

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed January 01, 2020, 12:00 a.m. through January 15, 2020, 11:59 p.m.

Number 2020-03  
February 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 801-957-7110. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

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

Office of Administrative Rules, Salt Lake City 84114

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## TABLE OF CONTENTS

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EDITOR'S NOTES.....	1
NOTICES OF PROPOSED RULES.....	3
NOTICES 120-DAY (EMERGENCY) RULES .....	53
FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION .....	57
NOTICES FIVE-YEAR REVIEW EXTENSION .....	67
NOTICES OF RULE EFFECTIVE DATES .....	69



## EDITOR'S NOTES

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There was a typographical error in the publication of the notice of effective date for: Section R612-400-5, file number 44159, "Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund."  
The correct effective date should be 12/23/2019.

*If you have any questions about the issues addressed in this editor's note, please contact the Office of Administrative Rules by telephone at (801) 957-7110, or by email at [rulesonline@utah.gov](mailto:rulesonline@utah.gov)*

**End of the Editor's Notes Section**



## NOTICES OF PROPOSED RULES

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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 January 01, 2020, 12:00 a.m., and January 15, 2020, 11:59 p.m. are included in this, the February 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 March 02, 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 May 31, 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.

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**The Proposed Rules Begin on the Following Page**

NOTICE OF PROPOSED RULE			
TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R23-33	Filing No. 52492	

**Agency Information**

<b>1. Department:</b>	Administrative Services		
<b>Agency:</b>	Facilities	Construction	and Management
<b>Room no.:</b>	Third Floor		
<b>Building:</b>	Taylorsville State Office Building		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state:</b>	Salt Lake City, Utah 84129-2128		
<b>Mailing address:</b>	PO Box 141160		
<b>City, state, zip:</b>	Salt Lake City, Utah 84114-1160		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Mike Kelley	801-957-7239	mkelley@agutah.gov	
Please address questions regarding information on this notice to the agency.			

**General Information**

<b>2. Rule or section catchline:</b>
Rules for the Prioritization and Scoring of Capital Improvements by the Utah State Building Board
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The purpose of this filing is to repeal this rule. This rule is no longer mandated nor necessary. Rule R23-33 provided a procedure for prioritization of capital improvement projects by the Utah State Building Board. This rule was rendered obsolete by Section 63A-5-228 effective May 14, 2019, which transferred responsibility for prioritization of capital improvement projects from the Utah State Building Board to the Utah Division of Facilities Construction and Management. The Utah State Building Board unanimously approved repeal of Rule R23-33 at its meeting on September 4, 2019.
<b>4. Summary of the new rule or change:</b>
Rule is being repealed.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There are no anticipated costs or savings to the state budget. Rule R23-33 provided a procedure for

prioritization of capital improvement projects by the Utah State Building Board. Section 63A-5-228 effective May 14, 2019, transferred responsibility for prioritization of capital improvement projects from the Utah State Building Board to the Utah Division of Facilities Construction and Management.

**B) Local governments:**

There are no anticipated costs or savings to local governments.

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

There are no anticipated costs or savings to small businesses.

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

There are no anticipated costs or savings to non-small businesses.

**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 no anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities.

**F) Compliance costs for affected persons:**

There are no anticipated 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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>



<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

The chair of the Utah State Building Board, Joe Burgess, has reviewed and approved this fiscal analysis.

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

There are no anticipated fiscal impacts that this rule may have on businesses.

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

Joe Burgess, Chair of the Utah State Building Board

**Citation Information**

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

Section	63G-3-201	
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**Public Notice Information**

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

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

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Mike Kelley, Assistant Attorney General	<b>Date:</b>	01/14/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	R25-7	<b>Filing No.</b>	52480

**Agency Information**

<b>1. Department:</b>	Administrative Services		
<b>Agency:</b>	Finance		
<b>Room no.:</b>	Third Floor		
<b>Building:</b>	Taylorsville State Office Building		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state:</b>	Salt Lake City, UT		
<b>Mailing address:</b>	PO Box 141031		
<b>City, state, zip:</b>	Salt Lake City, UT 84114-1031		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Cory Weeks	801-957-7713	cweeks@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>
Travel-Related Reimbursements for State Employees
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
This amendment is necessary because the IRS announced a rate decrease in rates for private vehicle use from 58 cents per mile to 57 cents per mile. The Division of Finance (Division) has determined that the reimbursement rate for private vehicles should decrease to 57 cents per mile to avoid exceeding federal mileage reimbursements.

**4. Summary of the new rule or change:**  
 This rule decreases reimbursement rate for mileage on private vehicles. (EDITOR’S NOTE: A corresponding 120-day emergency filing for Rule R25-7 that is effective as of 01/07/2020 is under Filing No. 52476 in this issue, February 1, 2020, of the Bulletin.)

**Fiscal Information**

**5. Aggregate anticipated cost or savings to:**

**A) State budget:**

There will potentially be a decrease in cost to the state as mileage reimbursements are decreasing. However, the Division cannot determine exactly what the decrease will be because it is impossible to anticipate how much travel state employees will do.

**B) Local governments:**

Local governments have to comply with this rule, so there will potentially be a decrease in cost to local governments. However, the Division cannot determine exactly what the decrease will be because it is impossible to anticipate how much travel local governments will do.

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

Because the change deals only with reimbursement rates for mileage for state employees, small businesses are not affected.

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

Because the change deals only with reimbursement rates for mileage for state employees, non-small businesses are not affected.

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

Individuals eligible for reimbursement will see a slight decrease in their mileage reimbursement amounts for travel in private vehicles.

**F) Compliance costs for affected persons:**

Because the amendment only changes mileage reimbursement rates and does not require any new action on the part of persons applying for reimbursements, 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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head approval of regulatory impact analysis:</b>			
I have reviewed the regulatory impact table, and there are no fiscal impacts associated with this rule change. Tani Pack Downing, Executive Director.			
<b>6. A) Comments by the department head on the fiscal impact this rule may have on businesses:</b>			
I have reviewed these changes with the Division of Finance Director and believe these changes are warranted. Individuals may see a slight decrease in reimbursement amounts. However, the Division cannot determine exactly what the decrease will be as that depends on the amount of travel by individuals eligible for mileage reimbursement. This rule will have no impact on business.			
<b>B) Name and title of department head commenting on the fiscal impacts:</b>			
Tani Pack Downing, Executive Director			

**Citation Information**

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

Subsection 63G-3-601(3)	Section 63A-3-107	Section 63A-3-106
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**Public Notice Information**

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

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

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	John Reidhead, Division Director	<b>Date:</b>	01/07/2020
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** New

<b>Utah Admin. Code Ref (R no.):</b>	<b>R25-21</b>	<b>Filing No.</b>	<b>52503</b>
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**Agency Information**

<b>1. Department:</b>	Administrative Services
<b>Agency:</b>	Finance
<b>Building:</b>	Taylorville State Office Building
<b>Street address:</b>	4315 South 2700 West, Third Floor
<b>City, state:</b>	Salt Lake City, UT 84129-2128
<b>Mailing address:</b>	PO Box 141031
<b>City, state, zip:</b>	Salt Lake City, UT 84114-1031
<b>Contact person(s):</b>	
<b>Name:</b>	<b>Phone:</b> <b>Email:</b>

John Reidhead	801-957-7734	jreidhead@utah.gov
Please address questions regarding information on this notice to the agency.		

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

Medical Cannabis Payment Provider Standard

**3. Purpose of the new rule or reason for the change** (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):

This rule is enacted under the authority of Subsection 26-61a-603(2)(a), which authorizes the Department of Administrative Services, and the Division of Finance (Division), to set standards that payment providers must meet in order to be approved to conduct financial transactions for Utah cannabis-related businesses.

**4. Summary of the new rule or change:**

This rule establishes the functional, technical, and other standards payment providers must meet in order to be approved to conduct financial transactions for Utah cannabis-related businesses. (EDITOR'S NOTE: A corresponding 120-day emergency filing for Rule R25-21 that is effective as of 01/27/2020 is under Filing No. 52515 in this issue, February 1, 2020, of the Bulletin.)

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

There are no anticipated costs to the state budget.

**B) Local governments:**

There are not anticipated costs to local governments.

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

The relevant data is unavailable because affected businesses will be able to choose among authorized payment providers and costs are unknown and may vary. Costs are not estimable. Products affected by this rule are optional for businesses affected. Marijuana-related businesses choosing a payment provider would have similar costs with or without this rule.

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

The relevant data is unavailable because affected businesses will be able to choose among authorized

payment providers and costs are unknown and may vary. Costs are not estimable. Products affected by this rule are optional for businesses affected. Marijuana-related businesses choosing a payment provider would have similar costs with or without 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**):

This proposed rule applies only to participating payment providers for Utah cannabis-related businesses. There are not anticipated direct costs or savings to other persons. Costs incurred by Utah cannabis-related businesses will likely be passed on to their customers (indirect costs). However, the costs are not estimable because the relevant data necessary to determine how the costs will be allocated to customers is not available. The Division also expect customers would have similar costs passed on them with or without this rule.

**F) Compliance costs for affected persons:**

The costs to payment providers cannot reasonably be estimated because the relevant data necessary to determine how the costs will be allocated to customers is not available. The cost to the payment providers would depend on the type of establishment and service each provider offers.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

I have reviewed the regulatory impact table, and agree there are no estimable fiscal impacts associated with this rule due to the lack of relevant data. Tani Pack Downing.

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

There is not an estimable impact on businesses.

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

Tani Pack Downing, Executive Director

**Citation Information**

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

Subsection 26-61a-603(2)(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.)

<b>A) Comments will be accepted until:</b>	03/02/2020
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<b>10. This rule change MAY become effective on:</b>	03/09/2020
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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**

<b>Agency head or designee, and title:</b>	John Reidhead, Division Director	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R33-26</b>	<b>Filing No.</b>	<b>52485</b>

**Agency Information**

<b>1. Department:</b>	Administrative Services		
<b>Agency:</b>	Purchasing		
<b>Room no.:</b>	Third Floor		
<b>Building:</b>	Taylorsville State Office Building		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state:</b>	Salt Lake City, Utah 84129-2128		
<b>Mailing address:</b>	PO Box 141061		
<b>City, state, zip:</b>	Salt Lake City, Utah 84114-1061		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Christopher Hughes	801-957-7130	christopherhughes@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>
State Surplus Property
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
Subsection 63A-2-411(3) was changed by S.B. 204 (2019 General Session). This bill removed from statute specific mechanisms of disposing of surplus property of minimal value. Those mechanisms are now placed in the rule text. Division of Purchasing review also identified other needed changes.
<b>4. Summary of the new rule or change:</b>
This amendment removes an unnecessary definition and outlines disposition methods of surplus property.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>																								
<b>A) State budget:</b>																								
There are no anticipated costs to the state budget. There may be a minimal savings to the state budget by terminating this rule for disposing of state surplus property with minimal value.																								
<b>B) Local governments:</b>																								
There are no anticipated costs to local governments. There may be a minimal savings to local governments by terminating the rule for disposing of state surplus property with minimal value.																								
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):																								
There are no anticipated costs or savings to small businesses.																								
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):																								
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<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):																								
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State Government	\$0	\$0	\$0																					
Local Governments	\$0	\$0	\$0																					
Small Businesses	\$0	\$0	\$0																					
Non-Small Businesses	\$0	\$0	\$0																					
Other Persons	\$0	\$0	\$0																					

NOTICES OF PROPOSED RULES

<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Administrative Services, Tani Downing, has reviewed and approved this fiscal analysis.

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

I see no fiscal impact on businesses caused by this amendment.

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

Tani Downing, Executive Director

**Citation Information**

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

Title 63A, Chapter 2		
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**Public Notice Information**

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

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

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Christopher Hughes, Director	<b>Date:</b>	01/09/2020
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Utah Admin. Code Ref (R no.):</b>	<b>R156-69</b>	<b>Filing No.</b>	<b>52481</b>
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**Agency Information**

<b>1. Department:</b>	Commerce		
<b>Agency:</b>	Occupational and Professional Licensing		
<b>Building:</b>	Heber M. Wells Building		
<b>Street address:</b>	160 East 300 South		
<b>City, state:</b>	Salt Lake City UT 84111-2316		
<b>Mailing address:</b>	PO Box 146741		
<b>City, state, zip:</b>	Salt Lake City UT 84114-6741		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Larry Marx	801-530-6254	lmarx@utah.gov	

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

**General Information**

**2. Rule or section catchline:**  
Dentist and Dental Hygienist Practice Act Rule

**3. Purpose of the new rule or reason for the change** (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):

The Utah Dentists and Dental Hygienists Licensing Board (Board) proposes these amendments that they find necessary to improve patient care and safety.

**4. Summary of the new rule or change:**

In Section R156-69-102, the section is amended to

update the names of the regional dental clinical exams that are accepted to include all five of the regional examinations. This will improve portability as students who take regional exams in other areas of the United States will be able to practice in Utah. This change also complies with the Legislative change enacted by H.B. 200 during the 2018 General Session. These proposed amendments also update the definitions for the levels of analgesia and anesthesia used in the practice of dentistry. The changes are made in accordance with the American Dental Association (ADA) Guidelines for Teaching Pain Control and Sedation to Dentists and dental students published by the ADA House of Delegates (ADA Teaching Guidelines) and the ADA Guidelines for the Use of Sedation and Anesthesia by Dentist adopted October 2016 by the ADA House of Delegates (ADA Use Guidelines). These amendments define the levels of analgesia and anesthesia that dentists are permitted to use, to include local anesthesia, minimal sedation using nitrous oxide, minimal sedation with the administration of a single enteral medication, moderate sedation, deep sedation, and general anesthesia.

In Sections R156-69-201, R156-69-202, and R156-69-203, these proposed amendments clarify license classifications requirements in accordance with the new definitions in Section R156-69-102 and the updated ADA Teaching Guidelines and ADA Use Guidelines.

In Section R156-69-204, these proposed amendments update the qualification requirements for local anesthesia permits for dental hygienists and the regional clinical exams that are accepted in accordance with H.B. 200 (2018). These changes also support licensure mobility by accepting all five of the available regional exams.

In Section R156-69-302b, these proposed amendments define the dental regional clinical exams accepted for licensure in accordance with H.B. 200 (2018).

In Section R156-69-302c, these proposed amendments define the dental hygienist regional clinical exams accepted for licensure in accordance with H.B. 200 (2018).

In Section R156-69-304a, these proposed amendments define the continuing education requirements for anesthesia permit holders who provide minimal sedation using an enteral drug, moderate and deep sedation. These amendments also detail that volunteer service providing direct patient care services in a qualified location as defined in Section 58-13-3 is accepted for up to 15% of the required continuing education at a ratio of four hours of volunteer service for one hour of continuing education.

In Section R156-69-502, these proposed amendments define as unprofessional conduct failing to follow certain requirements for observation, discharge, and documentation of patients who have received sedation.

