (EDITOR'S NOTE: The original proposed new rule upon which this change in proposed rule (CPR) was based was published in the February 15, 2021, issue of the Utah State Bulletin, on page 92. Underlining in the rule below indicates text that has been added since the publication of the proposed new rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed new rule together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

6. Aggregate anticipated cost or savings to:

A) State budget:

While changes were made to state enforcement actions, there will be no fiscal impact. All changes in this rule filing are purely administrative.

B) Local government:

This rule does not apply to local governments.

NOTICES OF CHANGES IN PROPOSED RULES

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

There will be an estimated fiscal cost to oil and gas operators who receive an emergency order; however, it cannot be estimated how many oil and gas operators will receive an emergency order. All other changes to this rule are administrative and will not result in a fiscal impact.

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

There will be an estimated fiscal cost to oil and gas operators who receive an emergency order; however, it cannot be estimated how many oil and gas operators will receive an emergency order. All other changes to this rule are administrative and will not result in a fiscal impact.

E) Persons other than small businesses, non-small businesses, or 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 does not affect persons other than small businesses, businesses, or local government entities.

F) Compliance costs for affected persons:

There will be no compliance costs for oil and gas operators as this rule change is purely administrative.

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 Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

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

This proposed rule change is estimated to have a fiscal cost to oil and gas operators who are in violation and receive an emergency order, however, it cannot be estimated who and how many oil and gas operators will receive an emergency order.

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

Brian Steed, Executive Director

Citation Information

8. 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 40-6-1 et seq.		
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Public Notice Information

10. 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:	05/17/2021
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11. This rule change MAY become effective on:	05/24/2021
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 11, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	John Baza, Director	Date:	03/26/2021
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End of the Notices of Changes in Proposed 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.):	R58-2	Filing No. 52899

Agency Information

1. Department:	Agriculture and Food	
Agency:	Animal Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84116	
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
Leann Hunting	801-982-2242	leannhunting@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R58-2. Diseases, Inspections, and Quarantines

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

This rule was enacted under Sections 4-31-115 and 4-31-118 that allow the Department of Agriculture and Food (Department) to make rules under the Control of Animal Diseases Act, and the Department's general rulemaking authority under Subsections 4-2-103(1)(c)(ii) and 4-2-103(1)(i).

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

No written comments were received.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule should continue because it provides necessary guidelines regarding the responsibility of animal owners, veterinary professionals, and others to report animal diseases, in order that the Department may satisfy their statutory obligation to limit the spread of infectious animal diseases in the state. It also provides guidelines meant to reduce the spread of diseases at livestock auctions and animal exhibitions.

Agency Authorization Information

Agency head or designee, and title:	Craig W. Buttars, Commissioner	Date:	04/01/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R58-4	Filing No. 52901

Agency Information

1. Department:	Agriculture and Food	
Agency:	Animal Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84116	
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
Leann Hunting	801-982-2242	leannhunting@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R58-4. Use of Animal Drugs and Biologicals in the State of Utah
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is enacted under the authority of Section 4-5-104 that allows the Department of Agriculture and Food (Department) to make rules to conform to the requirements of the Federal Food, Drug, and Cosmetic Act, as well as 9 CFR Sections 101-103, that relate to definitions, licensing, and production of biological products (regulated under federal law).
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule should continue because it limits the ability of a person to produce or transport in Utah any biological product containing an agent of an infectious disease without being licensed by the United States Department of

Agriculture. It also requires professionals engaged in the manufacture of such agents to be registered with the Department. These guidelines will protect the state from introduction of potentially deadly animal diseases.

Agency Authorization Information

Agency head or designee, and title:	Craig W. Buttars, Commissioner	Date:	04/01/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R58-14	Filing No. 52905

Agency Information

1. Department:	Agriculture and Food	
Agency:	Animal Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84116	
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
Leann Hunting	801-982-2242	leannhunting@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R58-14. Holding Live Raccoons or Coyotes in Captivity
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule was enacted under the authority of Subsection 4-2-103(1)(i), the Department of Agriculture and Food's general rulemaking authority, and Section 4-23-111, the prohibition against holding a raccoon or coyote in captivity.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

No written comments were received.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule is necessary and should continue because it protects the health and safety of individuals by prohibiting the holding of a raccoon or coyote in captivity in Utah. It provides necessary guidelines regarding enforcement and penalties related to this statutory limitation.

