

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed December 03, 2019, 12:00 a.m. through December 16, 2019, 11:59 p.m.

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January 01, 2020

Kylie Cone, Managing Editor

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

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

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Digest* should be addressed to the contact person for the rule. Questions about the *Digest* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-538-3003. 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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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 December 03, 2019, 12:00 a.m., and December 16, 2019, 11:59 p.m. are included in this, the January 01, 2020, issue of the *Utah State Digest*.

In this publication, each **PROPOSED RULE** is represented 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 January 31, 2020. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through April 30, 2020, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE			
TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-1	Filing No. 52417	

Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	
RuthAnne Okey-Frost	801-977-6800	rfrost@utah.gov	
Angela Micklos	801-977-6800	afmicklos@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:
Scope, Definitions, and General Provisions
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule filing does not create additional cost or savings.
B) Local governments:
This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

H) Department head approval of regulatory impact analysis:
The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.
B) Name and title of department head commenting on the fiscal impacts:
Salvador Petilos, 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 32B-2-201	Section 32B-1-305	Section 32B-1-702	Section 32B-6-702	Section 32B-6-805	Section 32B-9-204
Section 32B-2-202	Section 32B-1-304	Section 32B-1-607	Section 32B-6-805	Section 32B-9-204	
Section 32B-5-304	Section 32B-1-607	Section 32B-1-204	Section 32B-6-805	Section 32B-9-204	

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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title: Salvador Petilos, Executive Director	Date: 12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.): R81-2	Filing No.: 52418		

Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov	
Angela Micklos	801-977-6800	afmicklos@utah.gov	

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

General Information

2. Rule or section catchline:
State Stores
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule filing does not create additional cost or savings.

B) Local governments:

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

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

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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	32B-2-202	
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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:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-3	Filing No.	52419

Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov	
Angela Micklos	801-977-6800	afmicklos@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:
Package Agencies
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:			
This rule filing does not create additional cost or savings.			
B) Local governments:			
This rule filing does not create additional cost or savings.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule filing does not create additional cost or savings.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This rule filing does not create additional cost or savings.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
This rule filing does not create additional cost or savings.			
F) Compliance costs for affected persons:			
There are no fees associated with this process. The provisions of this rule are being moved to Title R82.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0

Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.			
B) Name and title of department head commenting on the fiscal impacts:			
Salvador Petilos, 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 32B-2-202	Section 32B-2-601	Section 32B-2-605
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Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal

Utah Admin. Code Ref (R no.):	R81-4	Filing No.	52420
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Agency Information

1. Department:	Alcoholic Beverage Control	
Agency:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, Utah	
Mailing address:	PO Box 30408	
City, state, zip:	Salt Lake City, Utah 84130-0408	
Contact person(s):		
Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:

Retail Licenses

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

The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)

4. Summary of the new rule or change:

The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule filing does not create additional cost or savings.

B) Local governments:

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

Regulatory Impact Table

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 32B-2-202	Section 32B-1-102	
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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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal

Utah Admin. Code Ref (R no.):	R81-4A	Filing No.	52421
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Agency Information

1. Department:	Alcoholic Beverage Control	
Agency:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, Utah	
Mailing address:	PO Box 30408	
City, state, zip:	Salt Lake City, Utah 84130-0408	
Contact person(s):		
Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Restaurant Liquor Licenses
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule filing does not create additional cost or savings.
B) Local governments:
This rule filing does not create additional cost or savings.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 32B-1-607	Section 32B-6-202	Section 32B-1-102
Section 32B-5-303		

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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-4B	Filing No.	52422

Agency Information

1. Department:	Alcoholic Beverage Control
Agency:	Administration
Street address:	1625 S 900 W
City, state:	Salt Lake City, Utah
Mailing address:	PO Box 30408
City, state, zip:	Salt Lake City, Utah 84130-0408

Contact person(s):

Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov

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

General Information

2. Rule or section catchline:
Airport Lounge Licenses

3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)

4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
This rule filing does not create additional cost or savings.

B) Local governments:
This rule filing does not create additional cost or savings.

C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

Regulatory Impact Table

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 32B-2-202	Section 32B-6-201	Title 32B, Chapter 5
Section 32B-1-607		

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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-4C	Filing No.	52423

Agency Information

1. Department:	Alcoholic Beverage Control
Agency:	Administration
Street address:	1625 S 900 W

City, state:	Salt Lake City, Utah	
Mailing address:	PO Box 30408	
City, state, zip:	Salt Lake City, Utah 84130-0408	
Contact person(s):		
Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Limited Restaurant Licenses
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule filing does not create additional cost or savings.
B) Local governments:
This rule filing does not create additional cost or savings.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule filing does not create additional cost or savings.
E) Persons other than small businesses, non-small

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 32B-2-202	Section 32B-6-301	Section 32B-6-207
Section 32B-5-303		

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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-4D	Filing No.	52424

Agency Information

1. Department:	Alcoholic Beverage Control
Agency:	Administration
Street address:	1625 S 900 W
City, state:	Salt Lake City, Utah
Mailing address:	PO Box 30408
City, state, zip:	Salt Lake City, Utah 84130-0408
Contact person(s):	

Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov

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

General Information

2. Rule or section catchline:
On-Premise Banquet License
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule filing does not create additional cost or savings.
B) Local governments:
This rule filing does not create additional cost or savings.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule filing does not create additional cost or savings.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 202	32B-2-601	Section 32B-6-601	Title 32B, Chapter 5
Section 607	32B-1-607		

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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-4E	Filing No.	52425

Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	

RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Resort Licenses
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule filing does not create additional cost or savings.
B) Local governments:
This rule filing does not create additional cost or savings.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule filing does not create additional cost or savings.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This rule filing does not create additional cost or savings.
F) Compliance costs for affected persons:
There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 202	32B-2-	Section 601	32B-6-	Title 32B, Chapter 5
Section 607	32B-1-			

Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-4F	Filing No.	52426

Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov	
Angela Micklos	801-977-6800	afmicklos@utah.gov	

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

General Information

2. Rule or section catchline:
Reception Center Licenses

3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)

4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
This rule filing does not create additional cost or savings.

B) Local governments:
This rule filing does not create additional cost or savings.

C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule filing does not create additional cost or savings.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:
There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 202	32B-2-	Section 601	32B-6-	Title 32B, Chapter 5
Section 607	32B-1-			

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it

receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal

Utah Admin. Code Ref (R no.):	R81-5	Filing No.	52427
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Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov	
Angela Micklos	801-977-6800	afmicklos@utah.gov	

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

General Information

2. Rule or section catchline:
Bar Establishment Licenses
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:			
A) State budget:			
This rule filing does not create additional cost or savings.			
B) Local governments:			
This rule filing does not create additional cost or savings.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule filing does not create additional cost or savings.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This rule filing does not create additional cost or savings.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
This rule filing does not create additional cost or savings.			
F) Compliance costs for affected persons:			
There are no fees associated with this process. The provisions of this rule are being moved to Title R82.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.			
B) Name and title of department head commenting on the fiscal impacts:			
Salvador Petilos, 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 32B-2-202

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
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Rule R15-1 for more information.)

A) Comments will be accepted until:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal

Utah Admin. Code Ref (R no.):	R81-6	Filing No.	52428
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Agency Information

1. Department:	Alcoholic Beverage Control	
Agency:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, Utah	
Mailing address:	PO Box 30408	
City, state, zip:	Salt Lake City, Utah 84130-0408	
Contact person(s):		
Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov

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

General Information

2. Rule or section catchline:	Special Use Permits
3. Purpose of the new rule or reason for the change:	

The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)

4. Summary of the new rule or change:

The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
This rule filing does not create additional cost or savings.

B) Local governments:
This rule filing does not create additional cost or savings.

C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule filing does not create additional cost or savings.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:
There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

Regulatory Impact Table

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 32B-2-202		
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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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-7	Filing No.	52429

Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov	
Angela Micklos	801-977-6800	afmicklos@utah.gov	

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

General Information

2. Rule or section catchline:
Event Permits
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)

4. Summary of the new rule or change:
 The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule filing does not create additional cost or savings.

B) Local governments:

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 32B-2-202		
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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:	01/31/2020
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10. This rule change MAY become effective on:

02/07/2020
 NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-8	Filing No.	52430

Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov	
Angela Micklos	801-977-6800	afmicklos@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:
Manufacturing and Related Licenses
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:			
This rule filing does not create additional cost or savings.			
B) Local governments:			
This rule filing does not create additional cost or savings.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule filing does not create additional cost or savings.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This rule filing does not create additional cost or savings.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
This rule filing does not create additional cost or savings.			
F) Compliance costs for affected persons:			
There are no fees associated with this process. The provisions of this rule are being moved to Title R82.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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	32B-2-202		
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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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-9	Filing No.	52431

Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov	
Angela Micklos	801-977-6800	afmicklos@utah.gov	

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

General Information

2. Rule or section catchline:
Liquor Warehousing Licenses

3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)

4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule filing does not create additional cost or savings.
B) Local governments:
This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

Regulatory Impact Table

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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	32B-2-202		
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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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal

Utah Admin. Code Ref (R no.):	R81-10	Filing No. 52432
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Agency Information

1. Department:	Alcoholic Beverage Control	
Agency:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, Utah	
Mailing address:	PO Box 30408	
City, state, zip:	Salt Lake City, Utah 84130-0408	
Contact person(s):		
Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Off-Premise Beer Retailers
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule filing does not create additional cost or savings.
B) Local governments:
This rule filing does not create additional cost or savings.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

B) Name and title of department head commenting on the fiscal impacts:
Salvador Petilos, 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 32B-2-202	

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:	01/31/2020

10. This rule change MAY become effective on:	02/07/2020
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-10A	Filing No.	52433

Agency Information

1. Department:	Alcoholic Beverage Control
Agency:	Administration
Street address:	1625 S 900 W
City, state:	Salt Lake City, Utah
Mailing address:	PO Box 30408

City, state, zip:	Salt Lake City, Utah 84130-0408	
Contact person(s):		
Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Recreational Amenity On-Premise Beer Retailer Licenses
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule filing does not create additional cost or savings.
B) Local governments:
This rule filing does not create additional cost or savings.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule filing does not create additional cost or savings.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private

organization of any character other than an **agency**):
 This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

Regulatory Impact Table

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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	32B-2-202		
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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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-10C	Filing No.	52434

Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	

RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov

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

General Information

2. Rule or section catchline:
Beer-Only Restaurant Licenses
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule filing does not create additional cost or savings.
B) Local governments:
This rule filing does not create additional cost or savings.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule filing does not create additional cost or savings.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule filing does not create additional cost or savings.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This rule filing does not create additional cost or savings.
F) Compliance costs for affected persons:
There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 32B-2-202		
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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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title: Salvador Petilos, Executive Director **Date:** 12/05/2019

NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal
Utah Admin. Code Ref (R no.): R81-10D **Filing No.:** 52435

Agency Information

1. Department: Alcoholic Beverage Control
Agency: Administration
Street address: 1625 S 900 W
City, state: Salt Lake City, Utah
Mailing address: PO Box 30408
City, state, zip: Salt Lake City, Utah 84130-0408
Contact person(s):

Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov

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

General Information

2. Rule or section catchline:

Tavern Beer Licenses

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

The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)

4. Summary of the new rule or change:

The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule filing does not create additional cost or savings.

B) Local governments:

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.			
B) Name and title of department head commenting on the fiscal impacts:			
Salvador Petilos, 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 32B-2-202		
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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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal

Utah Admin. Code Ref (R no.):	R81-11	Filing No.	52436
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Agency Information

1. Department:	Alcoholic Beverage Control		
Agency:	Administration		
Street address:	1625 S 900 W		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 30408		
City, state, zip:	Salt Lake City, Utah 84130-0408		
Contact person(s):			
Name:	Phone:	Email:	
Vickie Ashby	801-977-6801	vickieashby@utah.gov	
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov	
Angela Micklos	801-977-6800	afmicklos@utah.gov	

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

General Information

2. Rule or section catchline:
Beer Wholesaler Licenses
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)
4. Summary of the new rule or change:
The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:			
A) State budget:			
This rule filing does not create additional cost or savings.			
B) Local governments:			
This rule filing does not create additional cost or savings.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule filing does not create additional cost or savings.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This rule filing does not create additional cost or savings.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
This rule filing does not create additional cost or savings.			
F) Compliance costs for affected persons:			
There are no fees associated with this process. The provisions of this rule are being moved to Title R82.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0

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

H) Department head approval of regulatory impact analysis:
The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.
B) Name and title of department head commenting on the fiscal impacts:
Salvador Petilos, 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 32B-2-202

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.)
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A) Comments will be accepted until:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R81-12	Filing No.:	52437

Agency Information

1. Department:	Alcoholic Beverage Control	
Agency:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, Utah	
Mailing address:	PO Box 30408	
City, state, zip:	Salt Lake City, Utah 84130-0408	
Contact person(s):		
Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov
RuthAnne Oakey-Frost	801-977-6800	rfrost@utah.gov
Angela Micklos	801-977-6800	afmicklos@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Local Industry Representative Licenses (Distillery, Winery, Brewery)
3. Purpose of the new rule or reason for the change:
The provisions of this rule are being moved to Title R82.

The new rules will condense and reorganize the administrative code to a format similar to state statute. (EDITOR'S NOTE: The proposed new rules under Title R82 were published in the December 15, 2019, issue of the Bulletin.)

4. Summary of the new rule or change:

The repealed and new rules are adopted pursuant to Section 32B-2-202 and shall be interpreted so as to be consistent with the Alcoholic Beverage Control Act.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule filing does not create additional cost or savings.

B) Local governments:

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

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

This rule filing does not create additional cost or savings.

F) Compliance costs for affected persons:

There are no fees associated with this process. The provisions of this rule are being moved to Title R82.

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

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Alcoholic Beverage Control, Salvador Petilos, 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 provisions of this rule are being moved to Title R82. The new rules will condense and reorganize the administrative code to a format similar to state statute.

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

Salvador Petilos, 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 32B-2-202

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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

NOTE: The date above is the date on which this rule

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

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/05/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R156-73-501	Filing No.	52439

Agency Information

1. Department:	Commerce		
Agency:	Occupational and Professional Licensing		
Building:	Heber M. Wells Building		
Street address:	160 East 300 South		
City, state:	Salt Lake City UT 84111-2316		
Mailing address:	PO Box 146741		
City, state, zip:	Salt Lake City UT 84114-6741		
Contact person(s):			
Name:	Phone:	Email:	
Allyson Pettley	801-530-6179	apettley@utah.gov	

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

General Information

2. Rule or section catchline:
Unprofessional Conduct
3. Purpose of the new rule or reason for the change:
The Division of Occupational and Professional Licensing (Division) in collaboration with the Chiropractic Physician Licensing Board recommends these proposed amendments to define certain actions as unprofessional conduct.
4. Summary of the new rule or change:
In Subsection R156-73-501(15), the proposed subsection will establish unprofessional conduct for using another chiropractic physician's patient records to determine medical necessity without physically performing a patient examination, while the patient is under active care.

In Subsection R156-73-501(16), the proposed subsection will establish unprofessional conduct for failing to provide a written refund policy for pre-paid plans.

In Subsection R156-73-501(17), the proposed subsection will establish unprofessional conduct for failing to obtain a written acknowledgement of the patient's acceptance and understanding of a pre-paid plan.

Subsections R156-73-501(18) will establish unprofessional conduct for making a guarantee of outcomes of care.

Subsection R156-73-501(19) will establish unprofessional conduct for soliciting, receiving, or paying compensation to another party for sending or referring a patient in excess of \$50 per patient.

Subsection R156-73-501(20) will establish unprofessional conduct for soliciting, receiving, or paying compensation to another party for commissions, rebates, kickbacks, or bribes.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The Division estimates that the proposed amendments may result in two additional investigations of violations or complaints annually at a cost of \$300 each for a total of \$600. The amendments are not expected to impact any existing state practices or procedures, and as described below in the analysis for small businesses and non-small businesses, the Division does not expect any state agencies that may be acting as employers of licensees to experience any measurable fiscal impacts. No other impact to the state is expected beyond a minimal cost to the Division of approximately \$75 to disseminate the rule once the proposed amendments are made effective.