In Section R156-69-601, these amendments establish the scope of practice for each classification of anesthesia and analgesia permits in accordance with the ADA Teaching Guidelines; this updates the rule from the 2007 edition to the 2016 edition. Requirements are established for monitoring of patients while being given and recovering from pain control, sedation, and anesthesia to reduce the chance of an adverse outcome, in accordance with the ADA Use Guidelines. Clarification is also added regarding the required training for a dentist who practices facial cosmetic dentistry.

In Section R156-69-602, these amendments make nonsubstantive formatting changes for clarity.

In Section R156-69-603, these amendments clarify the standards regulating unlicensed individuals as dental assistants working under the direct supervision of a dentist.

In Section R156-69-604, this section is amended to correct a reference to an exemption for dental assistants in Section 58-54-306.

**Fiscal Information**

**5. Aggregate anticipated cost or savings to:**

**A) State budget:**

These amendments will provide greater licensure portability for applicants who may wish to practice in Utah, and will also update the anesthesia and sedation standards to be in accordance with national standards. None of these amendments are expected to impact state government practices or procedures. Additionally, as described below in the analysis for small businesses and non-small businesses, the Division of Occupational and Professional Licensing (Division) does not expect any state agencies that may be acting as employers of licensed individuals engaging in the practice of dentistry or dental hygiene to experience any measurable fiscal impacts. Accordingly, the Division estimates that these proposed amendments will have no measurable impact on state government revenues or expenditures beyond a minimal cost to the Division of approximately \$75 to disseminate this rule once the proposed amendments are made effective.

**B) Local governments:**

The Division estimates that these proposed amendments will have no measurable impact on local governments' revenues or expenditures. None of these amendments are expected to impact 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 licensed individuals engaging in the practice of dentistry or dental hygiene to experience any measurable fiscal impacts.

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

Utah dentists and dental hygienists primarily work in small businesses as owners or partners. There are approximately 1,707 small businesses involved in providing dental services (NACIS 621210). The Utah Department of Workforce Services firm finder data reports 1,712 total businesses involved in NACIS Code 621210 Offices of Dentist. Of these all but five employ less than 50 people. Workforce Services data indicates approximately 30% of offices of dentist have less than four employees, and another 30% have less than 20 employees. These amendments update the definitions of sedation to be in accordance with the new 2016 ADA Teaching Guidelines and ADA Use Guidelines, as revised from the October 2007 standard. Some of these small businesses may need to purchase or update equipment in order to practice in accordance with these updated guidelines; however, the requirements would only affect those small businesses doing moderate sedation or general anesthesia, and for these small businesses the equipment used for monitoring of patient oxygenation, ventilation, and circulation is already required under professional standards and as part of H.B. 142 passed in the 2017 General Session, Administration of Anesthesia Amendments, in Subsection 58-69-502.5. Accordingly, no impact is expected for small business over and above any fiscal impact described in the fiscal note for the legislation. See <https://le.utah.gov/~2017/bills/static/HB0142.html>.

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

Utah dentists and dental hygienists primarily work in businesses as owners or partners. There are approximately five non-small businesses involved in providing dental services (NACIS 621210). These amendments update the definitions of sedation to be in accordance with the new 2016 ADA Teaching Guidelines and ADA Use Guidelines, as revised from the October 2007 standard. Some of these non-small businesses may need to purchase or update equipment in order to practice in accordance with these updated guidelines; however, the requirements would only affect those non-small businesses doing moderate sedation or general anesthesia, and for these non-small businesses the equipment used for monitoring of patient oxygenation, ventilation, and circulation is already required under professional standards and as part of H.B. 142 (2017), Administration of Anesthesia Amendments, in Subsection 58-69-502.5. Accordingly, no impact is expected for non-small business over and above any fiscal impact described in the fiscal note for the legislation. See <https://le.utah.gov/~2017/bills/static/HB0142.html>.

**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 3,047 licensed dentists in Utah and 3,244 licensed dental hygienists. Utah dentists and dental hygienists primarily work in small businesses as owners or partners. As described above for small businesses and non-small businesses, no additional fiscal impact is expected to these affected persons from these proposed amendments. These proposed amendments will also allow potential applicants for licensure greater portability in licensing by allowing them to take any of the nationally recognized regional competency examinations. Although these persons are expected to receive a fiscal benefit from such portability, the exact impact cannot be estimated as the relevant data is not available.

**F) Compliance costs for affected persons:**

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
State Government	\$75	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$75</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$(75)</b>	<b>\$0</b>	<b>\$0</b>



**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:**

There are eleven sections affected by the proposed amendments to Rule R156-69 Dentist and Dental Hygienist Practice Act Rules. These changes include updates to the definitions section for the names of the regional dental clinical exams to comply with H.B. 200 (2018). These amendments update the definitions of sedation to be in accordance with the new 2016 ADA Teaching Guidelines and ADA Use Guidelines. These proposed amendments define the continuing education requirements for anesthesia permit holders and the administration of analgesia pain medications. There is a definition for unprofessional conduct for failing to follow certain requirements for observation, discharge, and documentation of patients who have received sedation. Finally, there are rule amendments for dentists who practices facial cosmetic dentistry. Some amendments are nonsubstantive formatting changes to add clarity.

**Small Businesses:** The proposed amendments will regulate Utah dentists and dental hygienists working in small business practices. There are approximately 1,707 small businesses involved in providing dental services (NACIS 621210) according to Department of Workforce Services. Workforce Services data indicates approximately 30% of offices of dentists have less than four employees, and another 30% have less than 20 employees. Some practices may need to purchase or update equipment to be in compliance with updated ADA guidelines that use moderate sedation or general anesthesia where equipment used for monitoring of patient oxygenation, ventilation, and circulation is required under professional standards and as part of H.B. 142 (2017), Administration of Anesthesia Amendments in Section 58-69-502.5. Accordingly, no impact is expected for small businesses over and above any fiscal impact described in the fiscal note for the legislation as these costs are either inestimable or there is no fiscal impact.

**Regulatory Impact to Non-Small Businesses:** Utah dentists and dental hygienists primarily work in small business practices and the impact on non-small dental practices will likely be minor. The Utah Department of Workforce Services firm finder data reports 1,712 total businesses involved in NACIS Code 621210 Office of Dentist with all but five being a small business. All practices in compliance with current professional standards, H.B. 142 (2017), and Section 58-69-502.5 should likely negate any costs by the proposed amendments since these have parallel requirements. These proposed amendments are not expected to result in any measurable fiscal impact for non-small businesses for the same reasons as described above for small

businesses as the costs are either inestimable for the reasons stated, or there is no fiscal impact.

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

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 58-69-101	Subsection 58-1-106(1)(a)	Subsection 58-1-202(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
<b>Official Title of Materials Incorporated (from title page)</b>	Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students
<b>Publisher</b>	American Dental Association (ADA)
<b>Issue, or version</b>	October 2016

**B) This rule adds, updates, or removes the following title of materials incorporated by references :**

	Second Incorporation
<b>Official Title of Materials Incorporated (from title page)</b>	Guidelines for the Use of Sedation and General Anesthesia by Dentists
<b>Publisher</b>	American Dental Association (ADA)
<b>Issue, or version</b>	October 2016

**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	03/02/2020
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NOTICES OF PROPOSED RULES

<b>B) A public hearing (optional) will be held:</b>		
<b>On:</b>	<b>At:</b>	<b>At:</b>
02/13/2020	9:00 AM	Heber Wells Bldg, 160 East 300 South, Conference Room 402 (fourth floor), Salt Lake City, Utah

<b>10. This rule change MAY become effective on:</b>	03/09/2020
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**

<b>Agency head or designee, and title:</b>	Mark B. Steinagel, Division Director	<b>Date:</b>	01/08/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R277-100</b>	<b>Filing No.</b>	<b>52493</b>

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
Definitions for Utah State Board of Education (Board) Rules
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact,

what is the reason for the filing?):
This rule is being amended to include a definition of the term "suspension."
<b>4. Summary of the new rule or change:</b>
The amendments have added a definition for "suspension" in Subsection R277-100-2(30).

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule amendment is not expected to have fiscal impact on state government revenues or expenditures. It adds a definition of the term "suspension" to provide local education agencies (LEAs) with greater clarity during the classifying and reporting of school suspensions. This rule amendment is not expected to create significant costs or savings for the Board or LEAs.

<b>B) Local governments:</b>
This rule amendment is not expected to have fiscal impact on local governments' revenues or expenditures. It adds a definition of the term "suspension" to provide LEAs with greater clarity during the classifying and reporting of school suspensions. This rule amendment is not expected to create significant costs or savings for the Board or LEAs.

<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule amendment is not expected to have fiscal impact on small businesses' revenues or expenditures. It adds a definition of the term "suspension" to provide LEAs with greater clarity during the classifying and reporting of school suspensions. This rule amendment is not expected to create significant costs or savings for the Board or LEAs.

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

This rule amendment is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. It adds a definition of the term "suspension" to provide LEAs with greater clarity during the classifying and reporting of school suspensions. This rule amendment is not expected to create significant costs or savings for the Board or LEAs.

**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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

State Superintendent Sydnee Dickson has reviewed and

approved this fiscal analysis.

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

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

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

Sydnee Dickson, State Superintendent

**Citation Information**

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

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

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

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

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Utah Admin. Code Ref (R no.):</b>	<b>R277-114</b>	<b>Filing No.</b>	<b>52494</b>
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**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
Corrective Action and Withdrawal or Reduction of Program Funds
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
This rule is being updated to incorporate language to clarify the scope of the rules application, the required elements of a corrective action plan, and the appropriate process to follow to place a local education agency (LEA) on a corrective action plan and the appeals process an LEA has available.
<b>4. Summary of the new rule or change:</b>
This rule updates the details in which a corrective action plan is applicable to an LEA and what it may contain. More specifically, this rule defines the term "program" and "subrecipient;" requires an LEA comply with documentation request for program monitoring; requires "specific conditions" be included in a corrective action plan and provides examples of what those may include; and requires the consultation of the charter school authorizer in cases where the LEA being placed on a corrective action plan is a charter school.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule amendment is not expected to have any fiscal impact on state government revenues or expenditures. It makes largely technical and clarifying revisions.
<b>B) Local governments:</b>
This rule amendment is not expected to have any fiscal impact on local governments' revenues or expenditures. It makes largely technical and clarifying revisions.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule amendment is not expected to have any material fiscal impact on small businesses' revenues or expenditures. It makes largely technical and clarifying revisions.
<b>D) Non-small businesses</b> ("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 rule amendment 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>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
This rule amendment is not expected to have any material fiscal impact on persons other than small businesses', businesses', or local government entities' revenues or expenditures. It makes largely technical and clarifying revisions.
<b>F) Compliance costs for affected persons:</b>
There are no compliance costs for affected persons. This rule amendment makes largely technical and clarifying revisions.
<b>G) Regulatory Impact Summary Table</b> (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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head approval of regulatory impact analysis:</b>			
State Superintendent Sydnee Dickson has reviewed and approved this fiscal analysis.			
<b>6. A) Comments by the department head on the fiscal impact this rule may have on businesses:</b>			
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 amendment 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 amendment has no fiscal impact on local education agencies and will not have a fiscal impact on small businesses either.			
<b>B) Name and title of department head commenting on the fiscal impacts:</b>			

Sydnee Dickson, State Superintendent

**Citation Information**

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

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-401(8)(c)
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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.)

<b>A) Comments will be accepted until:</b>	03/02/2020
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<b>10. This rule change MAY become effective on:</b>	03/09/2020
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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**

<b>Agency head or designee, and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R277-309</b>	<b>Filing No.</b>	<b>52495</b>

**Agency Information**

<b>1. Department:</b>	Utah State Board of Education
<b>Agency:</b>	Administration
<b>Street address:</b>	250 E 500 S
<b>City, state:</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 144200
<b>City, state, zip:</b>	Salt Lake City, UT 84114-4200

<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
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:**

Appropriate Licensing and Assignment of Teachers

**3. Purpose of the new rule or reason for the change**  
(If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):

This rule establishes licensing requirements for educator positions in the state. This new rule was adopted as part of the on-going licensing changes at the State Board of Education (Board).

**4. Summary of the new rule or change:**

The provisions in this rule from the previous requirements are as follows:

This rule clarifies that the school leadership license area is required only for principals and vice-principals. It allows local education agencies (LEAs) to establish the requirements for all other district-level administrative positions as they see fit. Charter school administrative positions remain exempt from this specific aspect of the rule as per statute.

This rule provides a pathway for an individual with a professional license area to receive an associate endorsement without passing the relevant content knowledge assessment, similar to a current state-approved endorsement plan (SAEP). The individual must pass the assessment in order to receive a professional endorsement in the area.

This rule provides a pathway for LEA-specific credentials to be designated as "eminence" which allows the credential to be renewed at the request of the LEA without state Board approval as long as the teacher is assigned less than 37% of the regular instructional load, similar to the current eminence rule.

This rule clarifies that a school social worker license area is optional for an individual with a school social worker assignment.

**Fiscal Information**

**5. Aggregate anticipated cost or savings to:**

**A) State budget:**

This rule is not expected to have any fiscal impact on

state government revenues or expenditures. It makes relatively minor changes to the state's licensing rules to improve consistency with the Board's new licensing structure.

**B) Local governments:**

This rule is not expected to have any fiscal impact on local governments' revenues or expenditures. It makes relatively minor changes to the state's licensing rules to improve consistency with the Board's new licensing structure.

**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. It makes relatively minor changes to the state's licensing rules to improve consistency with the Board's new licensing structure.

**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 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', businesses', or local government entities' revenues or expenditures. It makes relatively minor changes to the state's licensing rules to improve consistency with the Board's new licensing structure.

**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**

<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head approval of regulatory impact analysis:</b>			
State Superintendent Sydnee Dickson has reviewed and approved this fiscal analysis.			
<b>6. A) Comments by the department head on the fiscal impact this rule may have on businesses:</b>			
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 local education agencies and will not have a fiscal impact on small businesses either.			
<b>B) Name and title of department head commenting on the fiscal impacts:</b>			
Sydnee Dickson, State Superintendent			

**Citation Information**

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

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-6-201(2)(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.)

<b>A) Comments will be accepted until:</b>	03/02/2020
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<b>10. This rule change MAY become effective on:</b>	03/09/2020
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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**

<b>Agency head or designee, and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R277-419</b>	<b>Filing No.</b>	<b>52502</b>

**Agency Information**

<b>1. Department:</b>	Utah State Board of Education
<b>Agency:</b>	Administration
<b>Street address:</b>	250 E 500 S
<b>City, state:</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 144200
<b>City, state, zip:</b>	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**

<b>2. Rule or section catchline:</b>
Pupil Accounting
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The purpose of this amendment is to clarify and update the calculation of "instructional time" regarding what is allowed to be counted toward the calculation.
<b>4. Summary of the new rule or change:</b>
The changes in this rule filing clarify that recess and breakfast after the bell are allowed to be considered part of "instructional time".

