

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed June 02, 2022, 12:00 a.m. through June 15, 2022, 11:59 p.m.

Number 2022-13  
July 01, 2022

Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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Utah state digest.

Semimonthly.

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

KFU440.A73S7

348.792'025--DDC

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## 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 June 02, 2022, 12:00 a.m., and June 15, 2022, 11:59 p.m. are included in this, the July 01, 2022, issue of the *Utah State Digest*.

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

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least August 01, 2022. 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 October 29, 2022, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

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

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R25-7	Filing ID 54697

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Finance	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W, Floor 3	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141031	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1031	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janica Gines	801-957-7727	jmgines@utah.gov
Ally Branch	801-957-7701	abranche@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
R25-7. Travel-Related Reimbursements for State Travelers
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Due to the Internal Revenue Service (IRS) announcement to increase the mileage reimbursement rate for private vehicles from 56 cents per mile to 62 cents per mile, the Division of Finance (Division) has determined that the reimbursement rate for private vehicles should increase to 62 cents per mile to align with the federal mileage rate. The mileage reimbursement rate for a private vehicle when a fleet vehicle is available also increased from 38 cents to 44 cents.
The meal per diem rates were increased due to inflation. The Division chose to use the Government Services Administration (GSA) base federal meal rates. The rates for in-state and out-of-state, will now be reimbursed at the same amount. Breakfast \$13, lunch \$15, and dinner \$25, for a total of \$54 a day. Some hotel rates were increased to be consistent with surrounding hotels. This was due to rising costs of hotels in some areas.
The nonsubstantive changes to the rule text were to address inconsistencies with the Utah Rulewriting Manual,

in compliance with the Governor's Executive Order (EO No. 2012-12).

**4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):**

These rule changes increase the reimbursement rates for mileage, lodging, and food. These changes were made to be consistent with the federal rates, and inflation. The language changes to the rule text were made to be in compliance with the Governor's Executive Order (EO No. 2012-12).

**Fiscal Information**

**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:**

**A) State budget:**

There will potentially be an increased cost to the state as reimbursements for meals, mileage, and hotels have increased. However, the Division cannot determine exactly what the increase will be because it is impossible to anticipate how much travel state employees will do.

**B) Local governments:**

Local governments that have to comply with this rule, may see an increase in reimbursement costs. However, the Division cannot determine exactly what the increase will be. 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 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 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 increase in their mileage reimbursements, and meal reimbursement amounts.

**F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):**

Because the amendment only changes mileage, per diem, and hotel rates, and does not require any new action on the part of persons applying for reimbursements, there are not compliance costs.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

I have reviewed these changes with the Division of Finance Director and believe these changes are warranted. Individuals may see a slight increase in reimbursement amounts. However, the Division cannot determine exactly what the increase will be as that depends on the amount of travel by individuals eligible for reimbursement. This rule will have no impact on businesses. Jenney Rees, Executive Director

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Government Operations, Jenney Rees, has reviewed and approved this fiscal analysis.

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

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. See Section 63G-3-302 and Rule R15-1 for more information.)

<b>A) Comments will be accepted until:</b>	08/01/2022
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<b>10. This rule change MAY become effective on:</b>	08/08/2022
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Janica Gines, Director	<b>Date:</b>	06/02/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R70-320</b>	<b>Filing ID</b> <b>54676</b>

**Agency Information**

<b>1. Department:</b>	Agriculture and Food
<b>Agency:</b>	Regulatory Services
<b>Street address:</b>	4315 S 2700 W, TSOB, South Bldg Floor 2
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128
<b>Mailing address:</b>	PO Box 146500
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500

Contact person(s):		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Travis Waller	801-982-2250	twaller@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

2. Rule or section catchline:
R70-320. Minimum Standards for Milk for Manufacturing Purposes, its Production and Processing
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The changes are needed to make this rule text more consistent with the requirements of the Utah Rulewriting Manual.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The changes are made to make this rule text more consistent with the Utah Rulewriting Manual.

**Fiscal Information**

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The rule changes clarify the rule or are nonsubstantive. There is no fiscal impact to the state budget.
B) Local governments:
Local governments do not participate in the Department of Agriculture and Food's (Department) dairy program and will not be impacted by this rule change.
C) Small businesses ("small business" means a business employing 1-49 persons):
The rule changes clarify the rule or are nonsubstantive. There is no fiscal impact to small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The rule changes clarify the rule or are nonsubstantive. There is no fiscal impact to non-small businesses.

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

The rule changes clarify the rule or are nonsubstantive. There is no fiscal impact to other persons.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

The compliance costs for affected persons will not change because the Department's administration of the milk program is not changing.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

This rule change will not have a fiscal impact on businesses. Craig W. Buttars, Commissioner

**6. A) 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	FY2022	FY2023	FY2024
State Government	\$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>
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Net Benefits</b>	<b>Fiscal \$0</b>	<b>\$0</b>	<b>\$0</b>
<b>B) Department head approval of regulatory impact analysis:</b>			
The Commissioner of the Utah Department of Agriculture and Food Craig W. Buttars has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Subsections 4-2-103(1)(g) through (j)	Section 4-3-201	

**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. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	08/01/2022

<b>10. This rule change MAY become effective on:</b>	08/08/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Craig W. Buttars, Commissioner	<b>Date:</b>	06/10/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R70-410</b>	<b>Filing ID</b> <b>54677</b>