B) Local governments:

The Division estimates that the proposed amendments will have no measurable impact on local governments. None of these amendments are expected to impact existing local governments' practices or procedures. Additionally, as described below in the analysis for small businesses and non-small businesses, the Division does not expect any local governments that may be acting as employers of licensees to experience any measurable fiscal impacts.

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

The proposed amendments will regulate chiropractic physicians practicing in Utah, which may indirectly affect the estimated 470 small businesses in Utah owned by individuals in the chiropractic profession (NAICS 621310). However, the amendments are not expected to result in any measurable fiscal impact to small

businesses. The amendments will only affect licensees who violate the rule, and as described below for other persons, for the typical licensee the amendments will have no fiscal impact. Accordingly, any impact from non-compliance will never be uniformly felt across the industry, and most small businesses will never be impacted. Although a small business owned by a licensee who is sanctioned may face indirect financial costs, it is impossible to estimate what those costs might be because any such violations are unforeseeable, and because any indirect costs that a small business may potentially experience will vary widely depending on the unique characteristics of the entity and the individual characteristics and actions of each licensee. This relevant data is unavailable and the cost of acquiring any such data is prohibitively expensive.

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

These proposed rule changes will not impact non-small businesses because there are no non-small businesses in Utah in this industry.

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 are approximately 987 licensed chiropractic physicians who may be affected by these proposed amendments. No measurable fiscal impact to these persons is expected. The goal of the rule is to provide a deterrent, such that there is a \$0 net impact on all parties involved and minimal occasions for noncompliance. Therefore, for the typical licensee the amendments are expected to have no direct or indirect fiscal impact. Further, although a licensee who is found to have violated the rule may experience a fiscal impact, it is impossible to estimate what those costs might be with any accuracy at present, both because they would apply only in cases of unforeseeable violations, and because any potential costs would depend on the unique characteristics and actions of each individual licensee. This relevant data is unavailable and the cost of acquiring any such data is prohibitively expensive.

F) Compliance costs for affected persons:

As described above for other persons, the Division does not anticipate any compliance costs for any affected persons from these proposed amendments.

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

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$675	\$600	\$600
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$675	\$600	\$600
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	\$(675)	\$(600)	\$(600)

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Commerce, Francine Giani, 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 consultation with the Chiropractic Physician Licensing Board, the Division proposes amendments to define certain actions as unprofessional conduct to Subsections R156-73-501(15) through (20). Changes encompass physical examinations before treatment, written refund policies, written acknowledgment for prepaid plans, forbidding guaranteed outcomes of care, restrictions on referrals of patients, and barring compensation for commissions and bribes. These amendments are narrowly tailored so that there will be a limited fiscal impact to licensed chiropractors.

Small Businesses (less than 50 employees):
The proposed amendments will apply to chiropractic physicians practicing in Utah. There is a potential to affect an estimated 470 small businesses in Utah practicing in the chiropractic profession (NAICS 621310). The affect will only be on those licensed chiropractors that engage in unprofessional conduct, and by extension, the impact from non-compliance will not impact small business chiropractors uniformly. It is impossible to estimate what those costs might be because any violations for sanctions are unforeseeable. Any indirect costs that a small business may experience will vary depending on the characteristics of the entity and each licensee. This relevant data is unavailable and the cost of acquiring any such data is prohibitively expensive.

Thus, the amendments are not expected to result in any measurable fiscal impact to small businesses.

Regulatory Impact to Non-Small Businesses (50 or more employees):

These proposed rule changes will not impact non-small businesses because there are no non-small businesses in Utah in the chiropractic industry (NAICS 621310). However, in the case that there may be, any measurable fiscal impact for non-small businesses will be similar for the same reasons as described above for small businesses. Any of these potential costs are either inestimable at this time, for the reasons stated, or there is no fiscal impact.

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

Francine A. Giani, Executive Director

Citation Information

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

Section 58-73-101	Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)
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Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

B) A public hearing (optional) will be held:

On:	At:	At:
01/28/2020	9:00 AM	Heber Wells Bldg, 160 E 300 S, Conference Room 474 (fourth floor), Salt Lake City, UT

10. This rule change MAY become effective on: 02/07/2020

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

will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Division Director	Date:	12/10/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R277-210	Filing No.	52445

Agency Information

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

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

General Information

2. Rule or section catchline:
Utah Professional Practices Advisory Commission (UPPAC), Definitions
3. Purpose of the new rule or reason for the change:
Amendments to Rule R277-210 result from the recent work of the Utah Professional Practices Advisory Commission (UPPAC) taskforce, which reviewed the UPPAC process and made recommendations to increase fairness for educators involved.
4. Summary of the new rule or change:
The amendments include updates to the definitions applicable to all UPPAC rules.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These rule changes are not expected to have any fiscal impact on state government revenues or expenditures. The amendments result from the recent work of the

UPPAC taskforce and include updates to the definitions applicable to all UPPAC rules. The changes add clarity including deleting some definitions such as probation and stipulated agreement, adding definitions such as consent to discipline and investigative letter, and inserting additional statutory references where appropriate. This additional clarification to the definitions for the UPPAC rules is not expected to have a material fiscal impact.

B) Local governments:

These rule changes are not expected to have any fiscal impact on local governments' revenues or expenditures. The amendments result from the recent work of the UPPAC taskforce and include updates to the definitions applicable to all UPPAC rules. The changes add clarity including deleting some definitions such as probation and stipulated agreement, adding definitions such as consent to discipline and investigative letter, and inserting additional statutory references where appropriate. This additional clarification to the definitions for the UPPAC rules is not expected to have a material fiscal impact.

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

These rule changes are not expected to have any material fiscal impact on small businesses' revenues or expenditures because the rule is about definitions for the UPPAC which is made up of licensed educators and two community members to assist and advise the State Board of Education in matters relating to the professional practice of educators and thus does not apply to small businesses.

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

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

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

These rule changes are not expected to have any material fiscal impact on persons other than small businesses', non-small businesses', or local government entities' revenues or expenditures. This rule is about definitions for the Utah Professional Practices Advisory

Commission which is made up of licensed educators and two community members to assist and advise the State Board of Education in matters relating to the professional practice of educators.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons.

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

Regulatory Impact Table

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

H) Department head approval of regulatory impact analysis:

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

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

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

have a fiscal impact on small businesses either.

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

Sydnee Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Section 53E-6-506	Subsection 53E-3-401(4)
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Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R277- 211	Filing No. 52446
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Agency Information

1. Department:	Education	
Agency:	Administration	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Utah Professional Practices Advisory Commission (UPPAC), Rules of Procedure: Notification to Educators, Complaints and Final Disciplinary Actions
3. Purpose of the new rule or reason for the change:
The amendments to Rule R277-211 result from the recent work of the Utah Professional Practices Advisory Commission (UPPAC) taskforce, which was assembled to recommend improvements to the educator discipline process.
4. Summary of the new rule or change:
The amendments include updates to the considerations for opening UPPAC cases and expansion of the expedited hearing process to reduce case times.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These rule changes may have a fiscal impact on state government expenditures. The amendments result from the recent work of the UPPAC taskforce and include updates to the considerations for opening UPPAC cases and expansion of the expedited hearing process in an attempt to reduce case times. The expansion of the expedited hearing process may mean additional hearings which may mean additional UPPAC costs e.g. an increase in the funding to cover substitute teachers for the UPPAC members who are licensed educators. The number of additional hearings cannot be estimated so it is uncertain how much the additional expenditures may be. However, Education estimates that this potential increase can be handled within the existing UPPAC budget.

B) Local governments:

These rule changes are not expected to have any fiscal impact on local governments' revenues or expenditures. The amendments result from the recent work of the UPPAC taskforce and include updates to the considerations for opening UPPAC cases and expansion of the expedited hearing process in an attempt to reduce case times.

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

These rule changes are not expected to have any material fiscal impact on small businesses' revenues or expenditures because this rule is about rules of procedure including notification to educators and complaints and final disciplinary actions for the UPPAC which is made up of licensed educators and two community members to assist and advise the Utah State Board of Education (Board) in matters relating to the professional practice of educators and thus does not apply to small businesses.

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

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

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

These rule changes are not expected to have any material fiscal impact on persons other than small businesses', non-small businesses', or local government entities' revenues or expenditures. This rule is about rules of procedure including notification to educators and complaints and final disciplinary actions for the UPPAC which is made up of licensed educators and two community members to assist and advise the Board in matters relating to the professional practice of educators.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there

are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Sydnee Dickson, State Superintendent

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following

state and federal laws. State code or constitution citations (required):

Utah Constitution Article X, Section 3	Section 506	53E-6-	Subsection 53E-3-401(4)
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Public Notice Information

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

A) Comments will be accepted until:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R277-212	Filing No.:	52447

Agency Information

1. Department:	Education
Agency:	Administration
Street address:	250 E 500 S
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144200
City, state, zip:	Salt Lake City, UT 84114-4200
Contact person(s):	
Name:	Phone: Email:

Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
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Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
UPPAC Hearing Procedures and Reports
3. Purpose of the new rule or reason for the change:
The reason for these changes to Rule R277-212 results from the recent work of the Utah Professional Practices Advisory Council (UPPAC) taskforce, which was assembled to recommend improvements to the educator discipline process.
4. Summary of the new rule or change:
These amendments include updates to the rule for conduct in UPPAC hearings and to eliminate certain appeals to the Superintendent from UPPAC recommendations.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These rule changes are not expected to have any fiscal impact on state government revenues or expenditures. The amendments result from the recent work of the UPPAC taskforce and include updates to this rule for conducting UPPAC hearings. The taskforce also included amendments to eliminate certain appeals to the Superintendent from UPPAC recommendations. The changes update this rule for conducting hearings and thus are not expected to have a material fiscal impact.
B) Local governments:
These rule changes are not expected to have any fiscal impact on local governments' revenues or expenditures. The amendments result from the recent work of the UPPAC taskforce and include updates to this rule for conducting UPPAC hearings. The taskforce also included amendments to eliminate certain appeals to the Superintendent from UPPAC recommendations. The changes update this rule for conducting hearings and thus are not expected to have a material fiscal impact.
C) Small businesses ("small business" means a business employing 1-49 persons):
These rule changes are not expected to have any material fiscal impact on small businesses' revenues or expenditures. The amendments update this rule for conducting UPPAC hearings. UPPAC is made up of licensed educators and two community members to assist and advise the Utah State Board of Education

(Board) in matters relating to the professional practice of educators and thus does not apply to small businesses.

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

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

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

These rule changes are not expected to have any material fiscal impact on persons other than small businesses', non-small businesses', or local government entities' revenues or expenditures. The amendments update this rule for conducting UPPAC hearings. UPPAC is made up of licensed educators and two community members to assist and advise the Board in matters relating to the professional practice of educators.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons.

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

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

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Sydnee Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Section 53E-6-506	Subsection 3-401(4)	53E-3
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Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R277-213	Filing No.	52448
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Agency Information

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

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

General Information

2. Rule or section catchline:

Request for Licensure Reinstatement and Reinstatement Procedures

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

The amendments to Rule R277-213 result from the recent work of the Utah Professional Practices Advisory Commission (UPPAC) taskforce.

4. Summary of the new rule or change:

The amendments include updates to the procedures for conduct reinstatement hearings.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These rule changes are not expected to have any fiscal impact on state government revenues or expenditures. The amendments result from the recent work of the UPPAC taskforce and include updates to the procedures for conducting reinstatement hearings. The changes add clarity including stating an educator may file a request for reinstatement at any time one year prior to the expiration of the suspension period if the educator has completed the requirements identified in the educator's consent to discipline or hearing report. This additional clarification to the procedure is not expected to have a material fiscal impact.

B) Local governments:

These rule changes are not expected to have any fiscal impact on local governments' revenues or expenditures. The amendments result from the recent work of the UPPAC taskforce and include updates to the procedures for conducting reinstatement hearings. The changes add clarity including stating an educator may file a request for reinstatement at any time one year prior to the expiration of the suspension period if the educator has completed the requirements identified in the educator's consent to discipline or hearing report.

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

These rule changes are not expected to have any material fiscal impact on small businesses' revenues or expenditures. This rule is about procedure for the UPPAC which is made up of licensed educators and two community members to assist and advise the Utah State Board of Education (Board) in matters relating to the professional practice of educators and thus does not apply to small businesses.

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

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

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

organization of any character other than an **agency**):

These rule changes are not expected to have any material fiscal impact on persons other than small businesses', non-small businesses', or local government entities' revenues or expenditures. This rule is about procedure for the UPPAC which is made up of licensed educators and two community members to assist and advise the Board in matters relating to the professional practice of educators.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons.

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

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

H) Department head approval of regulatory impact analysis:

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

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

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

businesses' revenues or expenditures because there are no applicable non-small businesses and they do not require any expenditures of, or generate, revenue for non-small businesses. These rule changes have no fiscal impact on local education agencies and will not have a fiscal impact on small businesses either.

B) Name and title of department head commenting on the fiscal impacts:
 Sydnee Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Section 506	53E-6-	Subsection 3-401(4)	53E-
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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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R277-215	Filing No. 52449	

Agency Information

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

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

General Information

2. Rule or section catchline:
Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions
3. Purpose of the new rule or reason for the change:
The amendments to Rule R277-215 result from the recent work of the Utah Professional Practices Advisory Commission (UPPAC) taskforce, which was established to recommend improvements to the educator discipline process.
4. Summary of the new rule or change:
These amendments include updates to the UPPAC rebuttable presumptions and aggravating and mitigating circumstances. These amendments also provide guidance for giving credit for missed classroom time and weighing the effect of an educator's plea in abeyance.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These rule changes are not expected to have any fiscal impact on state government revenues or expenditures. These amendments result from the recent work of the UPPAC taskforce and include updates to the UPPAC rebuttable presumptions and aggravating and mitigating circumstances. These amendments also provide guidance for giving credit for missed classroom time and weighing the effect of an educator's plea in abeyance. These changes update this rule, provide additional clarification, and thus are not expected to have a material

fiscal impact.

B) Local governments:

These rule changes are not expected to have any fiscal impact on local governments' revenues or expenditures. These amendments result from the recent work of the UPPAC taskforce and include updates to the UPPAC rebuttable presumptions and aggravating and mitigating circumstances. These amendments also provide guidance for giving credit for missed classroom time and weighing the effect of an educator's plea in abeyance. These changes update this rule, provide additional clarification, and thus are not expected to have a material fiscal impact.

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

These rule changes are not expected to have any material fiscal impact on small businesses' revenues or expenditures. These amendments include updates to the UPPAC rebuttable presumptions and aggravating and mitigating circumstances. The UPPAC is made up of licensed educators and two community members to assist and advise the State Board of Education (Board) in matters relating to the professional practice of educators and thus does not apply to small businesses.

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

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

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

These rule changes are not expected to have any material fiscal impact on persons other than small businesses', non-small businesses', or local government entities' revenues or expenditures. These amendments include updates to the UPPAC rebuttable presumptions and aggravating and mitigating circumstances. The UPPAC is made up of licensed educators and two community members to assist and advise the Board in matters relating to the professional practice of educators.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons.

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

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Sydnee Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Section 506	53E-6-	Subsection 3-401(4)	53E-
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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:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R277-217	Filing No.	52450

Agency Information

1. Department:	Education
Agency:	Administration
Street address:	250 E 500 S
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144200
City, state, zip:	Salt Lake City, UT 84114-4200
Contact person(s):	

Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov

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

General Information

2. Rule or section catchline:

Educator Standards and LEA Reporting

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

As a result of the work of the recent Utah Professional Practices Advisory Commission (UPPAC) taskforce, the Utah State Board of Education (Board) adopted this new educator standards rule to clarify local education agency (LEA) reporting obligations and misconduct that was a licensing issue for the Board.

4. Summary of the new rule or change:

This rule recategorizes conduct for educators in Utah under the headings of prohibited conduct and mandatory conduct. It also clarifies reporting requirements for educators with criminal charges and LEAs with educators who have violated the educator standards.

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. This rule results from the recent work of the UPPAC taskforce. It is proposed that the Board adopt a new educator standards rule and repeal the existing one, Rule R277-515. This rule does away with discretionary misconduct reporting and clarifies when LEAs are required to report alleged misconduct to UPPAC. It also provides additional clarification and thus is not expected to have a material fiscal impact. (EDITOR'S NOTE: This rule contains the content from the repeal of Rule R277-515 under Filing No. 52453 in this issue, January 1, 2020, of the Bulletin.)