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule amendment is not expected to have any fiscal impact on state government revenues or expenditures. It clarifies that alternative breakfast models where breakfast is consumed in class counts as instructional time as well as all recess periods. Prior rule language included recess periods as instructional time if the recess period included organization or instruction from school staff. These changes mean all recess periods count as instructional time. These changes will not impact education funding.
<b>B) Local governments:</b>
This rule amendment is not expected to have any fiscal impact on local governments' revenues or expenditures. It clarifies that alternative breakfast models where breakfast is consumed in class counts as instructional time as well as all recess periods. Prior rule language included recess periods as instructional time if the recess period included organization or instruction from school staff. These changes mean all recess periods count as instructional time. These changes will not impact education funding.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule amendment is not expected to have any

material fiscal impact on small businesses' revenues or expenditures. It clarifies that alternative breakfast models where breakfast is consumed in class counts as instructional time, as well as all recess periods. Prior rule language included recess periods as instructional time if the recess period included organization or instruction from school staff. These changes mean all recess periods count as instructional time. These changes involve minimum school days and pupil accounting which do not directly impact 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 rule amendments 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.

**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 amendments are not expected to have any material fiscal impact on persons other than small businesses', businesses', or local government entities' revenues or expenditures. It clarifies that alternative breakfast models where breakfast is consumed in class counts as instructional time, as well as all recess periods. Prior rule language included recess periods as instructional time if the recess period included organization or instruction from school staff. These changes mean all recess periods count as instructional time. These changes involve minimum school days and pupil accounting which do not directly impact persons other than small businesses, 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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

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

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

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

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-501(1)(e)
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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.)

<b>A) Comments will be accepted until:</b>	03/02/2020
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<b>10. This rule change MAY become effective on:</b>	03/09/2020
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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**

<b>Agency head or designee, and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R277-445</b>	<b>Filing No.</b>	<b>52496</b>

**Agency Information**

<b>1. Department:</b>	Utah State Board of Education
<b>Agency:</b>	Administration
<b>Street address:</b>	250 E 500 S
<b>City, state:</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 144200
<b>City, state, zip:</b>	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**

<b>2. Rule or section catchline:</b>
Classifying Small Schools as Necessarily Existent
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
This rule amendment is updating the application process and the criteria for classifying a school as a Necessarily Existent Small School (NESS) school.
<b>4. Summary of the new rule or change:</b>
The changes in this rule update calculations use to determine whether a school qualifies as a NESS school and updates to the NESS application process.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule amendment is not expected to have any fiscal impact on state government revenues or expenditures. It clarifies criteria for a school to qualify for the NESS program and requires the Utah State Board of Education (Board) to distribute remaining NESS balances in the current fiscal year with a minimum of 95% of the distributions based on the number of Weighted Pupil Unit (WPU) funds generated by the NESS program. These changes align with recommendations approved by the NESS Work Group and are not expected to create material fiscal impacts for the Board.
<b>B) Local governments:</b>
This rule amendment may impact local governments' revenues and expenditures. It clarifies criteria for a school to qualify for the NESS program and requires the Board to distribute remaining NESS balances in the current fiscal year with a minimum of 95% of the distributions based on the number of WPU funds generated by the NESS program. These changes are not expected to add or remove schools from the NESS program. However, they will create some redistributions of NESS funding amongst the school districts with NESS schools. However, these changes are expected to be relatively minor.

<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule amendment is not expected to have material fiscal impacts on small businesses' revenues or expenditures. It clarifies criteria for a school to qualify for the NESS program and requires the Board to distribute remaining NESS balances in the current fiscal year with a minimum of 95% of the distributions based on the number of WPU funds generated by the NESS program. These changes align with recommendations approved by the NESS Work Group and are not expected to create material fiscal impacts for small businesses.
<b>D) Non-small businesses</b> ("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 rule amendment 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>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
This rule amendment is not expected to have material fiscal impacts on persons other than small businesses', businesses', or local government entities' revenues or expenditures. It clarifies criteria for a school to qualify for the NESS program and requires the Board to distribute remaining NESS balances in the current fiscal year with a minimum of 95% of the distributions based on the number of WPU funds generated by the NESS program. These changes align with recommendations approved by the NESS Work Group and are not expected to create material fiscal impacts for persons other than small businesses, businesses, or local government entities.
<b>F) Compliance costs for affected persons:</b>
There are no material compliance costs for affected persons.
<b>G) Regulatory Impact Summary Table</b> (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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head approval of regulatory impact analysis:</b>			
State Superintendent Sydnee Dickson has reviewed and approved this fiscal analysis.			
<b>6. A) Comments by the department head on the fiscal impact this rule may have on businesses:</b>			
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 amendment 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 amendment has no fiscal impact on local education agencies and will not have a fiscal impact on small businesses either.			
<b>B) Name and title of department head commenting on the fiscal impacts:</b>			

Sydnee Dickson, State Superintendent

**Citation Information**

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

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53F-2-304(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:** 03/02/2020

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R277-601</b>	<b>Filing No.</b>	<b>52497</b>

**Agency Information**

<b>1. Department:</b>	Utah State Board of Education
<b>Agency:</b>	Administration
<b>Street address:</b>	250 E 500 S
<b>City, state:</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 144200
<b>City, state, zip:</b>	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**

<b>2. Rule or section catchline:</b>
Standards for Utah School Buses and Operations
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The purpose of this amendment is to bring the rule into compliance with the rulewriting manual style guide and to incorporate the Bus Operator manual.
<b>4. Summary of the new rule or change:</b>
All changes are technical changes to update the rule to be compliant with the rulewriting manual style guide including updating the formatting, rewording sections to be more concise, and incorporate by reference the Bus Operator manual.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule amendment is not expected to have any fiscal impact on state government revenues or expenditures. It makes technical revisions to bring it up to date with current formatting and style guide requirements.
<b>B) Local governments:</b>
This rule amendment is not expected to have any fiscal impact on local governments' revenues or expenditures. It makes technical revisions to bring it up to date with current formatting and style guide requirements.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule amendment is not expected to have any material fiscal impact on small businesses' revenues or expenditures. It makes technical revisions to bring it up to date with current formatting and style guide requirements.
<b>D) Non-small businesses</b> ("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 amendment 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 amendment is not expected to have any material fiscal impact on persons other than small businesses', businesses', or local government entities' revenues or expenditures. It makes technical revisions to bring it up to date with current formatting and style guide requirements.

**F) Compliance costs for affected persons:**

There are no compliance costs for affected persons. This rule amendment makes technical revisions to bring it up to date with current formatting and style guide requirements.

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

Regulatory Impact Table			
Fiscal Cost	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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

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

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

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

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

Sydnee Dickson, State Superintendent

**Citation Information**

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

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-501(1)(d)
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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
<b>Official Title of Materials Incorporated (from title page)</b>	Standards for Utah School Buses and Operations Manual
<b>Publisher</b>	Utah State Board of Education

<b>Date Issued</b>	December 7, 2018
<b>Issue, or version</b>	First

**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.)

<b>A) Comments will be accepted until:</b>	03/02/2020
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<b>10. This rule change MAY become effective on:</b>	03/09/2020
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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**

<b>Agency head or designee, and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R277-726</b>	<b>Filing No.</b>	<b>52498</b>

**Agency Information**

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

Please address questions regarding information on this

notice to the agency.
<b>General Information</b>
<b>2. Rule or section catchline:</b>
Statewide Online Education Program
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
This rule is being amended to clarify responsibilities of providers and third party providers under the Statewide Online Education Program (SOEP) program.
<b>4. Summary of the new rule or change:</b>
This rule is being amended to clarify responsibilities of providers and third party providers under the SOEP program.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule amendment is not expected to have material fiscal impact on state government revenues or expenditures. It revises provisions related to timelines and prioritization of enrollments in the SOEP. It also makes clarifying changes to better align the rule with current operating procedures for the SOEP. Because these changes bring this rule in line with current program operations and changes to the prioritization of enrollments only impact enrollments after December 1, these rule changes are not expected to have any significant fiscal impact.
<b>B) Local governments:</b>
This rule amendment is not expected to have material fiscal impact on local governments' revenues or expenditures. It revises provisions related to timelines and prioritization of enrollments in the SOEP. It also makes clarifying changes to better align the rule with current operating procedures for the SOEP. Because these changes bring this rule in line with current program operations and changes to the prioritization of enrollments only impact enrollments after December 1, these rule changes are not expected to have any significant fiscal impact.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule amendment is not expected to have material fiscal impact on small businesses' revenues or expenditures. It revises provisions related to timelines and prioritization of enrollments in the SOEP. It also makes clarifying changes to better align the rule with current operating procedures for the SOEP. Because these changes bring this rule in line with current program

operations and changes to the prioritization of enrollments only impact enrollments after December 1, these rule changes are not expected to have any significant fiscal impact.								
<b>D) Non-small businesses</b> ("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 amendment 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>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):								
This rule amendment is not expected to have material fiscal impact on persons other than small businesses', businesses', or local government entities' revenues or expenditures. It revises provisions related to timelines and prioritization of enrollments in the SOEP. It also makes clarifying changes to better align this rule with current operating procedures for the SOEP. Because these changes bring this rule in line with current program operations and changes to the prioritization of enrollments only impact enrollments after December 1, these rule changes are not expected to have any significant fiscal impact.								
<b>F) Compliance costs for affected persons:</b>								
There are no material compliance costs for affected persons. This rule amendment revises provisions related to timelines and prioritization of enrollments in the SOEP. It also makes clarifying changes to better align the rule with current operating procedures for the SOEP. Because these changes bring this rule in line with current program operations and changes to the prioritization of enrollments only impact enrollments after December 1, these rule changes are not expected to create any significant compliance costs for affected persons.								
<b>G) Regulatory Impact Summary Table</b> (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.)								
<b>Regulatory Impact Table</b>								
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2020</th> <th>FY2021</th> <th>FY2022</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Fiscal Cost	FY2020	FY2021	FY2022				
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head approval of regulatory impact analysis:</b>			
State Superintendent Sydnee Dickson has reviewed and approved this fiscal analysis.			
<b>6. A) Comments by the department head on the fiscal impact this rule may have on businesses:</b>			
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 amendment 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 amendment has no fiscal impact on local education agencies and will not have a fiscal impact on small businesses either.			
<b>B) Name and title of department head commenting on the fiscal impacts:</b>			
Sydnee Dickson, State Superintendent			

**Citation Information**

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

Article X, Section 3	Section 53F-4-508	Section 53F-4-514
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.)

<b>A) Comments will be accepted until:</b>	03/02/2020
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<b>10. This rule change MAY become effective on:</b>	03/09/2020
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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**

<b>Agency head or designee, and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R277-929</b>	<b>Filing No.</b>	<b>52499</b>

**Agency Information**

<b>1. Department:</b>	Utah State Board of Education
<b>Agency:</b>	Administration
<b>Street address:</b>	250 E 500 S
<b>City, state:</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 144200
<b>City, state, zip:</b>	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**

<b>2. Rule or section catchline:</b>
State Council on Military Children
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
Under the Interstate Compact on Educational Opportunity for Military Children, each state is required to have a state council to coordinate between government, schools, and the military on behalf of military families. Until the 2019 General Session, the Governor appointed the membership of the state council. However, under H.B. 387 in the 2019 General Session, the Legislature repealed the old requirement for the Governor to appoint the state council and enacted Section 53E-3-920.1, which directs the State Board of Education (Board) to organize the state council in accordance with the compact.
<b>4. Summary of the new rule or change:</b>
This new Rule R277-929 has been created to set out the basic requirements for the council.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule is not expected to have any independent fiscal impacts on state government revenues or expenditures. H.B. 387 (2019) directs the Board to create a state council to provide for coordination among governmental entities, local education agencies, and military installations concerning the state's participation in, and compliance with the Interstate Compact on Educational Opportunity for Military Children. This new rule sets out the basic requirements for this council.
<b>B) Local governments:</b>
This rule is not expected to have any independent fiscal impacts on local governments' revenues or expenditures. H.B. 387 (2019) directs the Board to create a state council to provide for coordination among governmental entities, local education agencies, and military installations concerning the state's participation in, and compliance with the Interstate Compact on Educational Opportunity for Military Children. This new rule sets out

the basic requirements for this council.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule is not expected to have any independent fiscal impacts on small businesses' revenues or expenditures. H.B. 387 (2019) directs the Board to create a state council to provide for coordination among governmental entities, local education agencies, and military installations concerning the state's participation in, and compliance with the Interstate Compact on Educational Opportunity for Military Children. This new rule sets out the basic requirements for this council.
<b>D) Non-small businesses</b> ("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.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
This rule is not expected to have any independent fiscal impacts on persons other than small businesses', businesses', or local government entities' revenues or expenditures. H.B. 387 (2019) directs the Board to create a state council to provide for coordination among governmental entities, local education agencies, and military installations concerning the state's participation in, and compliance with the Interstate Compact on Educational Opportunity for Military Children. This new rule sets out the basic requirements for this council.
<b>F) Compliance costs for affected persons:</b>
There are no independent compliance costs for affected persons. H.B. 387 (2019) directs the Board to create a state council to provide for coordination among governmental entities, local education agencies, and military installations concerning the state's participation in, and compliance with the Interstate Compact on Educational Opportunity for Military Children. This new rule sets out the basic requirements for this council.
<b>G) Regulatory Impact Summary Table</b> (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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

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

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

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

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

Sydnee Dickson, State Superintendent

**Citation Information**

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

Article X, Section 3	Section 53F-4-508	Section 53F-4-514
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:** 03/02/2020

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R317-8-6</b>	<b>Filing No.</b>	<b>52488</b>

**Agency Information**

<b>1. Department:</b>	Environmental Quality
<b>Agency:</b>	Water Quality
<b>Room no.:</b>	DEQ, Third Floor

NOTICES OF PROPOSED RULES

<b>Building:</b>	Multi Agency State Office Building	
<b>Street address:</b>	195 North 1950 West	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 144870	
<b>City, state, zip:</b>	Salt Lake City, UT 84114	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jeff Studenka	801-536-4395	jstudenka@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
Review Procedures
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The reason for this amendment is allow for Utah Pollutant Discharge Elimination System (UPDES) permit actions to be posted on the permitting authorities website in lieu of the local newspaper in compliance with 40 CFR 124.10(c)(2)(iv).
<b>4. Summary of the new rule or change:</b>
Subsection R317-8-6.5(3)(b) is being amended to include recent changes to the public notice policy . The Environmental Protection Agency (EPA) has finalized 40 CFR 124.10(c)(2)(iv) to allow permitting authorities to provide public notice of permitting actions for UPDES major individual and general permits on the permitting authorities publicly available website in lieu of the newspaper publication requirement in 40 CFR 124.10(c)(2)(i).

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The savings to the state budget will vary from year to year depending on the number of UPDES permit actions that require a newspaper publication. There will be approximately 20-25 UPDES permit actions per year with an average cost of \$300 per publication.
<b>B) Local governments:</b>
This rule is not expected to have any impacts on local governments' revenues or expenditures because this is only a requirement for a state program.