Agency Authorization Information

Agency head or designee, and title:	Craig W. Buttars, Commissioner	Date:	04/01/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R152-1a	Filing No. 50229

Agency Information

1. Department:	Commerce	
Agency:	Consumer Protection	
Building:	Heber Wells	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146704	
City, state, zip:	Salt Lake City, UT 84114-6704	
Contact person(s):		
Name:	Phone:	Email:
Daniel Larsen	801-530-6145	dblarsen@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R152-1a. Internet Content Provider Ratings Methods 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:
This rule is enacted in accordance with Section 76-10-1234, which directs the Division of Consumer Protection (Division) to establish acceptable rating methods to be implemented by a content provider in accordance with Subsection 76-10-1233(1).

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

The Division is unaware of any written comments regarding this rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule is required by Section 76-10-1234 and provides guidance to content providers regarding acceptable rating methods applicable to material harmful to minors. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Daniel O'Bannon, Director	Date:	03/24/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R152-11	Filing No. 50236

Agency Information

1. Department:	Commerce	
Agency:	Consumer Protection	
Building:	Heber Wells	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146704	
City, state, zip:	Salt Lake City, UT 84114-6704	
Contact person(s):		
Name:	Phone:	Email:
Daniel Larsen	801-530-6145	dblarsen@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R152-11. Utah Consumer Sales Practices 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:
This rule is enacted in accordance with Subsection 13-2-5(1), which allows the Division of Consumer Protection (Division) to issue rules to administer and enforce chapters listed in Section 13-2-1, and with Subsection 13-11-8(2),

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

which directs the Division to adopt substantive rules regarding Section 13-11-4.

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

The Division is unaware of any written comments regarding this rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule defines with specificity acts and practices that violate the Utah Consumer Sales Practices Act, as required by Subsection 13-11-8(2). This rule assists the Division in protecting consumers and provides guidance to suppliers regarding conforming their conduct with Section 13-11-4. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Daniel O'Bannon, Director	Date:	03/19/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R152-26	Filing No. 50242

Agency Information

1. Department:	Commerce	
Agency:	Consumer Protection	
Building:	Heber Wells	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146704	
City, state, zip:	Salt Lake City, UT 84114-6704	
Contact person(s):		
Name:	Phone:	Email:
Daniel Larsen	801-530-6145	dblarsen@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R152-26. Telephone Fraud Prevention 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:

This rule is enacted in accordance with Subsection 13-2-5(1), which allows the Division of Consumer Protection (Division) to issue rules to administer and enforce chapters listed in Section 13-2-1, and with Subsection 13-26-3(5), which allows the Division to establish by rule the registration requirements that apply to a telephone soliciting business.

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

The Division is unaware of any written comments regarding this rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule establishes registration requirements for telephone soliciting businesses and allows the Division to gather information from registrants necessary to administer and enforce Title 13, Chapter 26. This rule also clarifies the requirement for any telephone soliciting business that wishes to claim an exemption from registration in accordance with Subsection 13-26-4(2)(i) and provides guidance to regulated entities with respect to a consumer's right of rescission in accordance with Subsection 13-26-5(2). Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Daniel O'Bannon, Director	Date:	03/22/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R156-40	Filing No. 50273

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:
Jennifer Falkenrath	801-530-7632	jzaelit@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R156-40. Recreational Therapy Practice 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 40, provides for the licensure and regulation of several classifications of recreational therapists (master therapeutic recreation specialist, therapeutic recreation specialist and therapeutic recreation technician). 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 Board of Recreational Therapy's duties, functions, and responsibilities includes recommending to the director appropriate rules. This rule was enacted to clarify the provisions of Title 58, Chapter 40, with respect to several classifications of recreational therapists.
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 April 2016, this rule has been amended one time in July 2017. The Division has received no written comments with respect to 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 as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 40. 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:	11/05/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R156-57	Filing No. 50288