B) Local governments:

This proposed rule is not expected to have any fiscal impact on local governments' revenues or expenditures. This rule results from the recent work of the UPPAC taskforce. It is proposed that the Board adopt a new educator standards rule and repeal the existing one, Rule R277-515. This rule does away with discretionary misconduct reporting and clarifies when LEAs are required to report alleged misconduct to UPPAC. The proposed rule also provides additional clarification and thus is not expected to have a material fiscal impact.

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

This rule is not expected to have any material fiscal impact on small businesses' revenues or expenditures. This rule does away with discretionary misconduct reporting and clarifies when LEAs are required to report alleged misconduct to the UPPAC. The UPPAC is made up of licensed educators and two community members to assist and advise the Board in matters relating to the professional practice of educators and thus does not apply to small businesses.

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

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

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

This rule is not expected to have any material fiscal impact on persons other than small businesses', non-small businesses', or local government entities' revenues or expenditures. This rule does away with discretionary misconduct reporting and clarifies when LEAs are required to report alleged misconduct to UPPAC. The UPPAC is made up of licensed educators and two community members to assist and advise the Board in matters relating to the professional practice of educators and thus does not apply to persons other than small businesses, non-small businesses, or local government entities.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons.

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

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Sydnee Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Title 53E, Chapter 6	Subsection 53E-3-401(4)
Subsection 53E-3-501(1)(a)		

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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R277-316	Filing No.	52451

Agency Information

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

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

General Information

2. Rule or section catchline:
Professional Standards and Training for Non-licensed Employees and Volunteers

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

This rule contains no substantive change to existing requirements but is being enacted as part of the State Board of Education's (Board) ongoing revisions to the licensing system. The content was moved from Rule R277-516. However, some reporting requirements were moved into the newly approved Rule R277-217. (EDITOR'S NOTE: The proposed repeal of Rule R277-516 is under Filing No. 52454 and the proposed new Rule R277-217 is under Filing No. 52450 in this issue, January 1, 2020, of the Bulletin.)

4. Summary of the new rule or change:

This rule is being enacted with existing requirements except reporting requirements for licensed educators which have been moved from this rule's content and included in newly approved Rule R277-217.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule is not expected to have fiscal impact on state government revenues or expenditures. The rule contains no substantive change to existing requirements.

B) Local governments:

This rule is not expected to have fiscal impact on local governments' revenues or expenditures. The rule contains no substantive change to existing requirements.

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

This rule is not expected to have fiscal impact on small businesses' revenues or expenditures. The change contains no substantive change to existing requirements.

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

This rule is not expected to have fiscal impact on non-small businesses' revenues or expenditures. The change contains no substantive change to existing 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**):

This rule is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, non-small businesses, or local government entities. The change contains no substantive change to existing requirements.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons.

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

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Sydnee Dickson, State Superintendent

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following

state and federal laws. State code or constitution citations (required):

Utah Constitution Article X, Section 3	Subsections 53E-3-501(1)(a)(iii)	Subsections 53E-3-501(1)(a)(i)
Subsection 53E-3-301(3)	Title 53E, Chapter 11, Part 4	

Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R277-502-5	Filing No.	52452

Agency Information

1. Department:	Education
Agency:	Administration
Street address:	250 E 500 S
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144200
City, state, zip:	Salt Lake City, UT 84114-4200
Contact person(s):	
Name:	Phone: Email:

Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
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Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

Professional Educator License Areas of Concentration, and Endorsements and Under-Qualified Employees

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

Recent legislation requires the State Board of Education (Board) rulemaking to update provisions regarding awarding a science, technology, engineering, and mathematics (STEM) endorsement to an educator and procedures for providing incentives to educators to earn the STEM endorsement.

4. Summary of the new rule or change:

These rule amendments update requirements for awarding STEM endorsements and enact provisions required by legislation to provide incentives to educators to obtain a STEM endorsement. These rule amendments also clarify that a local education agency (LEA) may count a STEM endorsement towards salary schedules in accordance with statutory language.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These rule changes are not expected to have an independent fiscal impact on state government revenues or expenditures. S.B. 172, passed in the 2019 General Session, moved the state's STEM education endorsements program from the Governor's Office of Economic Development to the State Board of Education. These rule amendments update requirements for awarding STEM endorsements and enact provisions required by the legislation to provide incentives to educators to obtain a STEM endorsement. Therefore, these rule changes do not have an impact independent of S.B. 172.

B) Local governments:

These rule changes are not expected to have an independent fiscal impact on local governments' revenues or expenditures. S.B. 172 (2019), moved the state's STEM education endorsements program from the Governor's Office of Economic Development to the State Board of Education. These rule amendments update requirements for awarding STEM endorsements and enact provisions required by the legislation to provide incentives to educators to obtain a STEM endorsement. Therefore, these rule changes do not have an impact independent of S.B. 172.

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

These rule changes are not expected to have an independent fiscal impact on small businesses' revenues or expenditures. S.B. 172 (2019), moved the state's STEM education endorsements program from the Governor's Office of Economic Development to the State Board of Education. These rule amendments update requirements for awarding STEM endorsements and enact provisions required by the legislation to provide incentives to educators to obtain a STEM endorsement. Therefore, these rule changes do not have an impact independent of S.B. 172.

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

These rule changes are not expected to have an independent fiscal impact on non-small businesses' revenues or expenditures. S.B. 172 (2019) moved the state's STEM education endorsements program from the Governor's Office of Economic Development to the State Board of Education. These rule amendments update requirements for awarding STEM endorsements and enact provisions required by the legislation to provide incentives to educators to obtain a STEM endorsement. Therefore, these rule changes do not have an impact independent of S.B. 172.

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

These rule changes are not expected to have an independent fiscal impact for persons other than small businesses, non-small businesses, or local government entities. S.B. 172 (2019) moved the state's STEM education endorsements program from the Governor's Office of Economic Development to the State Board of Education. These rule amendments update requirements for awarding STEM endorsements and enact provisions required by the legislation to provide incentives to educators to obtain a STEM endorsement. Therefore, these rule changes do not have an impact independent of S.B. 172.

F) Compliance costs for affected persons:

There are no independent compliance costs for affected persons. S.B. 172 (2019) moved the state's STEM education endorsements program from the Governor's Office of Economic Development to the State Board of Education. The rule amendments update requirements for awarding STEM endorsements and enact provisions required by the legislation to provide incentives to educators to obtain a STEM endorsement. Therefore, this rule change does not have an impact independent of S.B. 172.

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

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Sydnee Dickson, State Superintendent

Citation Information

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

citations (required):		
Utah Constitution Article X, Section 3	Subsection 53E-3-401(4)	Section 53E-6-201

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:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R277-515	Filing No.	52453

Agency Information

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

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

General Information

2. Rule or section catchline:
Utah Educator Professional Standards
3. Purpose of the new rule or reason for the change:
The rule is being repealed and the contents being moved to proposed Rule R277-217. (EDITOR'S NOTE: The proposed new Rule R277-217 is under Filing No. 52450 in this issue, January 1, 2020, of the Bulletin.)
4. Summary of the new rule or change:
The rule is being repealed in its entirety.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This repeal is not expected to have any fiscal impact on state government revenues or expenditures. The repeal results from the recent work of the Utah Professional Practices Advisory Commission (UPPAC) taskforce. It is proposed that the Utah State Board of Education (Board) adopt a new educator standards rule and repeal the existing one, Rule R277-515. This repeal will not have a fiscal impact.
B) Local governments:
This repeal is not expected to have any fiscal impact on local governments' revenues or expenditures. The repeal results from the recent work of the UPPAC taskforce. It is proposed that the Board adopt a new educator standards rule and repeal the existing one, Rule R277-515. This repeal will not have a fiscal impact.
C) Small businesses ("small business" means a business employing 1-49 persons):
This repeal is not expected to have any fiscal impact on small businesses' revenues or expenditures. The repeal results from the recent work of the UPPAC taskforce. It is proposed that the Board adopt a new educator standards rule and repeal the existing one, Rule R277-515. This repeal will not have a fiscal impact.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed repeal is

not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate, revenue for non-small businesses.

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

This repeal is not expected to have any fiscal impact on persons other than small businesses', non-small businesses', or local government entities' revenues or expenditures. The repeal results from the recent work of the UPPAC taskforce. It is proposed that the Board adopt a new educator standards rule and repeal the existing one, Rule R277-515. This repeal will not have a fiscal impact.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons.

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

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

H) Department head approval of regulatory impact analysis:

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

6. A) Comments by the department head on the fiscal

impact this rule may have on businesses:

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

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

Sydnee Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Subsection 53E-3-401(4)	Title 53E, Chapter 6
Subsection 53E-3-501(1)(a)		

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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R277-516	Filing No.	52454

Agency Information

1. Department:	Education		
Agency:	Administration		
Street address:	250 E 500 S		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 144200		
City, state, zip:	Salt Lake City, UT 84114-4200		
Contact person(s):			
Name:	Phone:	Email:	
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:
Professional Standards and Training for Non-licensed Employees and Volunteers
3. Purpose of the new rule or reason for the change:
This rule's content is being moved to proposed Rule R277-316. (EDITOR'S NOTE: The proposed Rule R277-316 is under Filing No. 52451 in this issue, January 1, 2020, of the Bulletin.)
4. Summary of the new rule or change:
The rule is being repealed in its entirety and the content moved to Rule R277-316 as part of the State Board of Education's (Board) new licensing rule structure.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule repeal is not expected to have any fiscal impact on state government revenues or expenditures. The rule is being repealed in its entirety and the content moved to Rule R277-316 as part of the Board's ongoing revisions to rules governing licensing systems for educators and non-educators.

B) Local governments:

This rule repeal is not expected to have any fiscal impact on local governments' revenues or expenditures. The rule is being repealed in its entirety and the content moved to Rule R277-316 as part of the Board's ongoing revisions to rules governing licensing systems for educators and non-educators.

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

This rule repeal is not expected to have any fiscal impact on small businesses' revenues or expenditures. The rule is being repealed in its entirety and the content moved to Rule R277-316 as part of the Board's ongoing revisions to rules governing licensing systems for educators and non-educators.

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

This rule repeal is not expected to have any fiscal impact on non-small businesses' revenues or expenditures. The rule is being repealed in its entirety and the content moved to Rule R277-316 as part of the Board's ongoing revisions to rules governing licensing systems for educators and non-educators.

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

This rule repeal is not expected to have any fiscal impact on revenues or expenditures for persons other than small businesses, non-small businesses, or local government entities. The rule is being repealed in its entirety and the content moved to Rule R277-316 as part of the Board's ongoing revisions to rules governing licensing systems for educators and non-educators.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons.

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

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

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Sydnee Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Subsections 53E-3-501(1)(a)(iii)	Subsections 53E-3-501(1)(a)(i)
Subsection 53E-3-301(3)	Title 53E, Chapter 11, Part 4	

Public Notice Information

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

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R277-553	Filing No.	52455

Agency Information

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

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

General Information

2. Rule or section catchline:	Charter School Oversight, Monitoring and Appeals
3. Purpose of the new rule or reason for the change:	Rule R277-553 is amended to clarify options for the State Board of Education (Board) in the event that an authorizer places a charter school on probation or initiates the closure process.

4. Summary of the new rule or change:

The new language adds actions the Superintendent may pursue in the event that an authorizer places a charter school on probation or recommends closure of a charter school.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
These rule changes are not expected to have an independent fiscal impact on state government revenues or expenditures. They provide greater clarity on existing board authority regarding the handling and/or monitoring of a charter school's funds, if an authorizer places the charter school on probation or initiates the closure process.

B) Local governments:
These rule changes are not expected to have an independent fiscal impact on local governments' revenues or expenditures. They provide greater clarity on existing board authority regarding the handling and/or monitoring of a charter school's funds, if an authorizer places the charter school on probation or initiates the closure process.

C) Small businesses ("small business" means a business employing 1-49 persons):
These rule changes are not expected to have an independent fiscal impact on small businesses' revenues or expenditures. They provide greater clarity on existing board authority regarding the handling and/or monitoring of a charter school's funds, if an authorizer places the charter school on probation or initiates the closure process.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
These rule changes are not expected to have an independent fiscal impact on non-small businesses' revenues or expenditures. They provide greater clarity on existing board authority regarding the handling and/or monitoring of a charter school's funds, if an authorizer places the charter school on probation or initiates the closure process.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
These rule changes are not expected to have an independent fiscal impact for persons other than small businesses, non-small businesses, or local government entities. They provide greater clarity on existing board authority regarding the handling and/or monitoring of a

charter school's funds, if an authorizer places the charter school on probation or initiates the closure process.

F) Compliance costs for affected persons:

There are no independent compliance costs for affected persons. They provide greater clarity on existing board authority regarding the handling and/or monitoring of a charter school's funds, if an authorizer places the charter school on probation or initiates the closure process.

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

Regulatory Impact Table

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Sydnee Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Subsection 53G-5-501(5)	Subsection 53G-5-205(5)
Subsection 53E-3-401(4)		

Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R277-623	Filing No.	52456

Agency Information

1. Department:	Education	
Agency:	Administration	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
School Climate Survey
3. Purpose of the new rule or reason for the change:
H.B. 120, Student and School Safety Assessment, passed in the 2019 General Session, requires that the Utah State Board of Education (Board) create a rule regarding the content and format of a school climate survey.
4. Summary of the new rule or change:
Rule R277-623 addresses the legislative requirements and incorporates by reference the baseline model survey that will be required of all local education agencies (LEA).

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule is not expected to have an independent fiscal impact on state government revenues or expenditures. H.B. 120 (2019) requires the Board to create a model school climate survey and adopt rules governing how LEAs must create or adopt and disseminate a school climate survey. This rule addresses the legislative requirements and incorporates by reference the baseline model survey that will be required of all LEAs.
B) Local governments:
This rule is not expected to have an independent fiscal impact on local governments' revenues or expenditures. H.B. 120 (2019) requires the Board to create a model school climate survey and adopt rules governing how LEAs must create or adopt and disseminate a school climate survey. This rule addresses the legislative requirements and incorporates by reference the baseline model survey that will be required of all LEAs.

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

This rule is not expected to have an independent fiscal impact on small businesses' revenues or expenditures. H.B. 120 (2019) requires the Board to create a model school climate survey and adopt rules governing how LEAs must create or adopt and disseminate a school climate survey. This rule addresses the legislative requirements and incorporates by reference the baseline model survey that will be required of all LEAs.

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

This rule is not expected to have an independent fiscal impact on non-small businesses' revenues or expenditures. H.B. 120 (2019) requires the Board to create a model school climate survey and adopt rules governing how LEAs must create or adopt and disseminate a school climate survey. This rule addresses the legislative requirements and incorporates by reference the baseline model survey that will be required of all LEAs.

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

This rule is not expected to have an independent fiscal impact for persons other than small businesses, non-small businesses, or local government entities. H.B. 120 (2019) requires the Board to create a model school climate survey and adopt rules governing how LEAs must create or adopt and disseminate a school climate survey. This rule addresses the legislative requirements and incorporates by reference the baseline model survey that will be required of all LEAs.

F) Compliance costs for affected persons:

There are no independent compliance costs for affected persons. H.B. 120 (2019) requires the Board to create a model school climate survey and adopt rules governing how LEAs must create or adopt and disseminate a school climate survey. This rule addresses the legislative requirements and incorporates by reference the baseline model survey that will be required of all LEAs.

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

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

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

H) Department head approval of regulatory impact analysis:

Sydney Dickson, State Superintendent, has reviewed and approved this fiscal analysis.

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

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

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

Sydney Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Section 53E-3-401(4)	Section 53G-8-802(2)(i)
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Incorporations by Reference Information

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

	First Incorporation
Official Title of Materials Incorporated (from title page)	Model School Climate Survey
Publisher	Utah State Board of Education
Date Issued	December 5, 2019
Issue, or version	Version 1

Public Notice Information

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

A) Comments will be accepted until:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/12/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R277-800	Filing No. 52458	

Agency Information

1. Department:	Education
Agency:	Administration
Street address:	250 E 500 S
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144200
City, state, zip:	Salt Lake City, UT 84114-4200

Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Utah Schools for the Deaf and the Blind
3. Purpose of the new rule or reason for the change:
Revisions to Rule R277-800 are required as a result of recent changes made in H.B. 409, Changes to the Utah Schools for the Deaf and Blind, passed in the 2019 General Session.
4. Summary of the new rule or change:
These rule amendments update definitions and update Utah School for the Deaf and Blind (USDB) reporting requirements to USBE as required by H.B. 409 (2019).