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

In Utah, it is estimated that there are 26 small business newspaper publishers (NAICS 51110). These companies will experience a combined revenue loss of approximately \$2,000 for any UPDES permit action for any UPDES permitted facility in the local newspaper coverage area. This will vary from year to year.

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

In Utah, it is estimated that there are 3 non-small business newspaper publishers (NAICS 51110). These companies will experience a combined revenue loss of approximately \$4,000 for any UPDES permit action for any UPDES permitted facility in the local newspaper coverage area. This will vary from year to year.

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

This rule filing is not expected to have any impact on persons other than small businesses, non-small businesses, state, or local government entities because this is only a requirement for a state program and the newspaper publication cost was incurred solely by the Division of Water Quality.

**F) Compliance costs for affected persons:**

This rule filing is not expected to have any compliance cost for affected persons because this is only a requirement for a state program and the newspaper publication cost was incurred solely by the Division of Water Quality.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2021</b>	<b>FY2022</b>	<b>FY2023</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$2,000	\$2,000	\$2,000
Non-Small Businesses	\$4,000	\$4,000	\$4,000
Other Persons	\$0	\$0	\$0

<b>Total Fiscal Cost</b>	<b>\$6,000</b>	<b>\$6,000</b>	<b>\$6,000</b>
<b>Fiscal Benefits</b>			
State Government	\$6,000	\$6,000	\$6,000
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$6,000</b>	<b>\$6,000</b>	<b>\$6,000</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Environmental Quality, L. Scott Baird, has reviewed and approved this fiscal analysis.

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

There would be a very small impact to the 29 small and non-small businesses newspaper publishers, with the majority of this impact to non-small businesses.

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

L. Scott Baird, Executive Director

**Citation Information**

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

Title 19, Chapter 5	Section 19-5-104	40 CFR 503
40 CFR 124		

**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:** 03/02/2020

**10. This rule change MAY become effective on:** 03/25/2020

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**

<b>Agency head or designee, and title:</b>	Erica Brown Gaddis, Division Director	<b>Date:</b>	01/13/2020
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Repeal and Reenact

<b>Utah Admin. Code Ref (R no.):</b>	<b>R317 - 401</b>	<b>Filing No. 52487</b>
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**Agency Information**

<b>1. Department:</b>	Environmental Quality	
<b>Agency:</b>	Water Quality	
<b>Room no.:</b>	DEQ, Third Floor	
<b>Building:</b>	Multi Agency State Office Building	
<b>Street address:</b>	195 North 1950 West	
<b>City, state:</b>	Salt Lake City	
<b>Mailing address:</b>	PO Box 144870	
<b>City, state, zip:</b>	Salt Lake City, Utah 84114	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Robert Beers	801-536-4380	rbeers@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
Graywater Systems

**3. Purpose of the new rule or reason for the change** (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):

This filing is a repeal and reenact. The purpose of the reenacted rule is to promote water conservation and to incorporate up-to-date industry standards and practices.

**4. Summary of the new rule or change:**  
 Modified "Purpose", "Scope", and "Administrative" requirements for consistency with Rules R317-4 and R317-5. Expanded rule coverage to allow commercial use. Added definitions and sections for consistency with R317. Rearranged various sections to be consistent with other parts of Title R317. Added requirements that allow simple, low-maintenance gravity-flow systems. Added branch-drain system construction and installation section to address "Mulch Shield Basin" method of graywater dispersal and treatment. Added "Best Management Practices" and "Inspection and Maintenance Schedule" appendices as reference material.

**Fiscal Information**

**5. Aggregate anticipated cost or savings to:**

**A) State budget:**

The reenacted rule does not require construction or installation of any graywater system. Installation or construction of any graywater system at any state facilities is optional. Costs to the state would be subject to local health department rules, ordinances, and fees for permitting and initial installation costs only for facilities where a graywater system may be installed for water conservation purposes. Such costs are inestimable, but will vary by the size of the graywater system to be installed. Ongoing maintenance costs are anticipated to be an insignificant addition to typical landscaping costs.

Savings to the state may be realized through reduced charges for landscape watering by local utilities. Such savings will vary by the volume of water treated by the graywater system.

**B) Local governments:**

Costs are inestimable as participation in the program is optional. Participation in the program requires Division of Water Quality (Division) approval. A local health department may adopt ordinances to collect permitting or inspection fees.

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

Costs to small businesses are subject to local health department rules, ordinances, and fees for permitting and initial installation costs only for businesses that choose to install a graywater system for water conservation purposes. Such costs are inestimable, but will vary by the size of the graywater system to be installed. Ongoing maintenance costs are anticipated to be an insignificant addition to typical landscaping costs.

Savings to small businesses may be realized through reduced charges for landscape watering by local utilities. Such savings will vary by the volume of water treated by the graywater system.

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

Costs to non-small businesses are subject to local health department rules, ordinances, and fees for permitting and initial installation costs only for businesses that choose to install a graywater system for water conservation purposes. Such costs are inestimable, but will vary by the size of the graywater system to be installed. Ongoing maintenance costs are anticipated to be an insignificant addition to typical landscaping costs.

Savings to non-small businesses may be realized through reduced charges for landscape watering by local utilities. Such savings will vary by the volume of water treated by the graywater system.

**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**):

Costs for residential property owners are subject to local health department rules, ordinances, and fees for permitting and initial installation costs only when they choose to install a graywater system for water conservation purposes. Such costs are inestimable, but will vary by the size and type of the graywater system installed. Ongoing maintenance costs are anticipated to be an insignificant addition to typical landscaping costs.

Savings to residential property owners may be realized through reduced charges by local culinary or irrigation utilities for landscape watering. Such savings will vary by the volume of water treated by the graywater system.

**F) Compliance costs for affected persons:**

Costs for business or residential property owners are subject to local health department rules, ordinances, and fees for permitting and initial installation costs only when they choose to install a graywater system for water conservation purposes. Such costs are inestimable, but will vary by the size and type of the graywater system installed. Ongoing maintenance costs are anticipated to be an insignificant addition to typical landscaping costs.

Savings for business or residential property owners may be realized through reduced charges by local culinary or irrigation utilities for landscape watering. Such savings will vary by the volume of water treated by the graywater system.

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

**Regulatory Impact Table**

<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Environmental Quality, L. Scott Baird, has reviewed and approved this fiscal analysis.			
<b>6. A) Comments by the department head on the fiscal impact this rule may have on businesses:</b>			
The Division does not anticipate any fiscal impact from this rule amendment.			
<b>B) Name and title of department head commenting on the fiscal impacts:</b>			
L. Scott Baird, Executive Director			
<b>Citation Information</b>			
<b>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):</b>			
Title 19, Chapter 5			

**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	03/02/2020
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<b>10. This rule change MAY become effective on:</b>	03/25/2020
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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**

<b>Agency head or designee, and title:</b>	Erica Brown Gaddis, Division Director	<b>Date:</b>	01/13/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New			
<b>Utah Admin. Code Ref (R no.):</b>	R357-16b	<b>Filing No.</b>	52343

**Agency Information**

<b>1. Department:</b>	Governor		
<b>Agency:</b>	Economic Development		
<b>Street address:</b>	60 E. South Temple		
<b>City, state:</b>	Salt Lake City, UT 84111		
<b>Mailing address:</b>	60 E. South Temple		
<b>City, state, zip:</b>	Salt Lake City, UT 84111		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Dane Ishihara	801-538-8864	dishihara@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>
Utah Children's Outdoor Recreation and Education Grant Program Rule
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
S.B. 222, passed by the Legislature during the 2019 General Session, created the Utah Children's Outdoor Recreation and Education Grant Program (Program). The new statutory language permits the Governor's Office of Economic Development (Office) to promulgate rules to administer the Program. The purpose of this rule filing is to clarify the standards for participation in the Program.
<b>4. Summary of the new rule or change:</b>
Section R357-16b-102 creates definitions that will be used to administer the Program. Section R357-16b-103 references the authority granted in the statutory language that permits rulewriting. Section R357-16b-104 outlines the application form and submission process. Section R357-16b-105 establishes the eligible entities. Section R357-16b-106 establishes the eligibility criteria. Section R357-16b-107 outlines the method and formula for determining grant recipients. Section R357-16b-107 establishes the method and formula for determining grant recipients.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no aggregate anticipated cost or savings to the state budget. This rule is merely creating the requirements for Utah Children's Outdoor Recreation and Education Grant Program that was created by the passing of S.B. 222 (2019).
<b>B) Local governments:</b>
There is no aggregate anticipated cost or savings to local governments because local governments are not required to comply with or enforce this rule.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no aggregate anticipated cost or savings to small businesses because this proposed rule does not create new obligations for small businesses, nor does it increase the costs associated with any existing obligation. Participation in the Program is optional.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):

There is no regulatory impact creating financial cost to non-small businesses. This proposed rule filing is to clarify the standards for participation in the Program. There are no general regulations being promulgated by this rule because the Program is voluntary and does not require non-participants to do anything. There is no impact to businesses or persons general because this rule only applies to those who chose to participate in this Program in order to receive a grant.

**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 aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities because this proposed rule does not create new obligations for persons other than small businesses, businesses, or local government entities, nor does it increase the costs associated with any existing obligation.

**F) Compliance costs for affected persons:**

There are no compliance costs for affected persons because participation in the Program is optional.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

The Executive Director of the Governor's Office of Economic Development, Val Hale, has reviewed and approved this fiscal analysis.

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

This new rule implements S.B. 222 (2019) which created the Utah Children's Outdoor Recreation and Education Grant Program. The purpose of this rule filing is to clarify the standards for participation in the Program. This rule will have no impact on businesses.

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

Val Hale, 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 63N-9-403(1)		
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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:** 03/02/2020

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Val Hale, Executive Director	<b>Date:</b>	11/15/2019
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R392-702</b>	<b>Filing No.</b>	<b>52486</b>

**Agency Information**

<b>1. Department:</b>	Health		
<b>Agency:</b>	Disease Control and Prevention, Environmental Services		
<b>Room no.:</b>	Second Floor		
<b>Building:</b>	Cannon Health Building		
<b>Street address:</b>	288 North 1460 West		
<b>City, state:</b>	SLC, UT 84116		
<b>Mailing address:</b>	PO BOX 142102		
<b>City, state, zip:</b>	Salt Lake City, UT 84114-2102		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Chris Nelson	801-538-6191	chrisnelson@utah.gov	

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

**General Information**

**2. Rule or section catchline:**  
Cosmetology Facility Sanitation

**3. Purpose of the new rule or reason for the change** (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):

This new rule was developed to meet the requirements in authorizing statutes. This rule is authorized under Sections 26-1-5 and 26-15-2, and Subsection 26-1-30(23). Section 26-15-2 and Subsection 26-1-30(23) direct the Department of Health to establish and enforce, or provide for the enforcement of minimum rules of sanitation necessary to protect the public health including rules necessary for the design, construction, operation, maintenance, or expansion of barbershops and beauty shops, as well as other places of business.

**4. Summary of the new rule or change:**  
 This rule establishes minimum standards for the sanitation, operation, and maintenance of a cosmetology facility, as defined by the rule, and provides for the prevention and control of health hazards associated with a cosmetology facility that are likely to affect public health including risk factors contributing to injury, sickness, death, and disability.

**Fiscal Information**

**5. Aggregate anticipated cost or savings to:**

**A) State budget:**  
 Enacting Rule R392-702 will not result in a cost or benefit to the state budget because the proposed rule does not require a change to state operations or programs, and it does not include requirements for the payment of fines or fees.

**B) Local governments:**  
 Enacting Rule R392-702 will not result in a direct cost or benefit to the local governments because no construction, equipment, or operational changes are required by this rule. The proposed rule does not include requirements for permit or inspection fees.

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
 There are approximately 1,048 small businesses in Utah providing cosmetology services (NAICS codes 812111, 812112, 812113, 812199, and 611511). Enacting Rule R392-702 will not result in a direct cost or benefit to small businesses because the rule requires no construction, equipment, or operational changes. This rule does not require a construction change in any portion of the cosmetology facility if the facility was operating in compliance with applicable laws and ordinances in effect prior to enactment of this rule. The sanitation, operation, maintenance, and infection control standards established by this rule are consistent with industry standard practices, processes, and procedures as currently instructed in barbering, cosmetology, esthetics, and nail technology schools throughout Utah.

**D) Non-small businesses** ("non-small business" means a business employing 50 or more persons):  
 There are two non-small businesses operating in Utah in the affected industry (NAICS codes 812111, 812112, 812113, 812199, and 611511). Enacting Rule R392-702 will not result in a direct cost or benefit to non-small businesses because no construction, equipment, or operational changes are required by this rule. This rule does not require a construction change in any portion of the cosmetology facility if the facility was operating in compliance with applicable laws and ordinances in effect prior to enactment of this rule. The sanitation, operation, maintenance, and infection control standards established

by this rule are consistent with industry standard practices, processes, and procedures as currently instructed in barbering, cosmetology, esthetics, and nail technology schools throughout Utah.

**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 Rule R392-702 will not result in a direct cost or benefit to any one specific person.

**F) Compliance costs for affected persons:**

Affected persons are as follows:

State: Utah Department of Health (UDOH). No compliance costs because this rule requires neither the implementation of new programs or duties nor the expansion or modification of existing programs or duties.

Local Governments: 13 local health departments. No compliance costs because the rule does not require applications, permits, facility inspections, or the completion of any other duties beyond current practice.

Small businesses: Public places of business with fewer than 50 employees such as barber schools, barber and beauty colleges, barber shops, cosmetology schools, cosmetology salons or shops, hair salons, beauty shops, beauty salons, beauty parlors, manicure and pedicure salons, cosmetology schools, electrolysis (i.e., hair removal) salons, and esthetician (i.e., skin care) services. No compliance costs because the rule does not require applications, permits, facility inspections, or the completion of any other duties beyond current practice. The sanitation, operation, maintenance, and infection control standards established by this rule are consistent with industry standard practices, processes, and procedures as currently instructed in barbering, cosmetology, esthetics, and nail technology schools throughout Utah.

Non-Small businesses: Public places of business with 50 or more employees such as barber schools, barber and beauty colleges, barber shops, cosmetology schools, cosmetology salons or shops, hair salons, beauty shops, beauty salons, beauty parlors, manicure and pedicure salons, cosmetology schools, electrolysis (i.e., hair removal) salons, and esthetician (i.e., skin care) services. No compliance costs because the rule does not require applications, permits, facility inspections, or the completion of any other duties beyond current practice. The sanitation, operation, maintenance, and infection control standards established by this rule are consistent with industry standard practices, processes, and procedures as currently instructed in barbering, cosmetology, esthetics, and nail technology schools throughout Utah.



Other Persons: No compliance costs because no one specific person will be affected by 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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

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

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

There is no fiscal impact on businesses because this rule does not require changes to construction, equipment, or operation that are not already consistent with industry standard practice.