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:
R156-57. Respiratory Care Practices 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 57, provides for the licensure and regulation of respiratory care practitioners. 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 Respiratory Care 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 57, with respect to respiratory care practitioners.
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 April 2016, the Division has received no written comments with respect to 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 as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 57. 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, Director	Date:	11/05/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R156-77	Filing No. 50307

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:
Jeff Busjahn	801-530-6789	jbusjahn@utah.gov

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

General Information

2. Rule catchline:
R156-77. Direct-Entry Midwife 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 77, provides for the licensure and regulation of direct-entry midwives. 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 Licensed Direct-entry Midwife Board 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 77, with respect to direct-entry midwives.

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 April 2016, the Division has received no written comments with respect to 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 as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 77. 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, Director	Date:	11/17/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R270-1	Filing No. 50378

Agency Information

1. Department:	Crime Victim Reparations	
Agency:	Administration	
Street address:	350 E 500 S Ste. 200	
City, state, zip:	Salt Lake City, UT 84111	
Contact person(s):		
Name:	Phone:	Email:
Connie Wettlaufer	801-238-2371	cwettlaufer@utah.gov
Gary Scheller	801-238-2362	garys@utah.gov

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

General Information

2. Rule catchline:
R270-1. Award and Reparation Standards

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is promulgated under the authority of Section 63M-7-506 and provides interpretation and standards for the administration of crime victim reparations.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is needed because it provides clarification, guidance, and authority to those individuals with statutory authority and obligations to carry out the administration of the program. Therefore, this rule should be continued.

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is promulgated under the authority of Subsection 63M-7-515(1) and establishes procedures for adjudicating contested determinations made by a reparation officer.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is needed because it provides applicants who have been denied benefits a method of appeal and review by either the board or director. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Gary Scheller, Director	Date:	04/05/2021
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Agency Authorization Information

Agency head or designee, and title:	Gary Scheller, Director	Date:	04/05/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R270-2	Filing No. 50375

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R270-5	Filing No. 50379

Agency Information

1. Department:	Crime Victim Reparations	
Agency:	Administration	
Street address:	350 E 500 S Ste. 200	
City, state, zip:	Salt Lake City, UT 84111	
Contact person(s):		
Name:	Phone:	Email:
Connie Wettlaufer	801-238-2371	cwettlaufer@utah.gov
Gary Scheller	801-238-2362	garys@utah.gov
Please address questions regarding information on this notice to the agency.		

Agency Information

1. Department:	Crime Victim Reparations	
Agency:	Administration	
Street address:	350 E 500 S, Suite 200	
City, state, zip:	Salt Lake City, UT 84111	
Contact person(s):		
Name:	Phone:	Email:
Connie Wettlaufer	801-238-2371	cwettlaufer@utah.gov
Gary Scheller	801-238-2362	garys@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R270-2. Crime Victim Reparations Adjudicative Proceedings

General Information

2. Rule catchline:
R270-5. Electronic Meetings

<p>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</p> <p>Section 52-4-207 requires any public body that convenes or conducts an electronic meeting to adopt a rule governing the use of electronic meetings. This Rule R270-5 establishes procedures for conducting Crime Victim Reparations and Assistance Board (Board) meetings by electronic means.</p>
<p>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:</p> <p>There have been no comments received.</p>
<p>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</p> <p>Perhaps now more than ever in the midst of the COVID-19 pandemic, it has been prudent and required that the Board meet electronically rather than in person. Additionally, electronic meetings allow for greater public attendance of the meetings rather than holding the meeting in only one accessible physical location. Therefore, this rule should be continued.</p>

Agency Authorization Information

Agency head or designee, and title:	Gary Scheller, Director	Date:	10/13/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R270-6	Filing No. 50372

Agency Information

1. Department:	Crime Victim Reparations	
Agency:	Administration	
Street address:	350 E 500 S Ste. 200	
City, state, zip:	Salt Lake City, UT 84111	
Contact person(s):		
Name:	Phone:	Email:
Connie Wettlaufer	801-238-2371	cwettlaufer@utah.gov
Gary Scheller	801-238-2362	garys@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