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These rule changes are not expected to have an independent fiscal impact on state government revenues or expenditures. H.B. 409 (2019) amended various provisions related to the USDB. These rule changes address changes in H.B. 409 (2019), as well as aligns definitions and provisions with existing rule, state statute, or federal law related to special education. Therefore, these rule changes do not have an independent fiscal impact, outside of these factors.
B) Local governments:
These rule changes are not expected to have an independent fiscal impact on local governments' revenues or expenditures. These rule changes address changes in H.B. 409 (2019), as well as aligns definitions and provisions with existing rule, state statute, or federal law related to special education. Therefore, these rule changes do not have an independent fiscal impact, outside of these factors.
C) Small businesses ("small business" means a business employing 1-49 persons):
These rule changes are not expected to have an independent fiscal impact on small businesses' revenues or expenditures. These rule changes address changes in H.B. 409 (2019), as well as aligns definitions and provisions with existing rule, state statute, or federal law related to special education. Therefore, these rule

changes do not have an independent fiscal impact, outside of these factors.

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

These rule changes are expected to have an independent fiscal impact on non-small businesses' revenues or expenditures. These rule changes address changes in H.B. 409 (2019), as well as aligns definitions and provisions with existing rule, state statute, or federal law related to special education. Therefore, these rule changes do not have an independent fiscal impact, outside of these factors.

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

These rule changes are not expected to have an independent fiscal impact for persons other than small businesses, businesses, or local government entities. These rule changes address changes in H.B. 409 (2019), as well as aligns definitions and provisions with existing rule, state statute, or federal law related to special education. Therefore, these rule changes do not have an independent fiscal impact, outside of these factors.

F) Compliance costs for affected persons:

There are no independent compliance costs for affected persons. These rule changes address changes in H.B. 409 (2019), as well as aligns definitions and provisions with existing rule, state statute, or federal law related to special education. Therefore, these rule changes do not create independent compliance costs for affected persons.

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

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

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Sydnee Dickson, State Superintendent

Citation Information

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

Utah Constitution Article X, Section 3	Section 402	53E-8-	Subsection 3-401(4)	53E-
Section 204	53E-8-409	Section 53E-8-	Subsection 8-204(3)	53E-

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:	01/31/2020

10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	12/13/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R307-110-32	Filing No. 52414
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Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room no.:	Fourth Floor	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule or section catchline:

Section X, Vehicle Inspection and Maintenance Program, Part B, Davis County

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

The Utah Air Quality Board (Board) has proposed for public comment amended Utah State Implementation Plan, Section X, Part B. As a result, Section R307-110-32, which incorporates Section X, Part B, into this rule,

must be amended to change the Board adoption date to the anticipated adoption date of the amended plan.

4. Summary of the new rule or change:

Section R307-110-32 is amended by changing the date of the last adoption by the Air Quality Board to 03/04/2020.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule change is not expected to have any fiscal impact on the state budget.

B) Local governments:

This rule change is not expected to have any fiscal impact on local governments.

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

This rule change is not expected to have any fiscal impact on small businesses.

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

This rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because each county implements their own Inspection and Maintenance program. This rule only incorporates those existing plans into the State Implementation Plan.

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

This rule change is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities.

F) Compliance costs for affected persons:

This rule change will not have a compliance cost for affected persons.

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

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0

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

H) Department head approval of regulatory impact analysis:

The interim executive director of the Department of Environmental Quality, L. Scott Baird, has reviewed and approved this fiscal analysis.

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

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:

L. Scott Baird, Interim Executive Director

Citation Information

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

Subsection 19-2-104(1)(a)		
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Incorporations by Reference Information

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

	First Incorporation
Official Title of Materials Incorporated (from title page)	Utah State Implementation Plan Section X, Vehicle Inspection and Maintenance Program, Part B, Davis County
Publisher	Utah Division of Air Quality

Issue, or version	03/04/2020
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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:	02/03/2020
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B) A public hearing (optional) will be held:		
On:	At:	At:
02/03/2020	10:00 AM	Multi Agency State Office Building, Division of Air Quality, 195 N 1950 W, Fourth Floor, Salt Lake City, UT

10. This rule change MAY become effective on:	03/04/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R307-110-35	Filing No.	52415

Agency Information

1. Department:	Environmental Quality
Agency:	Air Quality
Room no.:	Fourth Floor
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state, zip:	Salt Lake City, UT 84116-3085

Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Section X, Vehicle Inspection and Maintenance Program, Part E, Weber County

3. Purpose of the new rule or reason for the change:
The Utah Air Quality Board (Board) has proposed for public comment amended Utah State Implementation Plan, Section X, Part E. As a result, Section R307-110-35, which incorporates Section X, Part E, into this rule, must be amended to change the Board adoption date to the anticipated adoption date of the amended plan.

4. Summary of the new rule or change:
Section R307-110-35 is amended by changing the date of the last adoption by the Air Quality Board to 03/04/2020.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have any fiscal impact on the state budget.

B) Local governments:
This rule change is not expected to have any fiscal impact on local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have any fiscal impact on small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule change is not expected to have any fiscal impact on non-small businesses revenues or expenditures because each county implements their own Inspection and Maintenance program. This rule only incorporates those existing plans into the State Implementation Plan.

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

organization of any character other than an **agency**):

This rule change is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities.

F) Compliance costs for affected persons:

This rule change will not have a compliance cost for affected persons.

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

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

H) Department head approval of regulatory impact analysis:

The interim executive director of the Department of Environmental Quality, L. Scott Baird, has reviewed and approved this fiscal analysis.

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

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

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

L. Scott Baird, Interim Executive Director

Citation Information

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

Subsection 19-2-104(1)(a)		
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Incorporations by Reference Information

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

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

	First Incorporation
Official Title of Materials Incorporated (from title page)	Utah State Implementation Plan Section X, Vehicle Inspection and Maintenance Program, Part E, Weber County
Publisher	Utah Division of Air Quality
Issue, or version	03/04/2020

Public Notice Information

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

A) Comments will be accepted until: 02/03/2020

B) A public hearing (optional) will be held:

On:	At:	At:
02/03/2020	10:00 AM	Multi Agency State Office Building, Division of Air Quality, 195 N 1950 W, Fourth Floor, Salt Lake City, UT

10. This rule change MAY become effective on: 03/04/2020

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

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: New

Utah Admin. Code Ref (R no.):	R384-418	Filing No.	52465
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Agency Information

1. Department:	Health	
Agency:	Disease Control and Prevention, Health Promotion	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142102	
City, state, zip:	Salt Lake City, UT 84114	
Contact person(s):		
Name:	Phone:	Email:
Braden Ainsworth	801-538-6187	tobaccorulescomments@utah.gov
Christy Cushing	801-538-6260	tobaccorulescomments@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Electronic-Cigarette Mandatory Nicotine Warning Signage and Sale Restrictions
3. Purpose of the new rule or reason for the change:
The purpose of proposed new Rule R384-418 is to create a new distinct rule to inform youth, parents, and the general public that vaping nicotine can cause addiction and harm the developing brain, as stated by the US Surgeon General. In addition, the proposed new administrative rule restricts youth access to flavored electronic-cigarette products and flavored electronic-cigarette substances by only allowing them to be displayed and sold in age-restricted retail tobacco specialty businesses. Utah adult electronic-cigarette consumers will be able to continue to purchase flavored electronic-cigarette products and flavored electronic-cigarette substances at age-restricted retail tobacco specialty businesses. General tobacco retailers will still be allowed to continue to sell non-flavored electronic-cigarette products and non-flavored electronic-cigarette substances if the required mandatory nicotine warning

signs are displayed.

Youth and young adults use flavored tobacco products more than other age groups. Additionally, flavored products are often the first tobacco product youth and young adults use. Bright colors and enticing flavors make these products appear less harmful and more appealing, especially to those who have not previously used tobacco products. The use of electronic-cigarette products among youth continues to increase, which is a cause for concern for two reasons; first, the high levels of nicotine contained in many electronic-cigarettes can damage the developing adolescent brain; and second, research has shown that electronic-cigarette use in youth can lead to traditional tobacco and other substance use later in life.

According to the US Surgeon General, "E-cigarette use poses a significant – and avoidable – health risk to young people in the United States. Besides increasing the possibility of addiction and long-term harm to brain development and respiratory health, e-cigarette use is associated with the use of other tobacco products that can do even more damage to the body. Even breathing e-cigarette aerosol that someone else has exhaled poses potential health risks."

Despite having the lowest youth smoking rate in the United States, use of electronic-cigarette products among Utah's youth continues to increase. Since 2011, Utah's youth electronic-cigarette product use rate has grown from 1.9% to 12.4% in 2019, which is a 553% relative increase over the past 8 years. 2019 SHARP data show that approximately 24% of Utah teens, ages 13-18, (or more than 70,000 teens) have tried electronic-cigarettes or vape products. Utah youth are more than twice as likely to vape as Utah adults. Utah adult electronic-cigarette product use rose from 2% in 2011 to 5.6% in 2018, which is a 180% relative increase.

In a 2018 Utah Department of Health (UDOH) survey about tobacco policies nearly 70% of Utah adults supported a policy that would restrict the sale of flavored vape products.

Restricting the sale of flavored electronic-cigarette products and flavored electronic-cigarette substances to age-restricted retail tobacco specialty businesses, limits access to these products to 10% of Utah's tobacco retail businesses or approximately 170 of Utah's nearly 1,700 total tobacco retailers.

4. Summary of the new rule or change:

The proposed new administrative Rule R384-418 requires all tobacco retailers to display mandatory nicotine warning signs. In addition, the proposed new administrative Rule R384-418 restricts the sale of flavored electronic-cigarette products and flavored electronic-cigarette substances to age-restricted retail tobacco specialty businesses which account for 10% or approximately 170 of Utah's nearly 1,700 total tobacco

retailers.

Effective Tuesday March 31, 2020 only tobacco retailers displaying the mandatory nicotine warning signs will be allowed to sell electronic-cigarette products and electronic-cigarette substances in Utah. In addition, general tobacco retailers will no longer be allowed to sell flavored electronic-cigarette products and flavored electronic-cigarette substances.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The proposed new administrative Rule R384-418 is not anticipated to impact the state budget. Using existing allocated resources, UDOH plans to create, print, and distribute the required mandatory nicotine warning signs that inform youth, parents, and the general public that nicotine exposure can cause addiction and harm the developing brain, electronically through a digital download, by mail, or through local health departments.

B) Local governments:

The proposed new administrative Rule R384-418 is not anticipated to impact the local governments' budgets, as local health departments will continue to conduct retail observations and investigations in accordance with respective state tobacco control laws, state administrative rules, and local health department regulations.

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

The proposed new administrative Rule R384-418 may result in a direct cost to small businesses that employ fewer than 49 employees and choose to sell electronic-cigarette products or electronic-cigarette substances.

As of June 30, 2019, according to UDOH combined local health department tobacco retail compliance check logs cross-referenced with Utah Department of Workforce Services (DWS) Firm Find Data, there are approximately 1,300 small businesses that sell tobacco products in Utah or approximately 79% of Utah tobacco retailers. Some of these businesses currently do not sell electronic-cigarette products or electronic-cigarette substances or have indicated that they will discontinue the sale of electronic-cigarette products or electronic-cigarette substances. In October 2019, Walgreens and Dollar General publicly announced they are no longer going to sell electronic-cigarette products, including electronic-cigarette substances. According to DWS Firm Find Data, individual Walgreens stores and Dollar General stores both employ fewer than 49 employees. These stores account for approximately 60 individual small businesses operating in Utah with tobacco licensing and tobacco permits.

The proposed new administrative Rule R384-418 may result in a direct fiscal benefit to small businesses that primarily rely on the sale of tobacco products (retail tobacco specialty businesses) and operate under the NAICS codes of 453991, 424940 and 453998.

Other small businesses that may sell tobacco products among other products they choose to sell include civic and social organizations, convenience stores, gas stations with convenience stores, other gasoline stations, general merchandise and discount stores, pharmacies, gift, novelty and souvenir stores, and hotels or businesses that operate under NAICS codes 813410, 445120, 447110, 447190, 452319, 446110, 453220, 721110.

The enactment of Utah Code Title 26, Chapter 62, effective July 1, 2018, required all retailers that advertise, offer for sale, display, and sell tobacco products to apply and certify to be permitted as either a general tobacco retailer or a retail tobacco specialty business by January 1, 2019. Local health departments issued said permits depending on whether individual tobacco retailers paid associated fees and met the regulatory requirements for their retail business operations and/or their geographic location with respective state tobacco control laws, state administrative rules, and local health department regulations. All of Utah's permitted retail tobacco specialty businesses are considered small businesses.

A review of the UDOH combined local health department tobacco retail compliance check logs cross-referenced with DWS Firm Find Data indicates that seventy-six percent (76%) of tobacco retailers, excluding retail tobacco specialty businesses, are considered small businesses. Effective March 31, 2020, general tobacco retailers will no longer be able to sell flavored electronic-cigarette products and flavored electronic-cigarette substances, and thus these businesses will experience a direct fiscal cost.

The effective date of the proposed new rule and flavor restriction is March 31, 2020, which is 90 calendar days from the date of publication of the proposed rule in the Utah State Bulletin. The 90 calendar days' notice of the flavor restriction policy may reduce the direct fiscal cost impact on existing general tobacco retailers. The 90 calendar days allows time for existing small businesses permitted as general tobacco retailers to sell their current inventory of flavored electronic-cigarette product and flavored electronic-cigarette substance and avoid restocking new flavored electronic-cigarette product and electronic-cigarette substances.

In accordance with Utah Code, the small businesses permitted as general tobacco retailers cannot gross more than 34% of their quarterly gross receipts from tobacco products, which includes electronic-cigarette products, electronic-cigarette substances and tobacco paraphernalia, as defined in Utah Code Subsection 26-62-102(9). In addition, in accordance to Utah Code Subsection 10-8-41.6(1)(e) and Utah Code Subsection

17-50-333(1)(e), general tobacco retailers cannot use more than 19% of their public retail floor space and no more than 19% of their total shelf space to offer, display, store tobacco products. The statutory requirements for small businesses permitted as general tobacco retailers prevent them from earning a substantial portion of their revenue from tobacco products, therefore mitigating the negative fiscal effects of the proposed new administrative rule on their current business operations.

Flavored electronic-cigarette products and flavored electronic-cigarette substances may account for one of the many products that a general tobacco retailer can choose to sell.

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

The proposed new administrative Rule R384-418 may result in a direct cost to non-small businesses that employ more than 50 employees and choose to sell electronic-cigarette products or electronic-cigarette substances.

As of June 30, 2019, according to UDOH combined local health department tobacco retail compliance check logs cross-referenced with DWS Firm Find Data, there are approximately 350 non-small businesses that sell tobacco products in Utah. Some of these businesses currently do not sell electronic-cigarette products or electronic-cigarette substances or have indicated that they will discontinue the sale of electronic-cigarette products or electronic-cigarette substances. In October 2019, Kroger (Smiths), Costco Wholesale, Rite Aid (which owns Thrifty Payless), Sam's Club, and Walmart announced they are no longer going to sell electronic-cigarette products, including electronic-cigarette substances. According to DWS Firm Find Data, individual Kroger (Smiths), Costco Wholesale, Rite Aid (which owns Thrifty Payless), Sam's Club, and Walmart, all employ more than 50 employees. These stores account for approximately 140 individual non-small businesses operating in Utah with tobacco licensing and tobacco permits.

Non-small businesses that may sell tobacco products among other products include convenience stores, gas stations with convenience stores, other gasoline stations, and grocery stores and supermarkets, or businesses that operate under NAICS codes 445120, 447110, 447190, 445110.

The enactment of Utah Code Title 26, Chapter 62, effective July 1, 2018 required all retailers that advertise, offer for sale, display, and sell tobacco products to apply and certify to be permitted as either a general tobacco retailer or a retail tobacco specialty business by January 1, 2019. Local health departments issued said permits depending on whether individual tobacco retailers paid associated fees and met the regulatory requirements for their retail business operations and/or their geographic location with respective state tobacco control laws, state

administrative rules, and local health department regulations.

A review of the UDOH combined local health department tobacco retail compliance check logs cross-referenced with DWS Firm Find Data indicates that all non-small businesses that sell tobacco products are general tobacco retailers.