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

Joseph 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 26-1-30(23)	Section 26-15-2
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**Public Notice Information**

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

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

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Joseph Miner, MD, Executive Director	<b>Date:</b>	01/10/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R414-311</b>	<b>Filing No.</b>	<b>52482</b>

**Agency Information**

<b>1. Department:</b>	Health
<b>Agency:</b>	Health Care Financing, Coverage and Reimbursement Policy
<b>Building:</b>	Cannon Health Building
<b>Street address:</b>	288 North 1460 West, Salt Lake City, UT
<b>Mailing address:</b>	PO Box 143102

<b>City, state, zip:</b>	Salt Lake City, UT 84114-3102	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
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:**  
Targeted Adult Medicaid

**3. Purpose of the new rule or reason for the change** (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):

The purpose of these changes is to implement new subgroups and restrictions for the Targeted Adult Medicaid (TAM) program, in accordance with Utah's 1115 Demonstration Waiver.

**4. Summary of the new rule or change:**

These changes implement four new subgroups for the TAM program, clarifies provisions within the program, clarifies program eligibility in terms of Medicare, and makes other technical changes.

**Fiscal Information**

**5. Aggregate anticipated cost or savings to:**

**A) State budget:**  
There is an anticipated cost of about \$28,000,000 to the state budget.

**B) Local governments:**  
There is no impact on local governments because they neither fund nor provide services under the TAM program.

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
Small businesses in the fields of social services, mental health, and addiction recovery may see a portion of annual revenue based on the total amount of \$28,000,000, with the expansion TAM eligibility.

**D) Non-small businesses** ("non-small business" means a business employing 50 or more persons):  
Non-small businesses in the fields of social services, mental health, and addiction recovery may see a share of revenue based on the total amount of \$28,000,000, with the expansion of TAM eligibility.

**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**):

Medicaid providers may see a share of revenue based on the total amount of \$28,000,000, with the expansion of TAM eligibility. Individuals who become eligible for the TAM program may also see out-of-pocket savings based on that amount.

**F) Compliance costs for affected persons:**

There are no compliance costs because these changes can only result in business revenue and out-of-pocket savings.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
State Government	\$0	\$28,000,000	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$28,000,000</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$8,400,000	\$0
Non-Small Businesses	\$0	\$9,800,000	\$0
Other Persons	\$0	\$9,800,000	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$28,000,000</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

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

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

Businesses will see a share of revenue with the expansion of eligibility for the Targeted Adult Medicaid program.

**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:** 03/02/2020

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Joseph K. Miner, MD, Executive Director	<b>Date:</b>	01/08/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R414-312</b>	<b>Filing No. 52479</b>	

**Agency Information**

<b>1. Department:</b>	Health		
<b>Agency:</b>	Health Care Financing, Coverage and Reimbursement Policy		
<b>Building:</b>	Cannon Health Building		
<b>Street address:</b>	288 North 1460 West, Salt Lake City, UT		
<b>Mailing address:</b>	PO Box 143102		
<b>City, state, zip:</b>	Salt Lake City, UT 84114-3102		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
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** (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):

The purpose of these changes is to increase the income limit for the Adult Expansion coverage group and to clarify the hierarchy of medical programs.

**4. Summary of the new rule or change:**

In accordance with the 1115 Demonstration Waiver, the income limit will increase from 95% federal poverty level (FPL) to 133% FPL for the Adult Expansion coverage group. This amendment also clarifies that the Targeted Adult Medicaid program is the program of choice over the Adult Expansion program.

**Fiscal Information**

**5. Aggregate anticipated cost or savings to:**

**A) State budget:**  
There is an anticipated cost of about \$476,900,000 to the state budget.

**B) Local governments:**

There is no impact on local governments because they neither fund nor provide services under the Adult Expansion Medicaid program.

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

With the expansion of adult coverage, small businesses may see a portion of annual revenue based on the total amount of \$476,900,000.

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

With the expansion of adult coverage, non-small businesses may see a portion of annual revenue based on the total amount of \$476,900,000.

**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**):

With the expansion of adult coverage, Medicaid providers may see a portion of annual revenue based on the total amount of \$476,900,000. Eligible adult members may also see out-of-pocket savings based on that amount.

**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	\$476,900,000	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$476,900,000</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$143,070,000	\$0

Non-Small Businesses	\$0	\$166,920,000	\$0
Other Persons	\$0	\$166,910,000	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$476,900,000</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**

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

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

Businesses will see a share of revenue with the expansion of Adult Medicaid coverage.

**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:** 03/02/2020

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Joseph K. Miner, MD, Executive Director	<b>Date:</b>	01/06/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-102</b>	<b>Filing No.</b>	<b>52500</b>

**Agency Information**

<b>1. Department:</b>	Insurance		
<b>Agency:</b>	Administration		
<b>Room no.:</b>	3110		
<b>Building:</b>	State Office Building		
<b>Street address:</b>	450 N State St.		
<b>City, state, zip:</b>	Salt Lake City, UT 84114		
<b>Mailing address:</b>	PO Box 146901		
<b>City, state, zip:</b>	Salt Lake City, UT 84114-6901		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Steve Gooch	801-538-3803	sgooch@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>
Insurance Department Fee Payment Rule
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The Legislature passed H.B. 370 during the 2019 General Session, which requires pharmacy benefit managers to be licensed by the Insurance (Department). This rule is being amended to include licensing fees for pharmacy benefit managers.
<b>4. Summary of the new rule or change:</b>
The change adds licensing fees for pharmacy benefit managers, renumbers subsequent sections, and updates the severability section of the rule to reflect the Department's current language.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The administrative cost of processing licenses for

pharmacy benefit managers is expected to be approximately \$250 per year.

**B) Local governments:**

There is no anticipated cost or savings to local governments. The changes only affect the relationship between the Department and its licensees.

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

There is no anticipated cost or savings to small businesses. Pharmacy benefit managers are generally larger businesses with more than 50 employees. If any small-business pharmacy benefit managers enter Utah's market, they will have the same costs as larger businesses. Those costs are the \$1,000 application and renewal fees and whatever nominal business costs they incur when applying and renewing. The Department expects that the pharmacy benefit managers that apply will be large.

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

The cost to obtain and renew a pharmacy benefit manager is an annual \$1,000 fee. Non-small businesses may also incur administrative costs when applying for or renewing a license. The Department cannot estimate what those costs may be, but they are expected to be nominal.

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

There is no anticipated cost or savings to any other persons. The changes only affect the relationship between the Department and its licensees.

**F) Compliance costs for affected persons:**

The cost to obtain and renew a pharmacy benefit manager is an annual \$1,000 fee.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
State Government	\$250	\$250	\$250
Local Governments	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$36,000	\$37,000	\$38,000
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$36,250</b>	<b>\$37,250</b>	<b>\$38,250</b>
<b>Fiscal Benefits</b>			
State Government	\$36,000	\$37,000	\$38,000
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$36,000</b>	<b>\$37,000</b>	<b>\$38,000</b>
<b>Net Fiscal Benefits</b>	<b>\$(250)</b>	<b>\$(250)</b>	<b>\$(250)</b>

**H) Department head approval of regulatory impact analysis:**

The Commissioner of the Insurance Department, Todd E. Kiser, has reviewed and approved this fiscal analysis.

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

The Department expects to license 36 pharmacy benefit managers in FY2020. At a cost of \$1,000 per license, the total impact to non-small businesses will be \$36,000, and the cost to the State will be approximately \$250 to process those licenses. The Department does not have enough data at this time to accurately forecast the next two fiscal years. However, the Department expects to license at least one company in each of the next two fiscal years.

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

Todd E. Kiser, Insurance Commissioner

**Citation Information**

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

Section 103	31A-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:** 03/02/2020

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

<b>On:</b>	<b>At:</b>	<b>At:</b>
01/22/2020	11:00 AM	State Office Building, 450 N State Street, Room 3110, Salt Lake City, UT

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Steve Gooch, Information Specialist	<b>Date:</b>	01/15/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-160-9</b>	<b>Filing No.</b>	<b>52490</b>

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room no.:</b>	3110
<b>Building:</b>	State Office Building
<b>Street address:</b>	450 N State St.
<b>City, state, zip:</b>	Salt Lake City, UT 84114
<b>Mailing address:</b>	PO Box 146901
<b>City, state, zip:</b>	Salt Lake City, UT 84114-6901
<b>Contact person(s):</b>	

<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-538-3803	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
Agency Review
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
These changes are being made to correct phrase and rule references, and to make it clear that any party can seek a stay on a Request for Agency Review.
<b>4. Summary of the new rule or change:</b>
The rule is being amended to update the preferred term for a Request for Agency Review, to clarify a phrase regarding opposition to a stay, and to make a number of changes to references within the rule.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget. The change is largely clerical in nature and doesn't add or remove any requirements to the rule.
<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments. The change is largely clerical in nature and doesn't add or remove any requirements to the rule.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The change is largely clerical in nature and doesn't add or remove any requirements to the rule.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. The change is largely clerical in nature and doesn't add or remove any requirements to the rule.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private

organization of any character other than an **agency**):  
 There is no anticipated cost or savings to any other persons. The change is largely clerical in nature and doesn't add or remove any requirements to the rule.

**F) Compliance costs for affected persons:**  
 There are no compliance costs for any affected persons.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head approval of regulatory impact analysis:**  
 The Commissioner of the Insurance Department, Todd E. Kiser, 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>B) Name and title of department head commenting on the fiscal impacts:</b>
Todd E. Kiser, Insurance Commissioner

**Citation Information**

<b>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):</b>		
Section 31A-2-201	Section 63G-4-102	Section 63G-4-203

**Public Notice Information**

<b>9. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)	
<b>A) Comments will be accepted until:</b>	03/02/2020

<b>10. This rule change MAY become effective on:</b>	03/09/2020
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**

<b>Agency head or designee, and title:</b>	Steve Gooch, Information Specialist	<b>Date:</b>	01/13/2020
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NOTICE OF PROPOSED RULE			
<b>TYPE OF RULE:</b> New			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-284</b>	<b>Filing No.</b>	<b>52489</b>

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room no.:</b>	3110
<b>Building:</b>	State Office Building
<b>Street address:</b>	450 N State St.

<b>City, state, zip:</b>	Salt Lake City, UT 84114	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state, zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-538-3803	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
Corporate Governance Annual Disclosure Rule
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
During the 2019 General Session, the Legislature enacted the Corporate Governance Annual Disclosure Act (H.B. 55). The Act requires domestic insurers to provide to the Insurance Commissioner information about their corporate governance. The Act authorizes the Commissioner to promulgate rules that specify the types of information to be provided. This proposed rule identifies that information. The Act and the rule aid in the financial regulation of insurers because proper corporate governance promotes solvency. In order to be accredited by the National Association of Insurance Commissioners, the Utah Insurance Department (Department) must have the Act and this rule in force.
<b>4. Summary of the new rule or change:</b>
This rule describes the process for submitting a corporate governance disclosure report. It identifies specific information that must be disclosed in the following categories: governance framework and structure; governance policies and practices of the Board and its committees; policies and practices for governing senior management; oversight and management of critical risk areas that affect business.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget. The Department's financial analysts estimate that it will take a minimal amount of effort to review the information in the corporate governance report. Therefore, this rule will have no fiscal impact on the Department.



<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments. The rule describes the relationship between the Department and its licensees and does not involve local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The rule describes the relationship between the Department and the insurance companies that are licensed by it. These insurance companies are all non-small businesses.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
Many insurers currently provide a good portion of the required corporate governance information in other submissions to the Department. Those insurers may simply reference the other submissions, rather than duplicate them, in their corporate governance disclosure reports. Depending on the amount of information that has already been provided, the Department estimates that it will take an average of 4 hours at \$50 per hour for a total cost of \$200 to complete the initial report. Because the report includes information that will not likely change from year-to-year (number of directors and board meetings, length of director terms, standards for evaluating management), updates in future years will require less time and fewer resources. To reduce costs further, the Department will issue a suggested form or outline to assist an insurer in drafting a report.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
There are no anticipated costs or savings for any other persons. The rule describes the relationship between the Department and its licensees and does not involve any other persons.
<b>F) Compliance costs for affected persons:</b>
Many insurers currently provide a good portion of the required corporate governance information in other submissions to the Department. Those insurers may simply reference the other submissions, rather than duplicate them, in their corporate governance disclosure reports. Depending on the amount of information that has already been provided, the Department estimates that it will take an average of 4 hours at \$50 per hour for a total cost of \$200 for each insurer to complete the initial report. Utah has 45 domestic insurers, which will result in a total fiscal impact of \$9,000. Because the report includes information that will not likely change from year-to-year (number of directors and board meetings, length of director terms, standards for evaluating management),

updates in future years will require less time and fewer resources. The Department expects that future years will require only 1 hour for each insurer to review and submit previous reports, for a total fiscal cost of \$2,250. To reduce costs further, the Department will issue a suggested form or outline to assist an insurer in drafting a report.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$9,000	\$2,250	\$2,250
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$9,000</b>	<b>\$2,250</b>	<b>\$2,250</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$(9,000)</b>	<b>\$(2,250)</b>	<b>\$(2,250)</b>

**H) Department head approval of regulatory impact analysis:**

The Commissioner of the Insurance Department, Todd E. Kiser, 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 above analysis represents the Department's best estimate of the fiscal impact that this rule may have on businesses. Since most of the information in the new report can be compiled from other reports that are

NOTICES OF PROPOSED RULES

already provided to the Department, it is expected that compliance costs for insurers will be minimal.

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

Todd E. Kiser, Insurance Commissioner

**Citation Information**

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

Subsection 31A-2-201(3)(a)	Section 31A-16b-104
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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:** 03/02/2020

**10. This rule change MAY become effective on:** 03/09/2020

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**

<b>Agency head or designee, and title:</b>	Steve Gooch, Information Specialist	<b>Date:</b>	01/13/2020
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R651-301</b>	<b>Filing No.</b>	<b>52477</b>

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Parks and Recreation

<b>Street address:</b>	1594 West North Temple	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 295	
<b>City, state, zip:</b>	Salt Lake City, UT 84114	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Tammy Wright	801-538-7359	tammywright@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
State Recreation Fiscal Assistance Programs

**3. Purpose of the new rule or reason for the change** (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):

During the 2018 General Session, H.B. 143 was passed, which provides a shift of funding directed towards the Off-Highway Vehicle Restricted Account. H.B. 143 (2018) directed additional funding, from registration fee restructuring, to be allocated for motorized vehicle opportunities with the counties, state, and federal agencies, and non-profit Off-Highway Vehicle (OHV) club/organizations through a grant process format. Some changes were made in January of 2019, but some of the information was left out of those changes from the Utah State Parks and Recreation Board approval. These additional changes are shown in this amendment. Rule R651-301 hadn't, previous to January 2019, had a language cleanup in over ten years and some of the grants listed are obsolete and/or are no longer funded.