<p>2. Rule catchline:</p> <p>R270-6. Recusal of a Board Member for a Conflict of Interest</p>
<p>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</p> <p>This rule is promulgated under the authority of Section 63M-7-506 and is intended to establish standards for addressing potential conflicts of interest.</p>
<p>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:</p> <p>No written comments were received.</p>
<p>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</p> <p>This rule is needed because members of the Crime Victim Reparations and Assistance Board may be placed in a conflict of interest when awarding funding or in making other determinations. This rule addresses how those circumstances must be handled. Therefore, this rule should be continued.</p>

Agency Authorization Information

Agency head or designee, and title:	Gary Scheller, Director	Date:	04/05/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R436-5	Filing No. 51099

Agency Information

1. Department:	Health	
Agency:	Center for Health Data, Vital Records and Statistics	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 141012	
City, state, zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Linda S. Winger	801-538-6262	lindaw@utah.gov

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

General Information

2. Rule catchline:

R436-5. New Birth Certificate After Legitimation, Court Determination of Paternity, or Adoption

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

This rule is authorized by Title 26, Chapter 2, which establishes a statewide vital records system for the registration, collection, preservation, amendment, and certification of vital records and other similar documents required by this chapter and activities related to them, including the tabulation, analysis, and publication of vital statistics.

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

The Office of Vital Records and Statistics has not received any written comments since the last five-year review of this rule from any interested persons supporting or opposing this rule. Only general inquiries have been made and responded to by the office.

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 still required by Section 26-2-10. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Richard Sanders, Executive Director	Date:	02/10/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R592-15	Filing No. 51462
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Agency Information

1. Department:	Insurance
Agency:	Title and Escrow Commission
Room no.:	Suite 2300
Building:	Taylorsville State Office Building
Street address:	4315 S 2700 W

City, state, zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov

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

General Information

2. Rule catchline:

R592-15. Submission of a Schedule of Minimum Charges for Escrow 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 31A-2-404 authorizes the Title and Escrow Commission to make rules related to title insurance. Subsection 31A-19a-209(2)(a)(i) requires that title insurers, title agencies, and title producers file a schedule of escrow charges with the Insurance Commissioner. Rule R592-15 sets forth the procedures for those filings.

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

The Insurance Department has received no written comments regarding this rule during the past 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 establishes a minimum floor for escrow rates, which ensures stability in the industry and codifies procedures for insurers, agencies, and agents to file those rates. The Title and Escrow Commission voted at its February 8, 2021, meeting to continue this rule by a margin of 4 to 0. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	03/30/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R608-1	Filing No. 51497
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Agency Information

1. Department:	Labor Commission	
Agency:	Antidiscrimination and Labor, Fair Housing	
Room no.:	3rd Floor	
Building:	Heber M Wells Building	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146600	
City, state, zip:	Salt Lake City, UT 84114-6600	
Contact person(s):		
Name:	Phone:	Email:
Chris Hill		chill@utah.gov
Kendra Shirey		kshirey@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R608-1. Utah Fair Housing Rules
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 57-21-8(2)(a) grants the Utah Labor Commission (Commission) authority to establish rules to administer the Utah Fair Housing Act.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received during or 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 remains necessary in light of the Commission's continuing responsibility to administer Title 57, Chapter 21, the Utah Fair Housing Act (Act), and the statutory authority contained in Subsection 57-21-8(2)(a) to adopt rules necessary to implement the Act. The Commission has received no comments opposing this rule or its continuation. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jaceson R. Maughan, Commissioner	Date:	03/18/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R610-1	Filing No. 51493