Effective March 31, 2020, general tobacco retailers will no longer be able to sell flavored electronic-cigarette products and flavored electronic-cigarette substances, thus these businesses will experience a direct fiscal cost. If general tobacco retailers display the mandatory nicotine warning signs, these businesses will be allowed to continue to sell non-flavored electronic-cigarette products and non-flavored electronic-cigarette substances.

The effective date of the proposed new rule and flavor restriction is March 31, 2020, which is 90 calendar days from the date of publication of the proposed rule in the Utah State Bulletin. The 90 calendar days' notice of the flavor restriction policy may reduce the direct fiscal cost impact on existing general tobacco retailers. The 90 calendar days allows time for existing non-small businesses permitted as general tobacco retailers to sell their current inventory of flavored electronic-cigarette product and flavored electronic-cigarette substance and avoid restocking new flavored electronic-cigarette product and electronic-cigarette substances.

In accordance with Utah Code, the non-small businesses permitted as general tobacco retailers cannot gross more than 34% of their quarterly gross receipts from tobacco products, which includes electronic-cigarette products, electronic-cigarette substances, and tobacco paraphernalia, as defined in Utah Code Subsection 26-62-102(9). In addition, in accordance to Utah Code Subsection 10-8-41.6(1)(e) and Utah Code Subsection 17-50-333(1)(e), general tobacco retailers cannot use more than 19% of their public retail floor space and no more than 19% of their total shelf space to offer, display, store tobacco products. The statutory requirements for non-small businesses permitted as general tobacco retailers prevent them from earning a substantial portion of their revenue from tobacco products, therefore mitigating the negative fiscal effects of the proposed rule on their current business operations.

Flavored electronic-cigarette products and flavored electronic-cigarette substances may account for one of the many products that a general tobacco retailer can choose to sell.

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

The proposed new administrative Rule R384-418 may result in an indirect cost or indirect benefit to persons,

which can include both electronic-cigarette consumers and individuals who work for small businesses or non-small businesses that sell electronic-cigarettes.

According to Utah's Public Health Indicator Based Information System (IBIS-PH), as of 2018, Utah's adult population over the age of 19 was 2,179,421. Based on UDOH 2018 BFRSS data, the Utah adult smoking rate was 9.2% (approximately 200,000 smokers). Based on UDOH 2018 BFRSS data, the Utah adult vaping rate was 5.4% (approximately 120,000 vapors). Many Utahans who smoke also vape. The numbers listed are not mutually exclusive.

F) Compliance costs for affected persons:

The proposed new administrative Rule R384-418 may result in an indirect cost or indirect benefit to persons, which can include both electronic-cigarette consumers and individuals who work for small businesses or non-small businesses that sell electronic-cigarettes.

According to Utah's Public Health Indicator Based Information System (IBIS-PH), as of 2018, Utah's adult population over the age of 19 was 2,179,421. Based on UDOH 2018 BFRSS data, the Utah adult smoking rate was 9.2% (approximately 200,000 smokers). Based on UDOH 2018 BFRSS data, the Utah adult vaping rate was 5.4% (approximately 120,000 vapors). Many Utahans who smoke also vape. The numbers listed are not mutually exclusive.

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

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

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

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

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

The signage requirements will have no fiscal impact on businesses. Flavored e-cigarette product sales of most general retail stores represent a very small part of their business revenue. Stores which are not tobacco specialty stores are required to have less than 35% of their total sales revenue from all tobacco products which include non-flavored electronic-cigarette products. Even these most-impacted stores will likely see a decrease in revenue significantly less than the 34% of allowed tobacco product revenues.

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

Joseph K. Miner, MD, Executive Director

Citation Information

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

Subsection 26-1-30(3)	Subsection 26-1-30(4)
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Public Notice Information

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

A) Comments will be accepted until: 02/28/2020

B) A public hearing (optional) will be held:

On:	At:	At:
01/22/2020	09:00 AM – 11:00 AM	UDOH Cannon Building, Room 125, 288 N 1460 W, Salt Lake City, UT

10. This rule change MAY become effective on: 03/16/2020

NOTE: The date above is the date on which this rule

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

Agency Authorization Information

Agency head or designee, and title:	Joseph Miner, MD, Executive Director	Date:	12/16/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R392-701	Filing No.:	52460

Agency Information

1. Department:	Health		
Agency:	Disease Control and Prevention, Environmental Services		
Building:	Cannon Health Building		
Street address:	288 N 1460 W		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 142102		
City, state, zip:	Salt Lake City, UT 84114-2102		
Contact person(s):			
Name:	Phone:	Email:	
Chris Nelson	801-538-6739	chrisonelson@utah.gov	

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

General Information

2. Rule or section catchline:
Body Art Sanitation
3. Purpose of the new rule or reason for the change:
This new rule is intended to set statewide uniform standards for sanitation at body art facilities.
4. Summary of the new rule or change:
This new rule establishes minimum standards for the sanitation, operation, and maintenance of a body art facility, as defined by this rule, and provides for the prevention and control of health hazards associated with body art procedures that are likely to affect public health including risk factors contributing to injury, sickness, death, and disability. Body art procedures include tattooing and piercings.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
Enacting Rule R392-701 will not result in a cost or benefit to the state budget because this proposed rule does not require a change to current state operations or programs.
B) Local governments:
Enacting Rule R392-701 will not result in a cost or benefit to local governments because this proposed rule does not require a change to current operations or programs.
C) Small businesses ("small business" means a business employing 1-49 persons):
Enacting Rule R392-701 will likely result in a total cost of \$256,980 the first year, with an ongoing cost increase of \$53,750 to those facilities currently operating under the NAICS code 812199 for tattoo parlors or ear piercing services. In FY19 there were 591 facilities reported operating in Utah as ear piercers or body artists. A survey sent to 430 facilities indicated the following: Approximately 2% would see a one-time cost of approximately \$90.00 for a compliant First Aid kit for an estimated total of \$1,080. Approximately 10% would see a one-time cost of an average of approximately \$2,750 for the installation of a dedicated handwash sink for an estimated total of \$167,750. Approximately 15% would see an ongoing cost increase of \$625 for monthly testing of sterilization equipment for an ongoing cost total of \$53,750. Approximately 30% would see a one-time cost of approximately \$200 for training in first aid, bloodborne pathogen training, and Hepatitis B vaccinations for an estimated total of \$34,400.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses operating as a body art 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 agency):
Enacting the proposed Rule R392-701 will not result in a direct cost or benefit to any one specific person, as defined, because no additional construction, equipment, or operational requirements are included in this rule specific to any one person.
F) Compliance costs for affected persons:

Affected persons are as follows:

State: Utah Department of Health. There are no compliance costs for state entities associated with the implementation of this rule.

Local Government: 13 local health departments. There are no compliance costs for local health departments associated with the implementation of this rule.

Small business: Businesses operating under NAICS code 812199 and providing body art services. Compliance costs include those to purchase first aid kits, install handsinks, do testing of sterilization equipment, and provide staff training in first aid, bloodborne pathogen training, and obtain Hepatitis B vaccinations.

Non-Small business: There are no non-small businesses operating as a body art facility.

Persons: No specific person will be affected by this rule. There are no compliance costs associated with this rule for any one specific person.

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

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

H) Department head approval of regulatory impact analysis:

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

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

The minimal impact of cost to individual small businesses is necessary in order to protect the health and safety of individuals who use the services provided by body art facilities.

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

Joseph K. Miner, MD, Executive Director

Citation Information

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

Section 26-1-5	Section 26-15-2	Section 26-1-30
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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: 1/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	12/15/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R414-22	Filing No.:	52462

Agency Information

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

General Information

2. Rule or section catchline:
Administrative Sanction Procedures and Regulations
3. Purpose of the new rule or reason for the change:
The purpose of these changes is to clarify sanction procedures for Medicaid providers and to maintain the integrity of the Medicaid program.
4. Summary of the new rule or change:
These changes clarify sanction procedures for Medicaid providers. It further updates names, terms, and makes other technical changes.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no impact to the state budget because these changes only clarify sanction procedures for Medicaid providers. It does not affect provider payments nor member services.
B) Local governments:
There is no impact on local governments because these changes only clarify sanction procedures for Medicaid providers. It does not affect provider payments nor member services.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no impact on small businesses because these changes only clarify sanction procedures for Medicaid providers. It does not affect provider payments nor member services.

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

There is no impact on non-small businesses because these changes only clarify sanction procedures for Medicaid providers. It does not affect provider payments nor member 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**):

There is no impact on Medicaid providers and Medicaid members because these changes only clarify sanction procedures for Medicaid providers. It does not affect provider payments nor member services.

F) Compliance costs for affected persons:

There are no compliance costs to a single Medicaid provider or to a Medicaid member because these changes only clarify sanction procedures for Medicaid providers. It does not affect provider payments nor member services.

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

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

H) Department head approval of regulatory impact analysis:

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

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

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

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

Joseph K. Miner, MD, Executive Director

Citation Information

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

Section 26-1-5	Subsection 26-18-3(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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	12/15/2019
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R414-312	Filing No. 52461	

Agency Information

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

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

General Information

2. Rule or section catchline:
Adult Expansion Medicaid
3. Purpose of the new rule or reason for the change:
The purpose of these changes are to implement Community Engagement (CE) and Employer-Sponsored Insurance (ESI) requirements.
4. Summary of the new rule or change:
This amendment implements CE and ESI requirements as approved in Utah's 1115 Demonstration Waiver. It also makes other technical changes.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
Approximately \$13,800,000 in total expenditures will shift from Medicaid's Fee for Service (FFS) payments to ESI payments. The net change for ESI is expected to be cost neutral to the state budget in FY 2020. Based on Utah's experience with Supplemental Nutrition Assistance Program (SNAP) work requirements, the Department of Health (Department) estimates approximately 70 percent of Adult Expansion beneficiaries will meet an exemption to CE participation. Among individuals who do not meet an exemption or good cause reason, the Department projects that approximately 75 to 80 percent will comply with the CE requirements. Some individuals will enroll in Medicaid expansion, fail to comply with a CE

requirement, and lose their Medicaid coverage.

B) Local governments:

There is no impact on local governments because they neither fund nor provide CE or ESI services under the Medicaid program.

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

An inestimable number of small businesses will see higher benefit costs as Medicaid expansion members enroll in their ESI. Small businesses that provide medical services to Medicaid members may see a different share of annual ESI expenditures up to \$13,800,000 as expenditures shift from FFS to ESI.

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

An inestimable number of non-small businesses will see higher benefit costs as Medicaid expansion members enroll in their ESI. Non-small businesses that provide medical services to Medicaid members may see a different share of annual ESI expenditures up to \$13,800,000 as expenditures shift from FFS to ESI.

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**):

An inestimable number of Medicaid providers will see higher benefit costs as Medicaid expansion members enroll in their ESI. Medicaid providers, that provide medical services to Medicaid expansion members, may see a different share of annual expenditures up to \$13,800,000 as expenditures shift from FFS to ESI.

F) Compliance costs for affected persons:

Medicaid expansion members, who do not meet an exemption and fail to comply with CE or ESI requirements, will lose their Medicaid coverage.

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

Regulatory Impact Table

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

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

H) Department head approval of regulatory impact analysis:

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

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

Overall, businesses will see an equal amount of revenue and costs as more members enroll in their ESI and annual expenditures shift from FFS to ESI.

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

Joseph K. Miner, MD, Executive Director

Citation Information

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

Section 26-1-5	Section 26-18-3	Pub L. No. 111-148
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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: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Joseph K. Miner, MD, Executive Director	Date:	12/15/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R527-303-2	Filing No.	52438

Agency Information

1. Department:	Human Services		
Agency:	Recovery Services		
Street address:	515 East 100 South		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 45033		
City, state, zip:	Salt Lake City, UT 84102-4211		
Contact person(s):			
Name:	Phone:	Email:	
Scott Weight	801-741-7435	sweigh2@utah.gov	
Casey Cole	801-741-7523	cacole@utah.gov	
Jonah Shaw	801-538-4219	jshaw@utah.gov	

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

General Information

2. Rule or section catchline:	Automatic Payment Withdrawal
3. Purpose of the new rule or reason for the change:	The purpose of this amendment is to add an additional criterion which must be met in order for a non-custodial parent to qualify for automatic payment withdrawal.
4. Summary of the new rule or change:	This amendment adds as a criterion for automatic payment withdrawal that the non-custodial parent may

not have an active bankruptcy case.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
The rule amendment is adding a criterion for automatic payment withdrawal. There is no anticipated cost or savings to the state budget due to the amendment to this rule.

B) Local governments:
Administrative rules of the Office of Recovery Services do not apply to local governments. There are no anticipated costs or savings for local governments due to this amendment.

C) Small businesses ("small business" means a business employing 1-49 persons):
This amendment adds a criterion for non-custodial parents to qualify for automatic payment withdrawal. 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):
This amendment adds a criterion for non-custodial parents to qualify for automatic payment withdrawal. 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**):
There is no anticipated effect to other persons due to the amendment to this rule.

F) Compliance costs for affected persons:
There is no anticipated effect to other persons due to the amendments to this rule.

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

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Human Services, Ann Silverberg Williamson, has reviewed and approved this fiscal analysis.

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

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:

Ann Williamson, Executive Director

Citation Information

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

Section 62A-1-111	Section 62A-11-107	Section 62A-11-703
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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: 01/31/2020

10. This rule change MAY become effective on:	02/07/2020
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	Liesa Stockdale, Director	Date:	12/09/2020
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R652-90	Filing No.	52440

Agency Information

1. Department:	Natural Resources		
Agency:	Forestry, Fire and State Lands		
Room no.:	3520		
Street address:	1594 West North Temple		
City, state:	Salt Lake City Utah 84114		
Contact person(s):			
Name:	Phone:	Email:	
Jamie Barnes	385-222-1536	jamiebarnes@utah.gov	

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

General Information

2. Rule or section catchline:
Sovereign Land Management Planning

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

This rule implements Sections 65A-2-2 and 65A-2-4 which requires that planning procedures be developed for sovereign lands, and for the opportunity for the public to participate in the planning process.

4. Summary of the new rule or change:

The summary of the rule change is to implement changes to the planning section to allow site specific planning for project requests when the project encompasses an area of 20 acres or more.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The impacts to state budget are inestimable, as it is unknown how many applications will be received under this rule and whether or not site planning will be required. However, the Division of Forestry, Fire and State Lands does not anticipate an increased cost.

B) Local governments:

The impacts to local governments are negligible as this rule does not apply to local governments.

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

There is no impact, anticipated cost or saving to small businesses under this rule as this rule does not pertain to small businesses.

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

There is no impact, anticipated cost or savings to non-small business as this rule does not apply to non-small businesses.

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

There is no impact, anticipated cost or savings to persons as defined in this category as this rule does not specifically apply to persons as defined.

F) Compliance costs for affected persons:

There are no compliance costs.

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

Regulatory Impact Table

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

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

H) Department head approval of regulatory impact analysis:

The executive director, Brian Steed, has reviewed this rule and been advised on the regulatory impact analysis.

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

This rule will have no impact on businesses.

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

Brian C. Steed, Executive Director

Citation Information

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

Section 65A-2-2	Section 65A-2-4	
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Public Notice Information

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

A) Comments will be accepted until:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Brian L. Cottam, Director	Date:	12/11/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R652-124	Filing No.	52416

Agency Information

1. Department:	Natural Resources		
Agency:	Forestry, Fire and State Lands		
Room no.:	3520		
Street address:	1594 West North Temple		
City, state:	Salt Lake City Utah 84114		
Contact person(s):			
Name:	Phone:	Email:	
Jamie Barnes	385-222-1536	jamiebarnes@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:
Wildland Fire Preparedness Grants
3. Purpose of the new rule or reason for the change:
This rule implements Section 65A-8-213, which authorizes the Division of Forestry, Fire, and State Lands (Division) to make rules establishing criteria for receiving grants from the Wildland Fire Preparedness Grants Fund. This rule also pertains to grants to fire departments for wildland fire preparedness and prevention from other funding sources.
4. Summary of the new rule or change:
This rule establishes criteria for receiving grants from the Wildland Fire Preparedness Grants Fund. This rule also pertains to grants to fire departments for wildland fire preparedness and prevention from other funding sources.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
The impact to the state budget are in estimable, as it is unknown how many applications will be received under this rule, the amount of money available, eligibility, and the number and amount of grants approved. However, the Division does not anticipate an increased cost.