**4. Summary of the new rule or change:**

This amendment is a language cleanup and is due to the H.B. 143 (2018) which increased the amount of funding provided to the OHV program from registration fees collected. The language cleanup eliminates non-existing fiscal assistance programs and updates a current fiscal assistance program.

**Fiscal Information**

**5. Aggregate anticipated cost or savings to:**

**A) State budget:**  
There is no cost or savings due to this amendment to the state budget. This rule is updated to reflect previous fiscal assistance funding programs that no longer exist and to provide language update for an existing fiscal assistance program.

<b>B) Local governments:</b>			
This amendment does not affect local governments as this rule is updated to reflect previous fiscal assistance funding programs that no longer exist and to provide language update for an existing fiscal assistance program.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
There are no costs to small businesses as this rule is updated to reflect previous fiscal assistance funding programs that no longer exist and to provide language update for an existing fiscal assistance program.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
This rule is updated to reflect previous fiscal assistance funding programs that no longer exist and to provide language update for an existing fiscal assistance program, so there are no costs to non-small businesses.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):			
This rule is updated to reflect previous fiscal assistance funding programs that no longer exist and to provide language update for an existing fiscal assistance program.			
<b>F) Compliance costs for affected persons:</b>			
There is no increase in compliance costs for affected persons because this rule is updated to reflect previous fiscal assistance funding programs that no longer exist and to provide language update for an existing fiscal assistance program.			
<b>G) Regulatory Impact Summary Table</b> (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.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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

<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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:**

No expected 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 41-22-1	Section 41-22-19	
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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.)

<b>A) Comments will be accepted until:</b>	03/02/2020
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<b>10. This rule change MAY become effective on:</b>	03/09/2020
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**

<b>Agency head or designee, and title:</b>	Jeff Rasmussen, Division Director	<b>Date:</b>	01/02/2020
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NOTICE OF PROPOSED RULE			
<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R653-2</b>	<b>Filing No.</b>	<b>52473</b>

**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	Water Resources		
<b>Room no.:</b>	310		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 West North Temple		
<b>City, state:</b>	Salt Lake City, Utah		
<b>Mailing address:</b>	PO Box 146201		
<b>City, state, zip:</b>	Salt Lake City, Utah 84114-6201		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Lindsay Russell	801-538-7235	lrrussell@utah.gov	
Please address questions regarding information on this notice to the agency.			

**General Information**

<b>2. Rule or section catchline:</b>
Secondary Metering
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The reason for the change is to provide the standards and procedures for providing technical and financial assistance to water users to achieve the highest beneficial use of water resources within the state.

<b>4. Summary of the new rule or change:</b>
The change provides the standards and procedures for providing technical and financial assistance to water users to achieve the highest beneficial use of water resources within the state.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
\$68,729 -- The proposed rule changes will have a fiscal impact on the state, local governments, and small businesses. This is the result of setting a minimum term of 15 years on all types of loans. This will result in an estimated cost to the state of \$22,095 in FY20, increasing a like amount in FY21 and FY22 as repayment amounts on a handful of additional projects decrease. The impact of this change on local governments and small businesses is a benefit of the same amount as their annual repayment amounts decrease.
<b>B) Local governments:</b>
The proposed rule changes will have a fiscal impact on the state, local governments, and small businesses. This is the result of setting a minimum term of 15 years on all types of loans. This will result in an estimated cost to the state of \$22,095 in FY20, increasing a like amount in FY21 and FY22 as repayment amounts on a handful of additional projects decrease. The impact of this change on local governments and small businesses is a benefit of the same amount as their annual repayment amounts decrease.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The proposed rule changes will have a fiscal impact on the state, local governments, and small businesses. This is the result of setting a minimum term of 15 years on all types of loans. This will result in an estimated cost to the state of \$22,095 in FY20, increasing a like amount in FY21 and FY22 as repayment amounts on a handful of additional projects decrease. The impact of this change on local governments and small businesses is a benefit of the same amount as their annual repayment amounts decrease.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
The proposed rule change is not expected to have a significant impact on non-small businesses' (banks and other lending institutions) revenue or expenditures. Inestimable impacts to large businesses include potentially fewer market bonding opportunities. This is anticipated to be approximately one fewer bondable project that seeks market funding per year.

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

There are no persons in this category that will be impacted.

**F) Compliance costs for affected persons:**

Since there are no persons impacted, there are not costs to report.

**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	\$22,910	\$45,819	\$68,729
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$22,910</b>	<b>\$45,819</b>	<b>\$68,729</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Governments	\$7,566	\$15,131	\$22,697
Small Businesses	\$15,344	\$30,688	\$46,031
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$22,910</b>	<b>\$45,819</b>	<b>\$65,729</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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:**

The impact of changing the municipal interest rate was not analyzed because it is not possible to predict what interest rates will be over the course of the next three fiscal years. However, the impact for FY20 would likely be a small net cost to the state because the interest rate offered under the proposed rules (2.63% as of 9/17/19) would be lower than the rate offered by the board before (3%). If interest rate rise again and go above 3%, the impact to the state would be a net benefit.

**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):**

Title 73, Chapter 10		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	03/02/2020
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<b>10. This rule change MAY become effective on:</b>	03/09/2020
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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**

<b>Agency head or designee, and title:</b>	Todd Adams, Director	<b>Date:</b>	01/14/2020
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R916-5	Filing No. 52484	

**Agency Information**

<b>1. Department:</b>	Transportation		
<b>Agency:</b>	Operations, Construction		
<b>Room no.:</b>	Administration Suite, First Floor		
<b>Building:</b>	Calvin Rampton Building,		
<b>Street address:</b>	4501 South 2700 West		
<b>City, state:</b>	Salt Lake City UT 84129		
<b>Mailing address:</b>	PO Box 148455		
<b>City, state, zip:</b>	Salt Lake City, UT 84114-8455		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Linda Hull	801-965-4253	lhull@utah.gov	
James Palmer	801-965-4197	jimpalmer@agutah.gov	
Lori Edwards	801-965-4048	loriedwards@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>
Health Reform -- Health Insurance Coverage in State Contracts -- Implementation
<b>3. Purpose of the new rule or reason for the change</b> (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The purpose of this rule is to implement the requirements of Section 72-6-107.5 and establish the procedures a contractor, subcontractor, consultant, or subconsultant must follow to demonstrate they will maintain an offer of health insurance as required by Section 72-6-107.5. This rule also establishes penalties for intentional violations of Section 72-6-107.5.
<b>4. Summary of the new rule or change:</b>
This rule implements the requirements and procedures a contractor, subcontractor, consultant, or subconsultant engaged by the Department of Transportation (Department) must follow to demonstrate they will maintain an offer of health insurance as required by Section 72-6-107.5. This rule also establishes penalties for intentional violations of Section 72-6-107.5.

**Fiscal Information**

<b>5. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The Department does not anticipate this rule will have a fiscal impact on the state's budget. This rule does not require anything of the Department different from, or in addition to, the requirements set forth in Section 72-6-107.5, which the Department follows dutifully.
<b>B) Local governments:</b>
This rule will not have a fiscal impact on local governments because it establishes procedural requirements mandated by Section 72-6-107.5. The statutory requirements will cause any resulting fiscal impacts to local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule will not have a fiscal impact on small businesses because it establishes procedural requirements mandated by Section 72-6-107.5. The statutory requirements will cause any resulting fiscal impacts to small businesses.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
This rule will not have a fiscal impact on non-small businesses because it establishes procedural requirements mandated by Section 72-6-107.5. The statutory requirements will cause any resulting fiscal impacts to non-small businesses.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
This rule will not have a fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities because it establishes procedural requirements mandated by Section 72-6-107.5. The statutory requirements will cause any resulting fiscal impacts.
<b>F) Compliance costs for affected persons:</b>
There are no compliance costs for persons affected by this rule. Compliance costs are caused by requirements of the statute.
<b>G) Regulatory Impact Summary Table</b> (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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Transportation, Carlos M. Braceras, has reviewed and approved this fiscal analysis.			
<b>6. A) Comments by the department head on the fiscal impact this rule may have on businesses:</b>			
This rule will not have a fiscal impact on businesses.			

<b>B) Name and title of department head commenting on the fiscal impacts:</b>
Carlos M. Braceras, Executive Director

**Citation Information**

<b>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):</b>			
Section	72-6-		
	107.5		

**Public Notice Information**

<b>9. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)	
<b>A) Comments will be accepted until:</b>	03/02/2020

<b>10. This rule change MAY become effective on:</b>	03/09/2020
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**

<b>Agency head or designee, and title:</b>	Carlos M. Braceras, Executive Director	<b>Date:</b>	01/10/2020
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**End of the Notices of Proposed Rules Section**





## NOTICES OF 120-DAY (EMERGENCY) RULES

An agency may file a **120-DAY (EMERGENCY) RULE** when it finds that regular rulemaking procedures would:

- (a) cause an imminent peril to the public health, safety, or welfare;
- (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
- (c) place the agency in violation of federal or state law (Subsection 63G-3-304(1)).

As with a **PROPOSED RULE**, a **120-DAY RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **120-DAY RULE** including the name of a contact person, justification for filing a **120-DAY RULE**, anticipated cost impact of the rule, and legal cross-references.

A **120-DAY RULE** is effective when filed with the Office of Administrative Rules, or on a later date designated by the agency. A **120-DAY RULE** is effective for 120 days or until it is superseded by a permanent rule. Because of its temporary nature, a **120-DAY RULE** is not codified as part of the *Utah Administrative Code*.

The law does not require a public comment period for **120-DAY RULES**. However, when an agency files a **120-DAY RULE**, it may file a **PROPOSED RULE** at the same time, to make the requirements permanent.

Emergency or **120-DAY RULES** are governed by Section 63G-3-304, and Section R15-4-8.

NOTICE OF EMERGENCY (120-DAY) RULE	
Utah Admin. Code R25-7 Ref (R no.):	Filing No. 52476

### Agency Information

<b>1. Department:</b>	Administrative Services	
<b>Agency:</b>	Finance	
<b>Room no.:</b>	Third Floor	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state, zip:</b>	Salt Lake City, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141031	
<b>City, state, zip:</b>	Salt Lake City, UT 84114-1031	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Cory Weeks	801-957-7713	cweeks@utah.gov

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

### General Information

<b>2. Rule or section catchline:</b>
Travel-Related Reimbursements for State Employees

### 3. Effective Date:

01/07/2020

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

This amendment is necessary because the IRS announced a rate decrease in rate for private vehicle use from 58 cents per mile to 57 cents per mile. The Division of Finance (Division) has determined that the reimbursement rate for private vehicles should decrease to 57 cents per mile to avoid exceeding federal mileage reimbursements.

### 5. Summary of the new rule or change:

This rule decreases reimbursement rate for mileage on private vehicles. (EDITOR'S NOTE: A corresponding proposed amendment to Rule R25-7 is under Filing No. 52480 in this issue, February 1, 2020, of the Bulletin.)

### 6. Regular rulemaking would:

- cause an imminent peril to the public health, safety, or welfare;
- cause an imminent budget reduction because of budget restraints or federal requirements; or
- place the agency in violation of federal or state law.

### Specific reason and justification:

This rule was amended to match the IRS rate decrease for private vehicle use from 58 cents per mile to 57 cents per mile to avoid exceeding the federal mileage reimbursement. An emergency rule is needed because the new rates began on January 1, 2020, and state

employees will be reimbursed at the lower rate starting January 1, 2020.

**Fiscal Information**

<b>7. Aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There will potentially be a decrease in cost to the state as mileage reimbursements are decreasing. However, the Division cannot determine exactly what the decrease will be because it is impossible to anticipate how much travel state employees will do.
<b>B) Local governments:</b>
Local governments have to comply with this rule, so there will potentially be a decrease in cost to local governments. However, the Division cannot determine exactly what the decrease will be because it is impossible to anticipate how much travel local governments will do.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
Because the change deals only with reimbursement rates for mileage for state employees, small businesses are not affected.
<b>D) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
Individuals eligible for reimbursement will see a slight decrease in their mileage reimbursement amounts for travel in private vehicles.
<b>8. Compliance costs for affected persons:</b>
Because the amendment only changes mileage reimbursement rates and does not require any new action on the part of persons applying for reimbursements, there are not compliance costs.
<b>9. A) Comments by the department head on the fiscal impact this rule may have on businesses:</b>
I have reviewed these changes with the Division of Finance Director and believe these changes are warranted. Individuals may see a slight decrease in reimbursement amounts. However, the Division cannot determine exactly what the decrease will be as that depends on the amount of travel by individuals eligible for mileage reimbursement. This rule will have no impact on businesses.
<b>B) Name and title of department head commenting on the fiscal impacts:</b>
Tani Pack Downing, Executive Director

**Citation Information**

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

Subsection 63G-3-601(3)	Section 63A-3-107	Section 63A-3-106
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**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	John Reidhead, Division Director	<b>Date:</b>	01/07/2020
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**NOTICE OF EMERGENCY (120-DAY) RULE**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R25-21</b>	<b>Filing No. 52515</b>
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**Agency Information**

<b>1. Department:</b>	Administrative Services	
<b>Agency:</b>	Finance	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 South 2700 West Floor, Third Floor	
<b>City, state, zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141031	
<b>City, state, zip:</b>	Salt Lake City, UT 84114-1031	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
John Reidhead	801-957-7734	jreidhead@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
Medical Cannabis Payment Provider Standard
<b>3. Effective Date:</b>
01/27/2020
<b>4. Purpose of the new rule or reason for the change:</b>
This rule is enacted under the authority of Subsection 26-61a-603(2)(a), which authorizes the Department of Administrative Services, and the Division of Finance, to set standards that payment providers must meet in order to be approved to conduct financial transactions for Utah cannabis-related businesses.
<b>5. Summary of the new rule or change:</b>
This rule establishes the functional, technical and other standards payment providers must meet in order to be

approved to conduct financial transactions for Utah cannabis-related businesses. (EDITOR'S NOTE: A corresponding proposed new Rule R25-21 is under Filing No. 52503 in this issue, February 1, 2020, of the Bulletin.)

**6. Regular rulemaking would:**

- cause an imminent peril to the public health, safety, or welfare;
- cause an imminent budget reduction because of budget restraints or federal requirements; or
- place the agency in violation of federal or state law.

**Specific reason and justification:**

Subsection 26-61a-103(2) requires certain agencies to have an electronic verification system in place by March 1, 2020. Subsection 26-61a-201(1) requires the Department of Health by March 1, 2020, to begin issuing patient cards within 15 days of patient application. Subsection 26-61a-301(9) requires the Department of Health to begin accepting applications from medical cannabis pharmacies by March 1, 2020. All three of these March 1, 2020, deadlines indirectly require the Division of Finance to implement this rule for electronic payment providers on or before March 1, 2020. Representatives of the Department of Health have confirmed with the Division of Finance that at least one pharmacy plans to begin operations as soon as possible after March 1, 2020, and the pharmacy plans to use an electronic payment provider. In order for authorized pharmacies to begin to sell medical cannabis products, the pharmacy needs to select and contract with an electronic payment provider approved under this rule. Without implementing this emergency rule now, medical cannabis providers will be delayed and not able to begin sales until after March 1, 2020.