Agency Information

1. Department:	Labor Commission	
Agency:	Antidiscrimination and Labor, Labor	
Room no.:	3rd Floor	
Building:	Heber M Wells Building	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146600	
City, state, zip:	Salt Lake City, UT 84114-6600	
Contact person(s):		
Name:	Phone:	Email:
Chris Hill		chill@utah.gov
Kendra Shirey		kshirey@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R610-1. Minimum Wage, Clarify Tip Credit, and Enforcement
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 34-40-105 gives the Utah Labor Commission (Commission) authority to establish rules to administer the Utah Minimum Wage Act.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received during or 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 remains necessary in light of the Commission's continuing responsibility to administer Title 34, Chapter 40, the Utah Minimum Wage Act (Act), and the statutory authority contained in Section 34-40-105 to adopt rules necessary to implement the Act. The Commission has received no comments opposing this rule or its continuation. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jacson R. Maughan, Commissioner	Date:	03/18/2021
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has received no comments opposing this rule or its continuation. Therefore, this rule should be continued.

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R610-2	Filing No. 51495
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Agency Authorization Information

Agency head or designee, and title:	Jacson R. Maughan, Commissioner	Date:	03/18/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R610-3	Filing No. 51496
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Agency Information

1. Department:	Labor Commission	
Agency:	Antidiscrimination and Labor, Labor	
Room no.:	3rd Floor	
Building:	Heber M Wells Building	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146600	
City, state, zip:	Salt Lake City, UT 84114-6600	
Contact person(s):		
Name:	Phone:	Email:
Chris Hill		chill@utah.gov
Kendra Shirey		kshirey@utah.gov
Please address questions regarding information on this notice to the agency.		

Agency Information

1. Department:	Labor Commission	
Agency:	Antidiscrimination and Labor, Labor	
Room no.:	3rd Floor	
Building:	Heber M Wells Building	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146600	
City, state, zip:	Salt Lake City, UT 84114-6600	
Contact person(s):		
Name:	Phone:	Email:
Chris Hill		chill@utah.gov
Kendra Shirey		kshirey@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R610-2. Employment of Minors
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 34-23-104 gives the Utah Labor Commission (Commission) authority to establish rules to administer the Employment of Minors Act.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received during or 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 remains necessary in light of the Commission's continuing responsibility to administer Title 34, Chapter 23, the Employment of Minors Act (Act) and the statutory authority contained in Subsection 34-23-104(2) to adopt rules necessary to implement the Act. The Commission

General Information

2. Rule catchline:
R610-3. Filing, Investigation, and Resolution of Wage Claims
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsections 34-28-9(1)(b) and 34-28-19(5) give the Utah Labor Commission (Commission) authority to establish rules regarding filing of wage claims and retaliation for filing such claims.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received during or 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:

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

This rule remains necessary in light of the Commission's continuing responsibility to administer Title 34, Chapter 28, the Payment of Wages Act (Act), and the statutory authority contained in Subsections 34-28-9(1)(b) and 34-28-19(5) to adopt rules necessary to implement the Act. The Commission has received no comments opposing this rule or its continuation. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jacson R. Maughan, Commissioner	Date:	03/18/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R652-122	Filing No. 51701
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Agency Information

1. Department:	Natural Resources	
Agency:	Forestry, Fire and State Lands	
Room no.:	352	
Building:	DNR	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 145703	
City, state, zip:	Salt Lake City, UT 84114-5703	
Contact person(s):		
Name:	Phone:	Email:
Brianne Emery	385-239-0791	brianneemery@utah.gov
Jamie Barnes	385-222-1536	jamiebarnes@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R652-122. Cooperative Agreements
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule implements Subsection 65A-8-203(5)(b), which authorizes the Division of Forestry, Fire, and State Lands (Division) to make rules concerning cooperative agreements; Subsection 65A-8-203(4)(a) and Subsection 65A-8-203(3)(b) which require the Division to establish minimum standards for a county wildland fire ordinance and to specify minimum standards for wildland fire training, certification, and wildland fire suppression equipment; Subsection 65A-8-203.1 which defines delegation of fire management authority; and Section 65A-8-203.2 which concerns billing for costs of wildland fire suppression for counties or municipalities that do not have a cooperative agreement with the Division.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule gives the Division the authority to make rules concerning cooperative agreements with eligible entities, set minimum standards for wildfire ordinances, training, certification, and suppression, and delegates fire management authority and billing for wildland fire suppression costs. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Brian Cottam, Director	Date:	03/18/2021
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **PROPOSED RULES** or **CHANGES IN PROPOSED RULES** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** or a related **CHANGE IN PROPOSED RULE** the rule lapses.