B) Local governments:

The impact to local governments are in estimable as it is unknown at this time which entities will apply for grants under this rule, the amount of money available, eligibility, and the number and amount of grants approved.

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

There is no impact, anticipated cost, or saving to small businesses under this rule as this rule does not pertain to small businesses.

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

There is no impact, anticipated cost, or savings to non-small business as this rule does not apply to non-small businesses.

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

There is no impact, anticipated cost, or savings to persons as defined in this category as this rule does not specifically apply to persons as defined.

F) Compliance costs for affected persons:

There are no compliance costs.

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

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

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The executive director, Brian Steed, has reviewed this rule and been advised on the regulatory impact analysis.

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

This rule will have a negligible fiscal impact on businesses.

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

Brian Steed, Executive Director

Citation Information

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

Section	65A-8-213	
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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:	12/31/2019
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10. This rule change MAY become effective on:	01/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Brian L. Cottam, Director	Date:	12/3/2019
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R657-5	Filing No.	52441

Agency Information

1. Department:	Natural Resources		
Agency:	Wildlife Resources		
Room no.:	Suite 2110		
Building:	Department. of Natural Resources		
Street address:	1594 Wt North Temple		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 146301		
City, state, zip:	Salt Lake City, UT 84114-6301		
Contact person(s):			
Name:	Phone:	Email:	
Staci Coons	801-450-3093	stacicoons@utah.gov	

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

General Information

2. Rule or section catchline:
Taking Big Game
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council meetings and the Wildlife Board meeting conducted for taking public input and reviewing the big game rule.
4. Summary of the new rule or change:
The proposed amendments to this rule: 1) add clarification for clean skull; 2) allow for the requirement of Chronic Wasting Disease (CWD) testing on certain units and/or specific hunts; 3) allow for restrictions on the importing of whole carcasses from CWD positive states; 4) address changes in State Parks Rule Section R651-614-4 to make regulations consistent.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
The proposed rule amendments add a clarification for clean skull and accompany criteria for importing harvests from CWD positive states, all of these changes can be initiated within the current workload and resources of the Division of Wildlife Resources (Division), therefore, the Division has determined that these amendments do not create a cost or savings impact to the state budget or the Division's budget since the changes will not increase

workload and can be carried out with the existing budget.

B) Local governments:

Since the proposed amendments make adjustments to current regulations and add protocol for establishing CWD testing requirements this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in hunting opportunities.

F) Compliance costs for affected persons:

The Division has determined that these amendments will not create additional costs for those participating in big game hunting in Utah.

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

Regulatory Impact Table

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

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

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

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

Brian Steed, Executive Director

Citation Information

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

Section 23-14-18	Section 23-14-19	
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Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Mike Fowlks, Director	Date:	12/12/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R657-42	Filing No.	52442

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room no.:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 146301	
City, state, zip:	Salt Lake City, UT 84114-6301	
Contact person(s):		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

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

General Information

2. Rule or section catchline:
Fees, Exchanges, Surrenders, Refunds and Reallocations of Wildlife Documents
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (Division) rule pursuant to fees, exchanges, surrenders, refunds, and reallocation of permits and other documents.
4. Summary of the new rule or change:
The proposed amendments to this rule: 1) amend the surrender requirements to allow for the loss of accrued bonus points; 2) set time frames for the permit to be surrendered to the Division; 3) amend process for the surrender of permits obtained on a group application; 4) set an expiration deadline for the request of a refund; 5) allow for multiple cards to be used for payment during the draw applications; and 6) set process for accepting a

surrender of a voucher after it has been redeemed.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
The proposed rule amendments either clarify current regulations or set protocol for new surrender requirements, all of these changes can be initiated within the current workload and resources of the Division, therefore, the Division has determined that these amendments do not create a cost or savings impact to the state budget or the Division's budget since the changes will not increase workload and can be carried out with existing budget.
B) Local governments:
Since the proposed amendments make adjustments to current regulations and sets protocol for surrendering permits prior to the hunt this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting opportunities.
F) Compliance costs for affected persons:
The Division has determined that these amendments will not create additional costs for those participating in big game hunting in Utah.
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

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

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

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

Brian Steed, Executive Director

Citation Information

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

Section 23-19-1 Section 23-19-38

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in

the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title: Mike Fowlks, Director
Date: 12/12/2019

NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.): R657-57 **Filing No.:** 52443

Agency Information

1. Department: Natural Resources
Agency: Wildlife Resources
Room no.: Suite 2110
Building: Department of Natural Resources
Street address: 1594 West North Temple
City, state: Salt Lake City, UT
Mailing address: PO Box 146301
City, state, zip: Salt Lake City, UT 84114-6301

Contact person(s):

Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

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

General Information

2. Rule or section catchline:

Division Variance Rule

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

This rule is established to provide authority, standards, and procedures for granting remedial relief to persons precluded from obtaining or using a wildlife document

because of an event or condition beyond their control.

4. Summary of the new rule or change:

The proposed amendments to this rule: 1) add a wildlife exposition permit to the list of documents the Division of Wildlife Resources (Division) can mitigate for; and 2) limit the number of times a variance can be granted for a specified permit.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The proposed rule amendments either clarify current regulations or establish a new time frame for the surrendering of specified permits, all of these changes can be initiated within the current workload and resources of the Division, therefore, the Division has determined that these amendments do not create a cost or savings impact to the state budget or the Division's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments make adjustments to current regulations and specify time limits for variance requests, this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in hunting opportunities.

F) Compliance costs for affected persons:

The Division has determined that these amendments will

not create additional costs for those participating in big game hunting in Utah.

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

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

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

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

Brian Steed, Executive Director

Citation Information

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

Section 23-14-18	Section 23-14-19	
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Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title: Mike Fowlks, Director
Date: 12/12/2019

NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.): R657-62
Filing No.: 52444

Agency Information

1. Department: Natural Resources
Agency: Wildlife Resources
Room no.: Suite 2110
Building: Department of Natural Resources
Street address: 1594 W North Temple
City, state: Salt Lake City, UT
Mailing address: PO Box 146301
City, state, zip: Salt Lake City, UT 84114-6301

Contact person(s):

Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

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

General Information

2. Rule or section catchline:
 Drawing Application Procedures

3. Purpose of the new rule or reason for the change:
 This rule is being amended pursuant to Wildlife Board meetings conducted for taking public input and reviewing the Division of Wildlife Resources' (Division) drawing application process.

4. Summary of the new rule or change:
 The proposed amendments to this rule: 1) allow for the acceptance of group applications for bonus points only in the drawing application; 2) allow an applicant to edit or modify group and individual applications during the application period; 3) removes the permit quota for youth management buck hunts; 4) establishes a list of permits that do not require the forfeiture of points if purchased over the counter; 5) allows up to four youth to apply together in a group for general any bull elk permits; 6) clarifies the restriction of obtaining once in a lifetime permits in the same year.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
 The proposed rule amendments clarify current regulations and allow for additional youth application opportunities, all of these changes can be initiated within the current workload and resources of the Division, therefore, the Division has determined that these amendments do not create a cost or savings impact to the state budget or the Division's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:
 Since the proposed amendments make adjustments to current regulations and allows for additional youth application opportunities this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
 The proposed rule amendments will not directly impact small businesses because a service is not required from them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 The proposed rule amendments will not directly impact non-small businesses because a service is not required

from them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in hunting opportunities.

F) Compliance costs for affected persons:

The Division has determined that these amendments will not create additional costs for those participating in big game hunting in Utah.

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

Regulatory Impact Table

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

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

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

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

Brian Steed, Executive Director

Citation Information

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

Section 23-14-18	Section 12-14-19
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Public Notice Information

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

A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020

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

Agency Authorization Information

Agency head or designee, and title:	Mike Fowlks, Director	Date:	12/12/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R746-8-405a	Filing No.	52464

Agency Information

1. Department:	Public Service Commission
Agency:	Administration
Building:	Heber M. Wells Building
Street address:	160 E 300 S, Fourth Floor
City, state:	Salt Lake City, Utah

Mailing address: PO Box 4558		
City, state, zip: Salt Lake City, Utah 84114-4558		
Contact person(s):		
Name:	Phone:	Email:
Michael Hammer	801-530-6729	michaelhammer@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
New Technology Equipment Distribution Program (NTEDP)
3. Purpose of the new rule or reason for the change:
The purpose of this filing is to remove the NTEDP, a pilot program set to terminate under the existing rule on December 31, 2021. The pilot program has never reached maximum participation and recent changes in the law, specifically eligible wireless customers' ability to receive Utah Universal Service Fund Lifeline subsidies beginning in 2019, caused the Public Service Commission (PSC) to conclude continuation of the pilot program was duplicative of the Lifeline program and therefore not in the public interest.
4. Summary of the new rule or change:
This rule amendment removes Section R746-8-405a.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
None--This amendment is not anticipated to affect the state budget. Administration and operation of the Relay Utah program will continue without the NTEDP as it did before the pilot program started.
B) Local governments:
None--This amendment is not anticipated to affect local governments' budgets. Local governments do not play any role in administration of the NTEDP.
C) Small businesses ("small business" means a business employing 1-49 persons):
None--This amendment is not anticipated to affect small businesses. Small businesses do not play any role in administration of the NTEDP.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
None--This amendment is not anticipated to affect non-small businesses, except to the extent that the PSC will

no longer be purchasing devices from the provider from whom the PSC has been purchasing devices under the NTEDP.

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**):

None--Because people eligible for the NTEDP should be eligible for Lifeline subsidies out of the Utah Universal Service Fund that can provide the individual with a smartphone at no cost, or eligible for another device like a caption telephone under the existing Relay Utah program, this amendment is not anticipated to measurably affect other persons.

F) Compliance costs for affected persons:

None--Because people eligible for the NTEDP should be eligible for Lifeline subsidies out of the Utah Universal Service Fund that can provide the individual with a smartphone at no cost, or eligible for another device like a caption telephone under the existing Relay Utah program, this amendment should not have a measurable net effect on those seeking subsidies or the fund from which they are drawn.

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

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

H) Department head approval of regulatory impact

analysis:
PSC Chair Thad LeVar 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 removal of this section should not have any fiscal impact on businesses. The small number of individuals who previously received a device under the NTEDP will be able to continue using those devices. Going forward, eligible individuals will be able to receive Lifeline subsidies that can provide the individual with a smartphone at no cost, or eligible for other devices like a caption telephone under the existing Relay Utah program.
B) Name and title of department head commenting on the fiscal impacts:
Thad LeVar, PSC Chair

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 54-8b-10

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)
A) Comments will be accepted until: 01/31/2020

10. This rule change MAY become effective on: 02/07/2020
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Thad LeVar, Chair	Date:	12/16/2019
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R746-409-1	Filing No.	52459

Agency Information

1. Department:	Public Service Commission		
Agency:	Administration		
Building:	Heber M. Wells Building		
Street address:	160 E 300 S, Fourth Floor		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 4558		
City, state, zip:	Salt Lake City, Utah 84114-4558		
Contact person(s):			
Name:	Phone:	Email:	
Michael Hammer	801-530-6729	michaelhammer@utah.gov	

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

General Information

2. Rule or section catchline:
General Provisions
3. Purpose of the new rule or reason for the change:
Consistent with the Utah Code and federal requirements, the Public Service Commission (PSC) has a rule in place that incorporates by reference provisions of the Code of Federal Regulations pertaining to pipeline safety. Because the PSC recently approved the construction of a liquefied natural gas facility in Utah, this amendment incorporates an additional provision of the Code of Federal Regulations that pertains to liquefied natural gas facilities.
4. Summary of the new rule or change:
Section R746-409-1 is being amended to incorporate by reference 49 CFR Part 193, pertaining to liquefied natural gas facilities.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
None--There are no anticipated costs or savings to the state budget associated with this amendment.

B) Local governments:			
None--There are no anticipated costs or savings to local governments associated with this amendment.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
None--There are no anticipated costs or savings to small businesses associated with this amendment.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
None--There are no anticipated costs or savings to non-small businesses associated with this amendment.			
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):			
None--Section 54-13-3 and federal requirements pertaining to Utah's participation in the Federal Pipeline Safety Grant program require states to adopt certain federal pipeline safety regulations, as applicable, to entities under state jurisdiction. An entity that elects to construct a liquefied natural gas facility may incur costs to satisfy the federal safety standards but any such costs are a product of the election to construct such a facility and the state statutory and federal requirements to abide such standards, not this amendment.			
F) Compliance costs for affected persons:			
None--Section 54-13-3 and federal requirements pertaining to Utah's participation in the Federal Pipeline Safety Grant program require states to adopt certain federal pipeline safety regulations, as applicable, to entities under state jurisdiction. An entity that elects to construct a liquefied natural gas facility may incur costs to satisfy the federal safety standards but any such costs are a product of the election to construct such a facility and the state statutory and federal requirements to abide such standards, not this amendment.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

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

H) Department head approval of regulatory impact analysis:

PSC Chair Thad LeVar has reviewed and approved this fiscal analysis.

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

The amendment should not impact businesses. The only business the amendment directly affects is an entity that constructs or operates a liquefied natural gas facility. As mentioned, Section 54-13-3 and federal requirements pertaining to Utah's participation in the Federal Pipeline Safety Grant program require states to adopt certain federal pipeline safety regulations, as applicable, to entities under state jurisdiction. An entity that elects to construct a liquefied natural gas facility may incur costs to satisfy the federal safety standards but any such costs are a product of the election to construct such a facility and the state statutory and federal requirements to abide such standards, not this amendment.

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

Thad LeVar, Chair

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 54-13-3		
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Incorporations by Reference Information

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

	First Incorporation
Official Title of Materials Incorporated (from title page)	Code of Federal Regulations, Title 49

Publisher	Office of the Federal Register
Date Issued	2019
Issue, or version	2019

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:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Thad LeVar, Chair	Date:	12/13/2019
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R982-700	Filing No.	52463

Agency Information

1. Department:	Workforce Services
Agency:	Administration
Building:	Olene Walker Building
Street address:	140 E 300 S
City, state:	Salt Lake City, Utah
Mailing address:	PO Box 45244
City, state, zip:	Salt Lake City, UT 84145-0244
Contact person(s):	
Name:	Phone: Email:

Amanda McPeck	B.	801-517-4709	ampeck@gmail.com
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:	Employment Opportunities Website
3. Purpose of the new rule or reason for the change:	This rule is no longer necessary. Section 35A-2-203 sufficiently defines the Department of Workforce Services' (Department) responsibility in maintaining a website dedicated to providing information regarding employment opportunities throughout the state. Therefore, the Department proposes repealing this rule.
4. Summary of the new rule or change:	This rule is repealed in its entirety.

Fiscal Information

5. Aggregate anticipated cost or savings to:	
A) State budget:	There is no anticipated cost or savings to the state budget. The administration of the Workforce Services employment opportunities website will not change with the repeal of this rule.
B) Local governments:	There is no anticipated cost or savings to local governments. The administration of the Workforce Services employment opportunities website will not change with the repeal of this rule.
C) Small businesses ("small business" means a business employing 1-49 persons):	There is no regulatory impact creating financial cost to small businesses. This rule is being repealed.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):	There is no regulatory impact creating financial cost to non-small businesses. This rule is being repealed.
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 regulatory impact creating financial cost to other persons. This rule is being repealed.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons. The repeal of this rule requires no action or compliance by any persons.

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

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

H) Department head approval of regulatory impact analysis:

The executive director of the Department of Workforce Services, Jon Pierpont, 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 rule repeal will not result in a fiscal impact to businesses.

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

Jon Pierpont, 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	35A-2-203		
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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:	01/31/2020
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10. This rule change MAY become effective on:	02/07/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Jon Pierpont, Executive Director	Date:	12/16/2019
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End of the Notices of 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.

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.):	R23-26	Filing No. 50042

Agency Information

1. Department:	Administrative Services	
Agency:	Facilities Construction and Management	
Building:	State Office Building	
Street address:	4110 State Office Building	
City, state, zip:	Salt Lake City, Utah 84114	
Contact person(s):		
Name:	Phone:	Email:
Mike Kelley	801-538-3105	mkelley@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Dispute Resolution
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 pursuant to Subsection 63A-5-208(6) and under the authority of the Utah State Building Board, Subsection 63A-5-103(2).
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

There have been no written comments received during the last five-year review period from interested persons.