**Fiscal Information**

**7. Aggregate anticipated cost or savings to:**

**A) State budget:**

There are no anticipated costs to the state budget.

**B) Local governments:**

There are not anticipated costs to local governments.

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

The relevant data is unavailable because affected businesses will be able to choose among authorized payment providers and costs are unknown and may vary. Costs are not estimable. Products affected by this rule are optional for businesses affected. Marijuana-related businesses choosing a payment provider would have similar costs with or without this rule.

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

This proposed rule applies only to participating payment providers for Utah cannabis-related businesses. There are not anticipated direct costs or savings to other persons. Costs incurred by Utah cannabis-related businesses will likely be passed on to their customers (indirect costs). However, the costs are not estimable because the relevant data necessary to determine how the costs will be allocated to customers is not available. The Division of Finance also expect customers would have similar costs passed on them with or without this rule.

**8. Compliance costs for affected persons:**

The costs to payment providers cannot reasonably be estimated because the relevant data necessary to determine how the costs will be allocated to customers is not available. The cost to the payment providers would depend on the type of establishment and service each provider offers.

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

I have reviewed the regulatory impact table, and agree there are no estimable fiscal impacts associated with this rule due to the lack of relevant data. Tani Pack Downing.

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

Tani Pack Downing, Executive Director

**Citation Information**

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

Subsection 26-61a-603(2)(a)		
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**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	John Reidhead, Division Director	<b>Date:</b>	01/22/2020
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**End of the Notices of 120-Day (Emergency) Rules Section**



## FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **PROPOSED RULE**; continue the rule as it is by filing a **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (REVIEW)**; or amend the rule by filing a **PROPOSED RULE** and by filing a **REVIEW**. By filing a **REVIEW**, the agency indicates that the rule is still necessary.

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at <https://rules.utah.gov/>. The rule text may also be inspected at the agency or the Office of Administrative Rules. **REVIEWS** are effective upon filing.

**REVIEWS** are governed by Section 63G-3-305.

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R162-2c	Filing No. 50321

### Agency Information

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Real Estate	
<b>Room no.:</b>	Second Floor	
<b>Building:</b>	Heber M. Wells Bldg.	
<b>Street address:</b>	160 East 300 South	
<b>City, state, zip:</b>	Salt Lake City, Utah 84111-2316	
<b>Mailing address:</b>	PO Box 146711	
<b>City, state, zip:</b>	Salt Lake City, Utah 84114-6711	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Justin Barney	801-530-6603	justinbarney@utah.gov

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

### General Information

<b>2. Rule catchline:</b>
Utah Residential Mortgage Practices and Licensing Rules
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Congress passed the SAFE Mortgage License Act (the SAFE Act), which became effective July 30, 2008. In response to the SAFE Act, Utah enacted the Utah Residential Mortgage Practices and Licensing Act (the

Utah Mortgage Act), found in Title 61, Chapter 2c. Utah Code Section 61-2c-103 requires the Utah Division of Real Estate to make rules for the administration of the Utah Mortgage Act. On March 31, 2015, a five-year review and statement of continuation of the Utah Residential Mortgage Practices and Licensing Rules was made effective.

### 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 Utah Residential Mortgage Practices and Licensing Rules have been amended numerous times since March 31, 2015. However, no public comments were received either supporting or opposing the rule as amended.

### 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 SAFE Mortgage License Act and Utah Residential Mortgage Practices and Licensing Act remain in effect. They provide the basis for this rule and the expectation and need for its continued existence. Subsection 61-2c-103(3) requires that the Division of Real Estate make rules for the administration of the Utah Mortgage Act. This rule is required by statute. Therefore, this rule should be continued.

### Agency Authorization Information

<b>Agency head or designee, and title:</b>	Jonathan Stewart, Director	<b>Date:</b>	01/02/2020
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code	R162-2e	Filing No. 50330

Ref (R no.):		
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**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Real Estate	
<b>Room no.:</b>	Second Floor	
<b>Building:</b>	Heber M. Wells Bldg.	
<b>Street address:</b>	160 East 300 South	
<b>City, state, zip:</b>	Salt Lake City, Utah 84111-2316	
<b>Mailing address:</b>	PO Box 146711	
<b>City, state, zip:</b>	Salt Lake City, Utah 84114-6711	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Justin Barney	801-530-6603	justinbarney@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
Appraisal Management Company Administrative Rules

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

This rule was adopted under the statutory provisions of Title 61, Chapter 2e, primarily as a renumbering and reorganizing of the previously adopted rule. Section 61-2e-103, provides that the Real Estate Appraiser Licensing and Certification Board, with the concurrence of the Real estate Division (Division), may make rules that are consistent with Chapter 2e and necessary to implement Chapter 2e. Other sections also authorize the rulemaking process including Sections 102, 203, 304, 305, 401, and 402. Changes and updates to the rule have been made effective in response to questions from the industry. This rule helps to guide appraisal management companies (AMCs) to satisfy the statutory requirements of registration, record keeping, disclosures, bonds, and other statutory requirements. In addition, this rule ensures that AMCs use licensed or certified appraisers and outlines specific information required to be provided to an appraiser at the time an appraisal assignment is offered.

**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:**

A proposed rule amendment filed November 17, 2016. The proposal was to establish a means of determining the amount of the customary and reasonable fee required to be paid to an appraiser for completion of an appraisal assignment, requirements involving the timing of communications between an AMC and an appraiser, and

the process of offering an appraisal assignment to an appraiser. In response to the proposed rule amendment, an industry association that represents many AMCs registered in Utah expressed concern about the proposed amendments and requested a public hearing.

A public hearing was held January 25, 2017. Prior to the public hearing, the Division received approximately 15 written comments with opinions both in favor of and opposed to the proposed rule amendment. A change in the proposed rule was filed April 7, 2017. However, a registered AMC and the industry association which represents numerous Utah AMCs remained concerned despite the changes to the proposed rule amendment. The Real Estate Appraiser Licensing and Certification Board determined to allow the proposed rule amendment, as changed, to lapse without becoming effective and reestablished a committee to continue to consider possible amendments to this rule.

Numerous committee meetings were held to address the concerns expressed by the public and industry members. The industry association provided input to the committee. Changes were made to the previous proposed amendment and a new proposed rule amendment was filed August 24, 2018. The new proposed rule amendment took into account the concerns and opinions expressed in written comments and at the public hearing. After being allowed input into the rule amendment process, the industry association that had opposed the previous attempt to amend the rule provided public comment in favor of this second attempt to amend the rule. This association represents numerous AMCs registered in Utah. Three public comments were received in opposition to this proposed rule amendment.

In response to a proposed rule amendment filed December 3, 2018, an industry association commented in favor of a proposed rule amendment an AMC registry fee to allow Utah registered AMCs to be included in the National AMC Registry.

**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 statutory requirements found in Title 61, Chapter 2e, Appraisal Management Company Registration and Regulation Act (the Act) remain in effect or have been updated at the time of this five-year review. The rulemaking authority from Section 103 of the Act continues to authorize this rule. Therefore, this rule should be continued.

The Division considered the public comment received in opposition to this rule. In some cases, this rule was amended to adopt the provisions advanced by those opposed to this rule. For other comments offered in opposition to this rule, the Division believes that this rule strikes a balance between competing interests between appraisers and Appraisal Management Companies. The Division feels that the present form of this rule is both consistent with the Act and necessary to its

implementation.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Jonathan Stewart, Director	<b>Date:</b>	01/02/2020
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R162-57a</b>	<b>Filing No. 50329</b>
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**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Real Estate	
<b>Room no.:</b>	Second Floor	
<b>Building:</b>	Heber M. Wells Bldg.	
<b>Street address:</b>	160 East 300 South	
<b>City, state, zip:</b>	Salt Lake City, Utah 84111-2316	
<b>Mailing address:</b>	PO Box 146711	
<b>City, state, zip:</b>	Salt Lake City, Utah 84114-6711	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Justin Barney	801-530-6603	justinbarney@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
Timeshare and Camp Resort Rules

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

This rule was adopted under the statutory provisions of Title 57, Chapter 19, the Timeshare and Camp Resort Act. Section 57-19-3 provides that the Director of the Division of Real Estate may make, amend, and repeal rules when necessary to carry out the provisions of Chapter 19. Other sections in Chapter 19 which authorize the rulemaking process are Sections 5, 13, 15, 16, 18, 20, 23, and 26.

**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 public comments were received in opposition to this rule amendments adopted since this rule was last reviewed in March 2015.

**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 57, Chapter 19, the Timeshare and Camp Resort Act (the Act) remains in effect. Section 57-19-3 grants authority to the Director of the Division of Real Estate to make rules when necessary to carry out the provisions of the Act. The Director has determined that this rule previously made pursuant to this authority should remain. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Jonathan Stewart, Director	<b>Date:</b>	01/02/2020
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R164-2</b>	<b>Filing No. 50326</b>
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**Agency Information**

<b>1. Department:</b>	Utah Department of Commerce	
<b>Agency:</b>	Securities	
<b>Room no.:</b>	Second Floor	
<b>Building:</b>	Heber Wells Building	
<b>Street address:</b>	160 East 300 South	
<b>City, state, zip:</b>	Salt Lake City, UT 84114-6760	
<b>Mailing address:</b>	160 East 300 South – 2 <sup>nd</sup> Floor	
<b>City, state, zip:</b>	Salt Lake City, UT 84114-6760	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Charles Lyons	801-530-6940	clyons@utah.gov
Tom Brady	801-530-6610	tbrady@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
Investment Adviser – Unlawful Acts

**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 61-1-2 describes acts of investment advisers which are deemed to be unlawful, and provides that the

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Division of Securities (Division) may, by rule, adopt exemptions from the section's requirements for investment advisory contracts. Section 61-1-24 allows the Division to make rules when necessary to carry out provisions of the chapter.

**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 defines the circumstances under which an exception to the prohibition against performance-based fees contained in Section 61-1-2 is permissible. This rule protects the public by ensuring that specific requirements are met before an investment adviser may receive performance-based compensation for investment advisory services. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Thomas Brady, Director	<b>Date:</b>	01/14/2020
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R277-114</b>	<b>Filing No. 50384</b>
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**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>
Corrective Action and Withdrawal or Reduction of Program Funds

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

This rule is authorized by Utah Constitution, Article X, Section 3, which vests general control and supervision of public education in the Utah State Board of Education (Board); Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Subsection 53E-3-401(8)(c), which allows the Board to make rules setting forth the procedures to be followed for enforcing Board rules.

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

There were no written comments received 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 continues to be necessary because this rule provides procedures for public education program monitoring and corrective action for noncompliance with identified: program requirements; program accountability standards; and financial propriety. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	01/13/2020
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R317-4</b>	<b>Filing No. 50779</b>
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**Agency Information**

<b>1. Department:</b>	Environmental Quality	
<b>Agency:</b>	Water Quality	
<b>Room no.:</b>	Third Floor	
<b>Building:</b>	MASOB	
<b>Street address:</b>	195 N 1950 W	
<b>City, state, zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO BOX 144870	
<b>City, state, zip:</b>	Salt Lake City, UT 84114-4870	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>



Robert Beers	801-536-4380	rbeers@utah.gov
John Mackey	801-536-4347	jkmackey@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
Onsite Wastewater Systems
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized under Title 19, Chapter 5. The statute authorizes protection of human health and the environment. This rule achieves that through regulation of the potential adverse effects from the disposal of onsite wastewater.
<b>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:</b>
Minor revision of this rule, involving all stakeholders, was concluded in 2015 to correct errors and to include additional technical information. No written comments have been received since the 2015 revision.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule provides vital minimum standards and guidance to local health departments for regulating the design, approval, construction, and maintenance of individual onsite wastewater treatment and disposal systems. This rule is essential for regulation of wastewater treatment and disposal for individual residences and businesses that do not have access to a public sewer system. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Erica B. Gaddis, Director	<b>Date:</b>	01/13/2020
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<b>FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION</b>	
<b>Utah Admin. Code</b>	<b>R386-800</b>
<b>Filing No.</b>	<b>50908</b>

<b>Ref (R no.):</b>		
<b>Agency Information</b>		
<b>1. Department:</b>	Health	
<b>Agency:</b>	Disease Control and Prevention, Epidemiology	
<b>Building:</b>	Cannon Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state, zip:</b>	Salt Lake City, Utah 84114	
<b>Mailing address:</b>	PO Box 142102	
<b>City, state, zip:</b>	Salt Lake City, Utah 84114	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Rich Lakin	801-538-9450	rlakin@utah.gov
Jon Reid	801-538-9450	jreid@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
Immunization Coordination
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
The Immunization Coordination Rule is enacted under Section 26-6-7 (Communicable Disease Control Act) to detect, prevent and control communicable disease. This rule establishes an information system to collect, coordinate, and share immunization information among healthcare providers, health insurers, schools, daycare centers, and publicly funded organizations to assure adequate immunization, to avoid unnecessary immunization, to meet statutory immunization requirements, and to control disease outbreaks.
<b>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:</b>
There were no comments received during and since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule supports ongoing operation and maintenance of the Utah Immunization Information system used by clinicians throughout the state for clinical decision support and by schools/daycares/camps throughout the state for compliance with entry requirements – in order to

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

continue to increase Utah's immunization coverage, prevent vaccine-preventable diseases and improve the health of Utah's citizens. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Joseph Miner, MD, Executive Director	<b>Date:</b>	01/10/2020
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	R597-2	<b>Filing No. 51475</b>
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**Agency Information**

<b>1. Department:</b>	Judicial Performance Evaluation Commission		
<b>Agency:</b>	Administration		
<b>Building:</b>	East Senate Building		
<b>Street address:</b>	350 North State Street		
<b>City, state, zip:</b>	Salt Lake City, UT 84107		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jennifer Yim	801-538-1652	jyim@utah.gov	
Please address questions regarding information on this notice to the agency.			

**General Information**

<b>2. Rule catchline:</b>
Administration of the Commission
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
The commission is authorized to adopt procedures governing internal operations relating to judicial performance evaluation and meeting protocol, consistent with Sections 78A-12-201 through 78A-12-206.
<b>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:</b>
No written comments were received during and since the last five-year review of this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The statute requires that the Judicial Performance Evaluation Commission adopt procedures governing

internal operations. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Jennifer Yim, Executive Director	<b>Date:</b>	01/06/2020
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	R708-50	<b>Filing No. 51903</b>
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**Agency Information**

<b>1. Department:</b>	Public Safety		
<b>Agency:</b>	Driver License		
<b>Room no.:</b>	Third Floor		
<b>Building:</b>	Calvin Rampton Complex		
<b>Street address:</b>	4501 S 2700 W		
<b>City, state, zip:</b>	Taylorsville UT 84129		
<b>Mailing address:</b>	PO Box 144501		
<b>City, state, zip:</b>	Salt Lake City, UT 84114		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Kim Gibb	801-965-4018	kgibb@utah.gov	
Tara Zamora	801-965-4451	tarazamora@utah.gov	
Please address questions regarding information on this notice to the agency.			