Agencies have notified the Office of Administrative Rules that the rules listed below have been made effective.

NOTICES OF EFFECTIVE DATE are governed by Subsection 63G-3-301(12), Section 63G-3-303, and Sections R15-4-5a and R15-4-5b.

Administrative Services

Debt Collection

No. 53310 (Amendment) R21-1: Transfer of Collection Responsibility of State Agencies
Published: 02/15/2021
Effective: 03/25/2021

Agriculture and Food

Regulatory Services

No. 52663 (New Rule) R70-580: Kratom Product Registration and Labeling
Published: 05/01/2020
Effective: 04/02/2021

No. 52663 (First Change in Proposed Rule) R70-580: Kratom Product Registration and Labeling
Published: 06/15/2020
Effective: 04/02/2021

No. 52663 (Second Change in Proposed Rule) R70-580: Kratom Product Registration and Labeling
Published: 10/15/2020
Effective: 04/02/2021

No. 52663 (Third Change in Proposed Rule) R70-580: Kratom Product Registration and Labeling
Published: 12/15/2020
Effective: 04/02/2021

No. 52663 (Fourth Change in Proposed Rule) R70-580: Kratom Product Registration and Labeling
Published: 03/01/2021
Effective: 04/02/2021

Commerce

Occupational and Professional Licensing

No. 53292 (Amendment) R156-1: General Rule of the Division of Occupational and Professional Licensing
Published: 02/15/2021
Effective: 03/25/2021

No. 53284 (Amendment) R156-17b: Pharmacy Practice Act Rule
Published: 02/01/2021
Effective: 03/11/2021

No. 53288 (Amendment) R156-46b: Division Utah Administrative Procedures Act Rule
Published: 02/15/2021
Effective: 03/25/2021

No. 53287 (Amendment) R156-72: Acupuncture Licensing Act Rule
Published: 02/15/2021
Effective: 03/25/2021

No. 53315 (Amendment) R156-76: Professional Geologist Licensing Act Rule
Published: 03/01/2021
Effective: 04/08/2021

Education

Administration

No. 53316 (New Rule) R277-102: Adjudicative Proceedings
Published: 03/01/2021
Effective: 04/08/2021

NOTICES OF RULE EFFECTIVE DATES

No. 53317 (Amendment) R277-215: Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions
Published: 03/01/2021
Effective: 04/08/2021

No. 53318 (Amendment) R277-216: Surrender of License with UPPAC Investigation Pending
Published: 03/01/2021
Effective: 04/08/2021

No. 53319 (Amendment) R277-217: Educator Standards and LEA Reporting
Published: 03/01/2021
Effective: 04/08/2021

No. 53320 (Amendment) R277-303: Educator Preparation Programs
Published: 03/01/2021
Effective: 04/08/2021

No. 53321 (Amendment) R277-308: New Educator Induction and Mentoring
Published: 03/01/2021
Effective: 04/08/2021

No. 53322 (Amendment) R277-461: Elementary School Counselor Grant Program
Published: 03/01/2021
Effective: 04/08/2021

No. 53323 (Amendment) R277-484: Data Standards
Published: 03/01/2021
Effective: 04/08/2021

No. 53325 (Amendment) R277-490: Beverley Taylor Sorenson Elementary Arts Learning Program (BTSALP)
Published: 03/01/2021
Effective: 04/08/2021

No. 53324 (Repeal) R277-505: Education Leadership License Areas of Concentration and Programs
Published: 03/01/2021
Effective: 04/08/2021

No. 53326 (Repeal) R277-506: School Psychologists, School Social Workers, School Counselors, Communication Disorders (Audiologists), Speech-Language Pathologists, and Speech-Language Technicians Licenses and Programs
Published: 03/01/2021
Effective: 04/08/2021