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

The purpose of this rule is to establish a process for resolving disputes involved with contracts under the Division's procurement authority. This rule is authorized pursuant to Subsection 63A-5-208(6) and under the authority of the Utah State Building Board, Subsection 63A-5-103(2). The Utah State Building Board voted unanimously to continue the rule at its September 4, 2019, meeting.

Agency Authorization Information

Agency head or designee, and title:	Mike Kelley, Assistant Attorney General	Date:	12/09/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R68-20	Filing No. 50148

Agency Information

1. Department:	Agriculture and Food
Agency:	Plant Industry
Street address:	350 North Redwood Road
City, state, zip:	Salt Lake City, Utah 84115
Mailing address:	PO Box 146500
City, state, zip:	Salt Lake City, UT 84114-6500
Contact person(s):	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Name:	Phone:	Email:
Bracken Davis	801-538-7188	brackendavis@utah.gov
Kelly Pehrson	801-538-7102	kwpehrson@utah.gov
Robert Hougaard	801-538-7180	rhougaard@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Utah Organic 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:
Subsection 4-2-103(1)(i), Sections 4-3-201, 4-4-102, 4-5-104, 4-9-103, 4-11-103, 4-12-3, 4-14-106, 4-16-103, and 4-32-109, and Subsection 4-37-109(2) authorize the Department of Agriculture and Food (Department) to regulate the labeling of agricultural products in the state. This rule establishes the necessary requirements a producer has to meet in order to be considered organic and be authorized to use that term on the label.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received comments on this rule during the last five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary in order for the state to provided organic certification for producers. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Kerry Gibson, Commissioner	Date:	11/26/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-103	Filing No. 50576
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Agency Information

1. Department:	Environmental Quality
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Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Administrative Procedures
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
The Utah Administrative Procedures Act (UAPA), Subsection 63G-4-102(6), allows state administrative agencies to enact rules "affecting or governing adjudicative proceedings," so long as the rules are adopted according to the Utah Administrative Rulemaking Act and conform to the requirements of UAPA. Rule R307-103 establishes administrative procedures that are tailored to the Division of Air Quality's (DAQ) administrative needs and the needs of those affected by the agency's actions. The procedures in Rule R307-103 ensure consistency in the Division's administrative actions and give constitutional due process and fair notice to the regulated community and the public of their and DAQ's roles and responsibilities in the agency's actions.
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:
Rule R307-103 has not been amended since the last five-year review in February 2015. No comments have been received in that time period.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R307-103 sets forth administrative processes for DAQ and the regulated community to ensure constitutional due process for the regulated community and the public. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-165	Filing No. 50584
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-201	Filing No. 50585
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Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule catchline:
Emission Testing
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 19-2-104(1)(a) allows the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources..." One component of preventing air pollution is testing to ensure that control equipment is working properly.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been submitted on this rule since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R307-165 establishes the frequency of emission testing requirements for all areas in the state. Without periodic testing, there is no guarantee that pollution control equipment is working properly. Therefore, this rule should be continued.

General Information

2. Rule catchline:
Emission Standards: General Emission 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:
Subsection 19-2-104(1)(b) allows the Air Quality Board to make rules "establishing air quality standards." Standards are needed to ensure that emissions of air pollution do not harm public health.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been received since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Standards are needed to ensure that emissions of air pollution do not harm public health. This rule establishes emission standards statewide. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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R307-202 is a component of Utah's State Implementation Plan, and cannot be deleted without EPA approval. Therefore, this rule should be continued.

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-202	Filing No. 50587
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Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-203	Filing No. 50593
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Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule catchline:
Emission Standards: General Burning

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 19-2-104(1)(a) allows the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources..." Rule R307-202 sets forth the conditions under which burning of yard clippings is allowed, forbids burning at community waste disposal sites, and the burning of trash or garbage. Rule R307-202 does not regulate fireplaces or outdoor grills.

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

No comments have been received since the last five-year review.

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

Rule R307-202 is necessary to specify time windows when local officials may allow burning for yard cleanup, and to set forth the kinds of burning for which permits are not needed; and should be continued. In addition, Rule

General Information

2. Rule catchline:
Emission Standards: Sulfur Content of Fuels

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

Rule R307-203 establishes the maximum amount of sulfur that may be contained in coal and oil burned in industrial processes and residential heating, thus holding down the emissions of sulfur dioxide from these processes. Subsection 19-2-104(1)(a) authorizes the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contaminants that may be emitted by any air contaminant source."

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

No written comments have been received since the last five-year review.

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

Sulfur dioxide is harmful to human health, which is the basis for EPA's listing of sulfur dioxide as a principal pollutant. Without this rule, users could burn coal or oil with higher sulfur content, thus emitting more sulfur dioxide into the atmosphere. In addition, Rule R307-203 is a component of Utah's State Implementation Plan, and cannot be deleted without EPA approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-204	Filing No. 50598
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Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule catchline:

Emission Standards: Smoke Management

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 19-2-104(1)(a) allows the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contaminants that may be emitted by any air contaminant source." Rule R307-204 protects the public health by controlling the release and impact of particulate pollution associated with prescribed and controlled fires in the . Rule R307-204 also describes the operational

procedures to follow when prescribed fires, wildland fires, or wildland fire use events take place on specific lands in Utah owned or managed by state and federal land management agencies. Rule R307-204 does not apply to agricultural activities specified in Section 19-2-114.

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:

One substantive amendment was made to Rule R307-204 in 2019 (Filing No. 43808) to include requirements established by the Legislature set forth in HB 15 from the 2019 General Session. Other proposed amendments were put forward to reduce redundancies, eliminate outdated portions, and streamline the rule. No comments were received since the last five-year review.

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

Rule R307-204 protects the public health by controlling the release and impact of particulate pollution associated with prescribed and controlled fires in the . Smoke has become a dominant public complaint, supporting the need for this regulation. Additionally, Rule R307-204 is a component of Utah's State Implementation Plan, and it cannot be deleted without EPA approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-205	Filing No. 50588
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Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule catchline:	
Emission Standards: Fugitive Emissions and Fugitive Dust	
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>The Air Quality Board is required by Subsection 19-2-101(2) to "...achieve and maintain levels of air quality which will protect human health and safety..." In addition, Subsection 19-2-104(1)(a) allows the Board to make rules "regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contaminants that may be emitted by any air contaminant source..." Also, Subsection 19-2-09(2)(a) allows the Board to "establish emission control requirements by rule that in its judgment may be necessary to prevent, abate, or control air pollution that may be statewide or may vary from area to area, taking into account varying local conditions." Finally, Subsection 19-2-104(3)(e) allows the Board to "...prepare and develop a comprehensive plan or plans for the prevention, abatement, and control of air pollution in this state." Rule R307-205 protects the public health by reducing emissions from industries, gravel pits, construction sites, haul trucks, mines, and tailings ponds, as authorized by the above statutes.</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:	
No comments were received since the last five-year review.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
Rule R307-205 reduces emissions from industries, gravel pits, construction sites, haul trucks, mines, and tailings ponds. In addition, dust complaints make up a significant portion of complaints received by the Division of Air Quality. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-206	Filing No.	50596
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Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:	
Emission Standards: Abrasive Blasting	
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>Rule R307-206 sets forth performance standards and maximum concentration of contaminants allowed in the air for operations that clean or prepare a surface by forcefully propelling a stream of abrasive material against the surface. Subsection 19-2-104(1)(a) allows the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contaminants that may be emitted by any air contaminant source."</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:	
Two revisions were made in 2015 due to edits from HB 229 (Filing No. 39747 and No. 39748). No comments have been received since the last five-year review.	
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 protects the health of citizens when abrasive blasting operations are underway. In addition, this rule is a component of Utah's State Implementation Plan (SIP), and it cannot be deleted from the SIP without EPA approval. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R307-207	Filing No. 50590

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Emission Standards: Residential Fireplaces and Stoves
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Rule R307-207 establishes visible emission from residential solid fuel burning devices and fireplaces. The Air Quality Board is required by Subsection 19-2-101(2) to "...achieve and maintain levels of air quality which will protect human health and safety..." In addition, Subsection 19-2-104(1)(a) allows the Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum air quantity of air contaminants that may be emitted by any air contaminant source...."
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments were received regarding Rule R307-207 since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R307-207 establishes visible emission standards necessary to control PM10 throughout Utah. In addition, this rule is a component of Utah's State Implementation Plan (SIP), and it cannot be deleted from the SIP without the EPA's approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R307-305	Filing No. 50605

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Nonattainment and Maintenance Areas for PM10: Emission 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:
Rule R307-305 sets visible emission limits, testing methods and schedules, and compliance schedules for sources of air pollution that are regulated under Utah's PM10 state implementation plan to protect public health. Subsection 19-2-104(1)(a) allows the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contaminants that may be emitted by any air contaminant source."
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no comments on this rule since the last five-year review.
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

Emission limits and testing of emissions, which this rule outlines, help to ensure that industrial facilities are operating properly and emitting the least possible pollution to protect human health. Additionally, Rule R307-305 is a component of Utah's State Implementation Plan and cannot be deleted without EPA approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R307-306	Filing No. 50617

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
PM10 Nonattainment and Maintenance Areas: Abrasive Blasting
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 establishes requirements that apply to abrasive blasting operations in PM10 nonattainment and maintenance areas. Subsection 19-2-104(1)(a) allows the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contaminants that may be emitted by any air contaminant source."
4. A summary of written comments received during and since the last five-year review of this rule from

interested persons supporting or opposing this rule:
There have been no comments on this rule since the last five-year review.

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 outlines emission limits that help to ensure that industrial facilities are operating properly and emitting the least possible pollution to protect human health and the environment. This rule is also part of Utah's State Implementation Plan and cannot be deleted without EPA approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R307-307	Filing No. 50628

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Road Salting and Sanding
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Rule R307-307 sets limits on the sodium chloride, magnesium chloride, calcium chloride, and potassium chloride that may be included in salt used on roads. The limits are needed to reduce the particulate matter that is harmful to human health, and are one of the measures included in Utah's State Implementation Plan (SIP) for

PM10 and PM2.5. Subsection 19-2-104(1)(a) allows the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contaminants that may be emitted by any air contaminant source."

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

There have been no comments since the last five-year review.

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

The limits in this rule are needed to reduce particulate matter, and are one of the measures included in Utah's State Implementation Plan for PM10 and PM2.5 and cannot be deleted without EPA's approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-309	Filing No. 50607
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Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, Utah 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule catchline:

Nonattainment and Maintenance Areas for PM10 and PM2.5: Fugitive Emissions and Fugitive Dust

3. A concise explanation of the particular statutory

provisions under which the rule is enacted and how these provisions authorize or require this rule:

Rule R307-309 regulates the amount of dust and fugitive emissions that are allowed to leave the site of any source of air pollution. These regulations are part of Utah's State Implementation Plan (SIP) to control particulate matter in geographic areas where levels of pollution have exceeded federal health standards in the past; the plan is incorporated by reference under Section R307-110-10. The plan is required under the Clean Air Act, 42 U.S.C. 7410. Subsection 19-2-104(1) authorizes the Air Quality Board to make rules "(a) regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contamination that may be emitted by any air contaminant source"; and "(b) establishing air quality standards." Subsection 19-2-104(3)(q) authorizes the Board to make rules to "meet the requirements of federal air pollution laws."

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

Rule R307-309 was amended one time since the last five-year review (Filing No. 41628). The amendment was to clarify language and make the rule approvable by the EPA. During the public comment period comments were submitted by the EPA and other interested stakeholders. No comments were received since the last five-year review from persons supporting or opposing this rule.

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

Rule R307-309 protects the public health by reducing emissions from industries, gravel pits, construction sites, haul trucks, mines, and tailings ponds. In addition, Rule R307-309 is required under the State Implementation Plan (SIP) incorporated by reference under Section R307-110-10. Because the rule is part of the SIP, it cannot be deleted without EPA approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-310	Filing No. 50613
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Agency Information

1. Agency:	Environmental Quality, Air Quality	
Room no.:	Fourth Floor	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Salt Lake County: Trading of Emission Budgets for Transportation Conformity
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 19-2-104(1)(a) allows the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air contaminants that may be emitted by any air contaminant source." In addition, Subsection 19-2-104(3)(e) allows the Board to "...prepare and develop a comprehensive plan or plans for the prevention, abatement, and control of air pollution in this state." Rule R307-310 protects the public health by setting forth a mechanism to trade PM10 for NOx to demonstrate conformity with Salt Lake County PM10 SIP.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no comments on this rule since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R307-310 establishes a conformity budget for Salt Lake County. This budget allows continued funding of transportation projects in Salt Lake County. Rule R307-310 is a component of Utah's State Implementation Plan (SIP) and cannot be deleted without EPA's approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R307-311	Filing No. 50609
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Agency Information

1. Agency:	Environmental Quality, Air Quality	
Room no.:	Fourth Floor	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Utah County: Trading of Emission Budgets for Transportation Conformity
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 19-2-104 states that the Air Quality Board may make rules "...regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air pollutants that may be emitted by an air pollutant source." In addition, Subsection 19-2-104(3)(e) allows the Board to "...prepare and develop a comprehensive plan or plans for the prevention, abatement, and control of air pollution in this state." Rule R307-311 protects the public health by setting forth a mechanism to trade PM10 for NOx to demonstrate conformity with Utah County PM10 SIP.
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:
This is the first five-year review for Rule R307-311. No comments were received since the inception of the rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees

with comments in opposition to this rule, if any:
 Rule R307-311 establishes a conformity budget for Utah County. This budget allows continued funding of transportation projects in Utah County. Rule R307-311 is a component of Utah's State Implementation Plan (SIP) and cannot be deleted without EPA's approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R307-841	Filing No. 50663

Agency Information

1. Agency:	Environmental Quality, Air Quality	
Room no.:	Fourth Floor	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule catchline:
Residential Property and Child Occupied Facility Renovation
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Rule R307-841 is one of three Air Quality rules that implements Subsection 19-2-104(1)(i) which authorizes the Air Quality Board to make rules to implement the lead-based paint requirements for training, certification, and performance of 15 U.S.C.A 2601 et seq., Toxic Substances Control Act, Subchapter IV--Lead Exposure Reduction, Sections 402 and 406.
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:

Rule R307-841 has undergone two amendment processes. The first was May 2016 (Filing No. 40207) and the second being in May of 2017 (Filing No. 41100). No comments have been received since the last five-year review of Rule R307-841 from persons supporting or opposing this rule.

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

Rule R307-841 contains necessary requirements for Utah to have lead-based paint program regulatory oversight in Utah for renovation projects conducted in target housing and child-occupied facilities. Without Rule R307-841, Utah would not have authority to implement the federal requirements and implementation would be carried out by the Environmental Protection Agency. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R307-842	Filing No. 50665

Agency Information

1. Agency:	Environmental Quality, Air Quality	
Room no.:	Fourth Floor	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116-3085	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-3085	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov

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

General Information

2. Rule catchline:
Lead-Based Paint Activities
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Rule R307-842 is one of three Air Quality rules that

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

implements Subsection 19-2-104(1)(i) which authorizes the Air Quality Board to make rules to implement the lead-based paint requirements for training, certification, and performance of 15 U.S.C.A 2601 et seq., Toxic Substances Control Act, Subchapter IV--Lead Exposure Reduction, Sections 402 and 406.

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:

One amendment to Rule R307-842 has been made since the last five-year review (Filing No. 41001) and was completed in May 2017. There have been no comments received from persons supporting or opposing this rule since the last five-year review.

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

Rule R307-842 contains necessary requirements for Utah to have lead-based paint program regulatory oversight in Utah for renovation projects conducted in target housing and child-occupied facilities. Without Rule R307-842, Utah would not have authority to implement the federal requirements and implementation would be carried out by the Environmental Protection Agency. Therefore, this rule should be continued.

General Information

2. Rule catchline:

Mortgage Lenders, Brokers and Servicers Fees

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

Under Section 70D-2-203, the Department of Financial Institutions shall, by rule, set fees to be paid to the commissioner.