**General Information**

<b>2. Rule catchline:</b>
Vehicle Impound Fee Reimbursement
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized under Section 41-12a-806, which states that the Department of Public Safety (Department) shall make rules establishing procedures for a person to apply for a reimbursement under Subsection 41-12a-806(4)(d).
<b>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:</b>
The Department has not received any written comments regarding this rule during and since the last five-year

review of this rule.

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

This rule is required under Section 41-12a-806, and is necessary to outline the procedures for an individual whose vehicle was impounded for no insurance to request reimbursement of the impound fees if the vehicle was in fact insured at the time of the impoundment as authorized under Subsection 41-12a-806(4)(d). Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Jess L. Anderson, Commissioner	<b>Date:</b>	01/15/2020
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R850-21</b>	<b>Filing No. 52028</b>
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**Agency Information**

<b>1. Department:</b>	School and Institutional Trust Lands	
<b>Agency:</b>	Administration	
<b>Room no.:</b>	Suite 500	
<b>Street address:</b>	675 East 500 South	
<b>City, state, zip:</b>	Salt Lake City, UT 84102-2818	
<b>Mailing address:</b>	675 East 500 South, Suite 500	
<b>City, state, zip:</b>	Salt Lake City, UT 84102-2818	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Wes Adams	801-538-5171	wesadams@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
Oil, Gas and Hydrocarbon Resources
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsections 53C-1-302(1)(a)(ii) and Title 53C, Chapter 2

et seq. authorize the Director of the School and Institutional Trust Lands Administration to establish rules for the issuance of mineral leases and management of trust-owned lands and mineral resources.

**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 by the agency for 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:**

The School and Institutional Trust Lands Administration manage over four million acres of subsurface mineral rights located throughout the state of Utah for the benefit of the public schools and other beneficiaries. Much of this acreage is currently under lease to third parties for mineral development which consistently provides revenues for the beneficiaries of the land. Rules governing the management and use of these mineral resources are critical to the continued success in managing the resources. This rule also provides a consistent set of procedures as to how business is conducted by the agency for customers to follow. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	David Ure, Director	<b>Date:</b>	01/03/2020
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R918-7</b>	<b>Filing No. 52118</b>
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**Agency Information**

<b>1. Department:</b>	Transportation
<b>Agency:</b>	Operations, Maintenance
<b>Room no.:</b>	First Floor Administration Suite
<b>Building:</b>	Calvin Rampton
<b>Street address:</b>	4501 South 2700 West
<b>City, state, zip:</b>	Salt Lake City, Utah 84129
<b>Mailing address:</b>	PO Box 148455
<b>City, state, zip:</b>	Salt Lake City, Utah 84114-8455
<b>Contact person(s):</b>	

<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Linda Hull	801-965-	lhull@utah.gov

	4253	
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
Highway Sponsorship Programs
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 72-6-403 authorizes the Department of Transportation (Department) to establish a sponsorship program to allow for private sponsorship of certain Department operational activities or other highway-related services or programs. Concomitant to establishing such a sponsorship program, Subsection 72-6-403(5) mandates the Department make and enforce rules governing the placement and size restrictions for acknowledgment signs at rest areas; and other size, placement, and content restrictions that the Department determines are necessary.
<b>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:</b>
On Jan 29, 2015, David E. Stein of TravelersMarketing wrote to request Rule R918-7 be modified to allow for sponsorship graphics on SSP vehicles and mainline rest area acknowledgement signs.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The Department maintains a sponsorship program to allow for private sponsorship of certain Department operational activities or other highway-related services or programs authorized by Section 72-6-403. Subsection 72-6-403(5) is still effective law. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Carlos M. Braceras, Executive Director	<b>Date:</b>	01/02/2020
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STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R982-700</b>	<b>Filing No. 52191</b>

**Agency Information**

<b>1. Department:</b>	Workforce Services	
<b>Agency:</b>	Administration	
<b>Building:</b>	Olene Walker Building	
<b>Street address:</b>	140 East 300 South	
<b>City, state, zip:</b>	Salt Lake City, Utah	
<b>Mailing address:</b>	PO Box 45244	
<b>City, state, zip:</b>	Salt Lake City, UT 84145-0244	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda B. McPeck	801-517-4709	ampeck@gmail.com
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
Employment Opportunities Website
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
The Department of Workforce Services (Department) filed a repeal of this rule on December 16, 2019. Public comments will be accepted until January 31, 2020, and that rule change may become effective on February 7, 2020. The Department needed to file the five-year review to keep this rule in place in case the repeal is not made effective.
<b>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:</b>
No comments have been received.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The Department filed a repeal of this rule on December 16, 2019. Public comments will be accepted until January 31, 2020 and the rule change may become effective on February 7, 2020. Therefore, this rule is continued for now.

**Agency Authorization Information**

**FIVE-YEAR NOTICE OF REVIEW AND**

<b>Agency head or designee, and title:</b>	Jon Pierpont, Executive Director	<b>Date:</b>	1/13/2020
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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.):	R433-1	Filing No. 51096

### Agency Information

<b>1. Department:</b>	Health	
<b>Agency:</b>	Family Health and Preparedness, Maternal and Child Health	
<b>Street address:</b>	3760 S. Highland Drive	
<b>City, state, zip:</b>	Salt Lake City, UT 84106	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Heather Sarin	801-273-2856	hsarin@utah.gov
Laurie Baksh	801-273-2857	lbaksh@utah.gov
Please address questions regarding information on this notice to the agency.		

### General Information

<b>2. Rule catchline:</b>
Very Low Birth Weight Infant Reporting
<b>3. Reason for requesting the extension and the new deadline date:</b>
The repeal process for Rule R433-1 is scheduled to take longer than anticipated. An extension will ensure that the correct paperwork has been filed and this rule stays in place until the repeal is effective. New deadline is 06/11/2020.

### Agency Authorization Information

<b>Agency head or designee, and title:</b>	Lynne Nilson, Bureau Director	<b>Date:</b>	01/06/2020
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**End of the Notices of Five-Year Review Extensions Section**





## NOTICES OF RULE EFFECTIVE DATES

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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** 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. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** the rule lapses.

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

**EDITOR'S NOTE:** There are two versions of effective notices in this Bulletin. The first is from our eRules 2 system. These are notices that were received between 01/01/2020 and 01/15/2020. The second is from our new eRules 3 system. These are notices that were made effective from 01/02/2020 to 02/01/2020.

**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.

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### Abbreviations

AMD = Amendment  
CPR = Change in Proposed Rule  
NEW = New Rule  
R&R = Repeal and Reenact  
REP = Repeal

### **eRules 2 effective notices:**

#### Agriculture and Food

Regulatory Services  
No. 44092 (NEW): R70-440. Egg Products Inspection  
Published: 10/15/2019  
Effective: 01/15/2020

#### Commerce

Administration  
No. 44015 (AMD): R151-4-901. Availability of Agency Review and Reconsideration  
Published: 09/15/2019  
Effective: 01/08/2020

#### Education

Administration  
No. 44136 (NEW): R277-306. Educator Preparation Programs for School Psychologists, Audiologists, Speech-  
Published: 11/01/2019  
Effective: 01/14/2020

#### Health

Disease Control and Prevention, Immunization  
No. 44105 (AMD): R396-100. Immunization Rule for Students  
Published: 10/15/2019  
Effective: 01/13/2020

Health Care Financing, Coverage and Reimbursement Policy  
No. 44023 (NEW): R414-518. Emergency Services Program for Non-Citizens  
Published: 09/15/2019

#### Human Services

Administration  
No. 44151 (AMD): R495-879. Parental Support for Children in Care  
Published: 11/15/2019  
Effective: 01/15/2020

#### Insurance

Administration  
No. 44180 (NEW): R590-282. Pharmacy Benefit Managers  
Published: 11/15/2019  
Effective: 01/14/2020

#### Natural Resources

Parks and Recreation  
No. 44141 (AMD): R651-207. Registration Fee  
Published: 11/15/2019  
Effective: 01/15/2020

No. 44183 (AMD): R651-611. Fee Schedule  
Published: 11/15/2019  
Effective: 01/15/2020

No. 44186 (AMD): R651-633. Special Closures or Restrictions.  
Published: 11/15/2019  
Effective: 01/15/2020

No. 44182 (AMD): R651-634. Nonresident OHV User Permits and Fees  
Published: 11/15/2019  
Effective: 01/15/2020

NOTICES OF RULE EFFECTIVE DATES

Public Safety

Administration

No. 44171 (AMD): R698-8. Local Public Safety and Firefighter Surviving Spouse Trust Fund  
Published: 11/15/2019  
Effective: 01/09/2020

Criminal Investigations and Technical Services

No. 44164 (AMD): R722-300. Concealed Firearm Permit and Instructor Rule  
Published: 11/15/2019  
Effective: 01/09/2020

No. 44163 (NEW): R722-400. Silver Alert Notification System

Published: 11/15/2019  
Effective: 01/09/2020

Driver License

No. 44166 (AMD): R708-7. Functional Ability in Driving: Guidelines for Physicians  
Published: 11/15/2019  
Effective: 01/09/2020

No. 44167 (AMD): R708-8. Review Process: Driver License

Medical Section  
Published: 11/15/2019  
Effective: 01/09/2020

Peace Officer Standards and Training

No. 44155 (AMD): R728-409. Suspension, Revocation, or Relinquishment of Certification  
Published: 11/15/2019  
Effective: 01/09/2020

Regents (Board of)

Administration

No. 44093 (NEW): R765-570. Higher Education Disclosures  
Published: 10/15/2019  
Effective: 01/15/2020

No. 44094 (NEW): R765-609C. Regents Scholarship

Published: 10/15/2019  
Effective: 01/15/2020

**eRules 3 effective notices:**

Administrative Services

Finance

No. 52362 R25-10. State Entities' Posting of Financial Information to the Utah Public Finance Website  
Published: 12/15/2019  
Effective: 01/22/2020

No. 52315 R25-11. Utah Transparency Advisory Board, Procedures for Electronic Meetings

Published: 12/15/2019  
Effective: 01/22/2020

Commerce

Occupational and Professional Licensing

No. 52309 R156-1. General Rules of the Division of Occupational and Professional Licensing  
Published: 12/01/2019  
Effective: 01/09/2020

No. 52325 R156-17b-309. Exemptions from Licensure - Opioid Treatment Program

Published: 12/01/2019  
Effective: 01/09/2020

No. 52310 R156-55b. Electricians Licensing Act Rule

Published: 12/01/2019  
Effective: 01/09/2020

No. 52311 R156-55c. Plumber Licensing Act Rule

Published: 12/01/2019  
Effective: 01/09/2020

No. 52391 R156-60. Mental Health Professional Practice Act Rule

Published: 12/15/2019  
Effective: 01/21/2020

No. 52388 R156-61. Psychologist Licensing Act Rule

Published: 12/15/2019  
Effective: 01/21/2020

Education

Administration

No. 52356 R277-100. Definitions for Utah State Board of Education (Board) Rules  
Published: 12/15/2019  
Effective: 01/22/2020

No. 52360 R277-724. Criteria for Sponsors Recruiting Day

Care Facilities in the Child and Adult Care Food Program  
Published: 12/15/2019  
Effective: 01/22/2020

No. 52357 R277-324. Paraprofessional/Paraeducator Programs, Assignments, and Qualifications

Published: 12/15/2019  
Effective: 01/22/2020

No. 52341 R277-325. Public Education Exit and Engagement Surveys

Published: 12/01/2019  
Effective: 01/09/2020

No. 52355 R277-400. School Facility Emergency and Safety

Published: 12/15/2019  
Effective: 01/22/2020

No. 52342 R277-472. Charter School Student Enrollment and Transfers and School District Capacity Information

Published: 12/01/2019  
Effective: 01/09/2020

No. 52358 R277-524. Paraprofessional/Paraeducator Programs, Assignments, and Qualifications  
 Published: 12/15/2019  
 Effective: 01/22/2020

No. 52359 R277-609. Standards for LEA Discipline Plans and Emergency Safety Interventions  
 Published: 12/15/2019  
 Effective: 01/22/2020

No. 52335 R277-615. Standards and Procedures for Student Searches  
 Published: 12/01/2019  
 Effective: 01/09/2020

No. 52334 R277-624. Electronic Cigarette Products in Schools  
 Published: 12/01/2019  
 Effective: 01/09/2020

No. 52344 R277-715. Out-of-School Time Program Standards  
 Published: 12/01/2019  
 Effective: 01/09/2020

Health

Disease Control and Prevention; HIV/AIDS, Tuberculosis Control/Refugee Health  
 No. 52332 R388-804. Special Measures for the Control of Tuberculosis  
 Published: 12/01/2019  
 Effective: 02/01/2020

Family Health and Preparedness, Children with Special Health Care Needs  
 No. 52376 R398-30. Children's Organ Transplants  
 Published: 12/15/2019  
 Effective: 01/27/2020

Health Care Financing, Coverage and Reimbursement Policy  
 No. 52319 R414-506. Hospital Provider Assessments  
 Published: 12/01/2019  
 Effective: 01/09/2020

Family Health and Preparedness, Licensing  
 No. 52404 R432-15. Speciality Hospital - Cancer Treatment Construction  
 Published: 12/15/2019  
 Effective: 01/24/2020

No. 52406 R432-107. Specialty Hospital - Cancer Treatment  
 Published: 12/15/2019  
 Effective: 01/24/2020

Human Services

Child and Family Services  
 No. 52368 R512-100. In-Home Services  
 Published: 12/15/2019  
 Effective: 01/22/2020

Insurance

Administration  
 No. 52384 R590-164. Uniform Health Billing  
 Published: 12/15/2019  
 Effective: 01/22/2020

No. 52385 R590-260. Utah Defined Contribution Risk Adjuster Plan of Operation  
 Published: 12/15/2019  
 Effective: 01/22/2020

No. 52386 R590-271. Data Reporting for Consumer Quality Comparison  
 Published: 12/15/2019  
 Effective: 01/22/2020

Public Service Commission

Administration  
 No. 52323 R746-314. Rules Governing the Community Renewable Energy Program  
 Published: 12/01/2019  
 Effective: 01/08/2020

No. 52338 R746-409. General Provisions  
 Published: 12/01/2019  
 Effective: 01/08/2020

Tax Commission

Motor Vehicle  
 No. 52327 R873-22m. Removable Windshield Placards  
 Published: 12/01/2019  
 Effective: 01/09/2020

Workforce Services

Employment Development  
 No. 52321 R986-700. Provider Eligibility Amendments  
 Published: 12/01/2019  
 Effective: 01/09/2020

**End of the Notices of Rule Effective Dates Section**