No. 53228 (Amendment) R277-622: School-based Mental Health Qualified Grant Program.
Published: 12/15/2020
Effective: 04/01/2021

No. 53327 (Amendment) R277-716: Alternative Language Services for Utah Students
Published: 03/01/2021
Effective: 04/08/2021

No. 53280 (Amendment) R277-752. Special Education Intensive Services Fund
Published: 02/01/2021
Effective: 03/11/2021

No. 53281 (Amendment) R277-800. Utah Schools for the Deaf and the Blind
Published: 02/01/2021
Effective: 03/11/2021

No. 53282 (Amendment) R277-923. American Indian and Alaskan Native Education State Plan Pilot Programs
Published: 02/01/2021
Effective: 03/11/2021

No. 53283 (Amendment) R277-926. Certification of Residential Treatment Center Special Education Program
Published: 02/01/2021
Effective: 03/11/2021

Health

Child Care Center Licensing Committee

No. 53236 (New Rule) R381-40: Commercial Preschool Programs
Published: 01/01/2021
Effective: 03/22/2021

Health Care Financing, Coverage and Reimbursement Policy
No. 53296 (Amendment) R414-60: Limitations
Published: 02/15/2021
Effective: 03/26/2021

No. 53307 (Amendment) R414-303: Presumptive Eligibility for Medicaid
Published: 02/15/2021
Effective: 03/26/2021

Center for Health Data, Health Care Statistics

No. 53300 (Amendment) R428-1: Health Data Plan and Incorporated Documents
Published: 02/15/2021
Effective: 03/25/2021

Family Health and Preparedness, Licensing

No. 53262 (Amendment) R432-550. Birthing Center
Published: 01/15/2021
Effective: 03/10/2021

Heritage and Arts

Administration

No. 53216 (New Rule) R450-5: Utah Martin Luther King Jr. Human Rights Commission
Published: 12/15/2020
Effective: 04/05/2021

History

No. 53291 (New Rule) R455-16: Cultural Site Stewardship Program Vandalism Volunteer Selection, Training, and Certification Procedures
 Published: 02/15/2021
 Effective: 04/05/2021

No. 53298 (New Rule) R455-17: Cultural Site Stewardship Program Vandalism Reporting Procedures
 Published: 02/15/2021
 Effective: 04/05/2021

Insurance

Administration

No. 53217 (Amendment) R590-85. Accident and Health Insurance and Medicare Supplement Rates
 Published: 12/01/2020
 Effective: 03/11/2021

No. 53217 (Change in Proposed Rule) R590-85. Accident and Health Insurance and Medicare Supplement Rates
 Published: 02/01/2021
 Effective: 03/11/2021

No. 53285 (Amendment) R590-238-16. Acquisition of Control of or Merger with Domestic Company
 Published: 02/01/2021
 Effective: 03/11/2021

No. 53219 (New Rule) R590-286. Minimum Standards for Short-Term Limited Duration Health Insurance
 Published: 12/01/2020
 Effective: 03/11/2021

No. 53219 (Change in Proposed Rule) R590-286. Minimum Standards for Short-Term Limited Duration Health Insurance
 Published: 02/01/2021
 Effective: 03/11/2021

Natural Resources

Wildlife Resources

No. 53276 (Amendment) R657-58. Fishing Contests and Clinics
 Published: 02/01/2021
 Effective: 03/11/2021

School and Institutional Trust Lands

Administration

No. 53308 (New Rule) R850-12: Prohibited and Restricted Use of Trust Lands
 Published: 02/15/2021
 Effective: 04/01/2021

No. 53309 (Repeal and Reenact) R850-41: Rights of Entry
 Published: 02/15/2021
 Effective: 04/01/2021

Transportation

Operations, Traffic and Safety

No. 53232 (New Rule) R920-60: Amusement Ride Safety
 Published: 12/15/2020
 Effective: 03/19/2021

Preconstruction

No. 53184 (Amendment) R930-5: Maintenance
 Published: 12/01/2020
 Effective: 03/25/2021

End of the Notices of Rule Effective Dates Section