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 supporting or opposing written comments have been received by the Nondepository Lenders concerning 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 sets an annual renewal fee and examination fees to be paid to the commissioner as required by

Section 70D-2-203. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Bryce Bird, Director	Date:	11/20/2019
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Agency Authorization Information

Agency head or designee, and title:	Edward Leary, Commissioner	Date:	12/03/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R343-2	Filing No. 50827
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R343-3	Filing No. 50832
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Agency Information

1. Agency:	Financial Institutions, Nondepository Lenders		
Room no.:	201		
Street address:	324 STATE ST		
City, state, zip:	Salt Lake City UT 84111-2321		
Mailing address:	PO Box 146800		
City, state, zip:	Salt Lake City UT 84111-6800		
Contact person(s):			
Name:	Phone:	Email:	
Paul Allred	801-538-8761	pallred@utah.gov	

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

Agency Information

1. Department:	Financial Institutions		
Agency:	Nondepository Lenders		
Room no.:	201		
Street address:	324 STATE ST		
City, state, zip:	Salt Lake City UT 84111-2321		
Mailing address:	PO Box 14680		
City, state, zip:	Salt Lake City UT 84111-6800		
Contact person(s):			
Name:	Phone:	Email:	
Paul Allred	801-538-8761	pallred@utah.gov	

Please address questions regarding information on this

notice to the agency.

General Information

2. Rule catchline:

Mortgage Lenders, Brokers and Servicers Definitions

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

Under Section 70D-3-102, this rule applies to mortgage lenders, brokers, or servicers who engage in the business of mortgage lending, brokering, or servicing and are required to license with the commissioner.

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 supporting or opposing written comments have been received by the agency concerning 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 provides definitions that apply to mortgage lenders, brokers, or servicers who engage in the business of mortgage lending, brokering, or servicing and are required to license with the commissioner. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Edward Leary, Commissioner	Date:	12/03/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R343-4	Filing No. 50835
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Agency Information

1. Department:	Financial Institutions	
Agency:	Nondepository Lenders	
Room no.:	201	
Street address:	324 STATE ST	
City, state, zip:	Salt Lake City UT 84111-2321	
Mailing address:	PO Box 14680	
City, state, zip:	Salt Lake City UT 84111-6800	
Contact person(s):		
Name:	Phone:	Email:

Paul Allred	801-538-8761	pallred@utah.gov
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Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:

Application Forms and Procedures for Mortgage Lenders

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

Under Section 70D-3-203, the Department of Financial Institutions shall by rule establish the form, content, and procedure for filing applications for licensure.

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 supporting or opposing written comments have been received by the agency concerning 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 prescribes license application form specifications, contents, and procedures for submitting the application as required under Section 70D-3-203. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Edward Leary, Commissioner	Date:	12/03/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R343-5	Filing No. 50842
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Agency Information

1. Department:	Financial Institutions	
Agency:	Nondepository Lenders	
Room no.:	201	
Street address:	324 STATE ST	
City, state, zip:	Salt Lake City UT 84111-2321	
Mailing address:	PO Box 14680	
City, state, zip:	Salt Lake City UT 84111-6800	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Contact person(s):		
Name:	Phone:	Email:
Paul Allred	801-538-8761	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Mortgage Loan Originator Surety Bond Requirements
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Under Section 70D-3-205, this rule establishes surety bond requirements for mortgage loan originator licensees.
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 supporting or opposing written comments have been received by the agency concerning 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 surety bond requirements for mortgage loan originator licensees as required under Section 70D-3-205. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Edward Leary, Commissioner	Date:	12/03/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION	
Utah Admin. Code R343-6 Ref (R no.):	Filing No. 50836

Agency Information

1. Department:	Financial Institutions
Agency:	Nondepository Lenders
Room no.:	201
Street address:	324 STATE ST
City, state, zip:	Salt Lake City UT 84111-2321
Mailing address:	PO Box 14680
City, state, zip:	Salt Lake City UT 84111-6800

Contact person(s):		
Name:	Phone:	Email:
Paul Allred	801-538-8761	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Mortgage Loan Originator Challenge of Nationwide Database Information
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Under Section 70D-3-206, the Department of Financial Institutions is required to establish the procedure for mortgage loan originators or applicants to challenge information in the nationwide database.
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 supporting or opposing written comments have been received by the agency concerning 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:
A mortgage loan originator or applicant may challenge the factual accuracy of information entered by the Department into the nationwide database. This rule establishes the procedure to challenge that information under Section 70D-3-206. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Edward Leary, Commissioner	Date:	12/03/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION	
Utah Admin. Code R343-7 Ref (R no.):	Filing No. 50837

Agency Information

1. Department:	Financial Institutions
Agency:	Nondepository Lenders
Room no.:	201
Street address:	324 STATE ST

City, state, zip:	Salt Lake City UT 84111-2321	
Mailing address:	PO Box 14680	
City, state, zip:	Salt Lake City UT 84111-6800	
Contact person(s):		
Name:	Phone:	Email:
Paul Allred	801-538-8761	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Mortgage Loan Originator Education and Written Test Requirements
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Under Sections 70D-3-301, 70D-3-302, and 70D-3-303, the Department of Financial Institutions must establish education and written test requirements for mortgage loan originators who are required to be licensed under Title 70D.
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 supporting or opposing written comments have been received by the agency concerning 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:
An applicant must satisfy pre-licensing education and written testing requirements to be eligible to apply for a mortgage loan originator license under Title 70D. This rule establishes these requirements. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Edward Leary, Commissioner	Date:	12/03/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R343-8	Filing No.	50846
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Agency Information

1. Department:	Financial Institutions
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Agency:	Nondepository Lenders	
Room no.:	201	
Street address:	324 STATE ST	
City, state, zip:	Salt Lake City UT 84111-2321	
Mailing address:	PO Box 14680	
City, state, zip:	Salt Lake City UT 84111-6800	
Contact person(s):		
Name:	Phone:	Email:
Paul Allred	801-538-8761	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Mortgage Loan Originator Record Requirements and Reports of Condition
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Under Section 70D-3-401, the Department of Financial Institutions by rule requires that appropriate business records are created, maintained, submitted, and produced for inspection by mortgage loan originators.
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 supporting or opposing written comments have been received by the agency concerning 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:
Mortgage loan originators required to be licensed under Title 70D are required to create records related to the underwriting, valuation of collateral, or extension of credit for a mortgage loan. This rule establishes these requirements. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Edward Leary, Commissioner	Date:	12/03/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R501-18	Filing No.	51196
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Agency Information

1. Department:	Human Services	
Agency:	Administration, Administrative Services, Licensing	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	SALT LAKE CITY, UT, 84116	
Mailing address:	195 N 1950 W	
City, state, zip:	SALT LAKE CITY, UT, 84116	
Contact person(s):		
Name:	Phone:	Email:
Jonah Shaw	801-538-4219	jshaw@utah.gov
Janice Weinman	385-321-5586	jweinman@utah.gov
Elisabeth Kitchens	385-303-2953	ehkitchens@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Recovery Residence 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:
This rule is authorized by Section 62A-2-101. As established in Section 62A-2-101, this rule guides the basic health and safety standards for recover residences, as well as the administrative requirements.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been received.
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 must remain in effect in order to not jeopardize the safety and administrative standards required for recovery residential services. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Amanda Slater, Director	Date:	12/05/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R590-88	Filing No. 51334
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Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	3110	
Building:	State Office Building	
Street address:	450 N. State St.	
City, state, zip:	Salt Lake City, UT 84114	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-538-3803	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Prohibited Transactions Between Producers And Unauthorized Multiple Employer Trusts
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the Insurance Commissioner to write rules to implement the provisions of the Insurance Code, Title 31A. Section 31A-23a-402 authorizes the Insurance Commissioner to set guidelines for determining what unfair discrimination is and to make rules defining unfair marketing acts or practices. This rule identifies prohibited transactions of unauthorized multiple employer trusts and sets sanctions to be applied against those participating in these prohibited transactions.
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 protects consumers from agents and organizations selling insurance for unauthorized multiple employer trusts. This insurance is not backed by a licensed insurer. This rule also provides sanctions

against producers that transact this type of business. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Information Specialist	Date:	12/16/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-101	Filing No. 51606

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	3710	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, Utah 84114	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114	
Contact person(s):		
Name:	Phone:	Email:
Tammy Wright	801-538-7359	tammywright@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Adjudicative Proceedings
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 63G-4-102(6) of the Administrative Procedures Act allows agencies to formulate rules regarding Adjudicative Proceedings if the rule conforms to the requirements of the chapter. Section 79-4-201 states the Division of Parks and Recreation (Division) is under the policy direction of the board, the Division does issue permits and licenses which require an adjudicative proceeding process.
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:

The Division issues a variety of licenses and permits which would require an adjudicative process to settle disputes that arise when licenses or permits are revoked, suspended, or denied. These licenses and permits are related to commercial vessel operations, commercial use of parks, public and private events, and general park access. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	12/11/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-223	Filing No. 51626

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	3710	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, Utah 84114	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84029	
Contact person(s):		
Name:	Phone:	Email:
Tammy Wright	801-538-7359	tammywright@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Vessel Accident Reportage
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 created by the statutory provision defined in Subsections 73-18-13(3)(a) and (b) that states: "The board shall adopt rules governing the notification and reporting procedure for vessels involved in accidents and these rules shall be consistent with federal requirements." The statute was created due to the enactment of Title 33, Chapter 1, Subchapter S, Part 173, Subpart C, Subsection 173.51-173.59 of the Code of Federal Regulations dealing with Vessel Casualty and

Accident Reporting.

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:

Title 33, Chapter 1, Subchapter S, Part 173, Subpart C, Subsection 173.51-173.59 of the Code of Federal Regulations mandates that the states meet the requirements and any violations will result in a loss of Recreational Boating Safety funds from the United States Coast Guard. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	12/11/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-409	Filing No. 51634
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Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, Utah 84114	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114	
Contact person(s):		
Name:	Phone:	Email:
Tammy Wright	801-538-7359	tammywright@utah.gov

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

General Information

2. Rule catchline:

Minimum amounts of Liability Insurance Coverage For An Organized Practice or Sanctioned Race.

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 an insurance requirement as defined under

Subsections 41-22-29(1)(a) and (b) for either an organized practice or race that is held within facilities designated by the division. Any organization sponsoring or sanctioning an event must carry liability insurance in specific amounts listed within Subsection 41-22-29(5) as granted by Title 63G, Chapter 3.

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

No comments have been received during the last five year review either supporting or opposing this rule.

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

This rule is necessary in order to meet the liability insurance requirements listed within Subsections 41-22-29(1)(a) and (b) along with Subsection 41-22-29(5). Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	12/11/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-412	Filing No. 51636
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Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, Utah 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84029	
Contact person(s):		
Name:	Phone:	Email:
Tammy Wright	801-538-7359	tammywright@utah.gov

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

General Information

2. Rule catchline:

Curriculum Standards for OHV Education Programs Offered by Non-Division Entities

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 defines that the Utah State Parks Board shall develop Off Highway Vehicle (OHV) education curriculum standards that should be met from public and private organizations as defined in Section 41-22-31.

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

No comments have been received during the last five year review either supporting or opposing this rule.

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

This rule is necessary in order to meet the OHV education curriculum standards requirement listed within Section 41-22-31. Therefore, this should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	12/11/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-634	Filing No. 51673

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, Utah 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84029	
Contact person(s):		
Name:	Phone:	Email:
Tammy Wright	801-538-7359	tammywright@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Nonresident OHV User Permits and Fees

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 establishes requirements as defined in Subsection 41-22-35(4) for procedures associated with Off Highway Vehicle (OHV) non resident permit fees, display, acceptable evidence, eligibility for events and eligibility for manufacturers. Each non resident OHV permit owner must follow the items within Subsection 41-22-35 as granted by Title 63G, Chapter 3.

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

No comments have been received during the last five year review either supporting or opposing this rule.

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

This rule is necessary in order to meet the OHV user fee requirements listed within Section 41-22-35. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	12/11/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-635	Filing No. 51672

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, Utah 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84029	
Contact person(s):		
Name:	Phone:	Email:
Tammy Wright	801-538-7359	tammywright@utah.gov
Please address questions regarding information on this notice to the agency.		

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

General Information

2. Rule catchline:
Commercial Use of Division Managed Park Areas
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 79-4-201 states the division is under the policy direction of the board; Section 79-4-204 states the division is authorized to enter agreements; and Section 79-4-304 gives the Board rulemaking authority governing the use of the state park system.
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 to insure the safety of individuals, protection of resources, and allow recreational opportunities within the parks that the Division of Parks and Recreation (Division) cannot provide. The Division has hundreds of events and recreational opportunities that are permitted within our parks each year through this process. The process allows for the Division to minimize user conflicts and unsafe operations while maximizing the visitor experience. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	12/11/2019
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR REVIEW EXTENSION (EXTENSION)** with the Office of Administrative Rules. The **EXTENSION** permits the agency to file the review up to 120 days beyond the anniversary date.

Agencies have filed **EXTENSIONS** for the rules listed below. The "Extended Due Date" is 120 days after the anniversary date.

EXTENSIONS are governed by Subsection 63G-3-305(6).

NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Utah Admin. Code Ref (R no.):	R81-4e	Filing No. 50201

Agency Information

1. Department:	Alcoholic Beverage Control	
Agency:	Administration	
Street address:	1625 S 900 W	
City, state, zip:	Salt Lake City, Utah	
Mailing address:	PO Box 30408	
City, state, zip:	Salt Lake City, Utah 84130-0408	
Contact person(s):		
Name:	Phone:	Email:
Vickie Ashby	801-977-6801	vickieashby@utah.gov

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

General Information

2. Rule catchline:
Resort Licenses
3. Reason for requesting the extension and the new deadline date:
The reason for this extension is to allow the rule to continue long enough for the repeal (Filing No. 52425 published in the January 1, 2020 Bulletin) to be made effective. The new deadline is 05/07/2020.

Agency Authorization Information

Agency head or designee, and title:	Salvador Petilos, Executive Director	Date:	12/12/2019
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End of the Notices of Five-Year Review Extensions 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.

Abbreviations

AMD = Amendment
CPR = Change in Proposed Rule
NEW = New Rule
R&R = Repeal and Reenact
REP = Repeal

Commerce

Occupational and Professional Licensing
No. 44119 (AMD): R156-31b. Nurse Practice Act Rule
Published: 11/01/2019
Effective: 12/09/2019

No. 44120 (AMD): R156-37f. Controlled Substance Database Act Rule
Published: 11/01/2019
Effective: 12/09/2019

No. 44117 (AMD): R156-44a. Nurse Midwife Practice Act Rule
Published: 11/01/2019
Effective: 12/09/2019

Education

Administration
No. 44128 (AMD): R277-108. Annual Assurance of Compliance by Local School Boards
Published: 11/01/2019
Effective: 12/10/2019

No. 44125 (AMD): R277-407. School Fees
Published: 11/01/2019
Effective: 12/10/2019

No. 44126 (AMD): R277-468. Parent/Guardian Review of Public Education Curriculum and Review of Complaint
Published: 11/01/2019
Effective: 12/10/2019

No. 44127 (AMD): R277-927. Teacher and Student Success Act (TSSA) Program
Published: 11/01/2019
Effective: 12/10/2019

Environmental Quality

Air Quality
No. 44042 (AMD): R307-110-10. Section IX, Control Measures for Area and Point Sources, Part A, Fine Particulate
Published: 10/01/2019
Effective: 12/05/2019

Health

Disease Control and Prevention, Environmental
No. 44056 (AMD): R392-100. Food Service Sanitation
Published: 10/01/2019
Effective: 12/12/2019

No. 44033 (AMD): R392-510. Utah Indoor Clean Air Act
Published: 10/01/2019
Effective: 12/12/2019

Disease Control and Prevention, Epidemiology
No. 44112 (AMD): R386-80. Local Public Health Emergency Funding Protocols
Published: 10/01/2019
Effective: 12/12/2019

Human Services

Services for People with Disabilities
No. 43915 (AMD): R539-2. Service Coordination
Published: 08/15/2019
Effective: 12/04/2019

NOTICES OF RULE EFFECTIVE DATES

Labor Commission

Boiler, Elevator and Coal Mine Safety
No. 44121 (AMD): R616-3-10. Hydraulic Elevator Piping
Published: 11/01/2019
Effective: 12/11/2019

Workforce Services

Housing and Community Development
No. 44130 (REP): R990-11. Community Development Block
Grants (CDBG)
Published: 11/01/2019
Effective: 12/09/2019

Lieutenant Governor

Elections
No. 44123 (AMD): R623-1. Lieutenant Governor's
Procedure for Regulation of Lobbyist Activities
Published: 11/01/2019
Effective: 12/09/2019

End of the Notices of Rule Effective Dates Section