**Agency Information**

<b>1. Department:</b>	Agriculture and Food
<b>Agency:</b>	Regulatory Services
<b>Street address:</b>	4315 S 2700 W, TSOB, South Bldg, Floor 2
<b>City, state and zip:</b>	Taylorville, UT 84129-2128
<b>Mailing address:</b>	PO Box 146500

<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Travis Waller	801-982-2250	twaller@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
R70-410. Grading and Inspection of Shell Eggs with Standard Grade and Weight Classes
<b>3. Purpose of the new rule or reason for the change</b> (Why is the agency submitting this filing?):
The changes are needed to make the text consistent with Utah Rulewriting Manual requirements.
<b>4. Summary of the new rule or change</b> (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
Language has been changed to make the text consistent with Utah Rulewriting Manual requirements.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The changes are clarifying only and will not impact the operation of the program and therefore, will not have a fiscal impact on the state.
<b>B) Local governments:</b>
Local governments do not administer the program and are not regulated under the program and will not be impacted.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There should be no fiscal impact to small businesses because the changes are clarifying existing practice and the operation of the program will not change.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):

NOTICES OF PROPOSED RULES

There should be no fiscal impact to non-small businesses because the changes are clarifying existing practice and the operation of the program will not change.

**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 should be no fiscal impact to other persons because the changes are clarifying existing practice and the operation of the program will not change.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

There should be no change in compliance costs for affected persons because compliance requirements are not changing.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

This rule change will not have a fiscal impact on businesses. Craig W. Buttars, Commissioner

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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) Department head approval of regulatory impact analysis:**

The Commissioner of the Utah Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this fiscal analysis.

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 4-4-102		
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**Incorporations by Reference Information**

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

	<b>First Incorporation</b>
<b>Official Title of Materials Incorporated (from title page)</b>	7 CFR 57
<b>Publisher</b>	Government Printing Office
<b>Date Issued</b>	January 1, 2021
<b>Issue, or version</b>	January 1, 2021

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

	<b>Second Incorporation</b>
<b>Official Title of Materials Incorporated (from title page)</b>	9 CFR 590
<b>Publisher</b>	Government Printing Office
<b>Date Issued</b>	January 1, 2021
<b>Issue, or version</b>	January 1, 2021

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

	<b>Third Incorporation</b>
<b>Official Title of</b>	21 CFR 160

<b>Materials Incorporated (from title page)</b>	
<b>Publisher</b>	Government Printing Office
<b>Date Issued</b>	April 1, 2021
<b>Issue, or version</b>	April 1, 2021

**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. See Section 63G-3-302 and Rule R15-1 for more information.)

**A) Comments will be accepted until:** 08/01/2022

**10. This rule change MAY become effective on:** 08/08/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Craig W. Buttars, Commissioner	<b>Date:</b>	06/23/2022
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R152-23</b>	<b>Filing ID 54688</b>

**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Consumer Protection	
<b>Building:</b>	Heber Wells Bldg	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 146704	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6704	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Daniel Larsen	801-530-6145	dblarsen@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
R152-23. Health Spa Services Protection Act Rule

**3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):**

This amendment is being submitted as a result of H.B. 436, passed in the 2022 General Session. The purpose of the amendment is to ensure this rule reflects changes made to whether a health spa must maintain a surety as a result of offering a health spa service. If the health spa is required to maintain a surety, the amendment establishes how the amount of the surety is calculated.

**4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):**

This amendment alters the process for establishing whether a health spa must maintain a surety in connection with its offer of health spa service. The amendment reflects that certain contracts for health spa services may be excluded from calculation when determining the amount of any surety a health spa must maintain. This amendment also makes includes changes to conform this rule to Utah Rulewriting Manual standards.

**Fiscal Information**

**5. Provide an estimate and written explanation of the 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. Any fiscal impact on state government was addressed in the Fiscal Note to H.B. 436 (2022).

**B) Local governments:**

This rule is not expected to have any fiscal impact on local governments' revenues or expenditures because it does not create any new requirement local government must follow, nor does it otherwise constrain local government.

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

This rule is not expected to have any fiscal impact on small businesses because it does not impose requirements upon small businesses beyond what is required by Title 13, Chapter 23, Health Spa Services Protection Act. Any fiscal impact on small businesses was addressed by the Fiscal Note to H.B. 436 (2022).

NOTICES OF PROPOSED RULES

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

This rule is not expected to have any fiscal impact on non-small businesses because it does not impose requirements upon non-small businesses beyond what is required by Title 13, Chapter 23. Any fiscal impact on non-small businesses was addressed by the Fiscal Note to H.B. 436 (2022).

**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 fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities because it does not impose requirements upon them beyond what is required by Title 13, Chapter 23.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

This rule does not impose compliance costs upon affected persons beyond what is required by Title 13, Chapter 23, and what was contemplated in the Fiscal Note to H.B. 436 (2022).

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

The Division of Consumer Protection (Division) proposes amendments to update Rule R152-23. This amendment is being submitted to comport this rule to H.B. 436 (2022). The purpose of the amendment is to ensure that this rule reflects changes made to the calculation of the health spa surety. Also, the Division has made formatting changes throughout this rule to conform this rule to the Office of Administrative Rules' requirements in accordance with Executive Orders No. 2021-1 and 2021-12.

The Division does not foresee any impact on small businesses or non-small businesses beyond the fiscal note to H.B. 436 (2022). Any costs are either inestimable, or there is no fiscal impact. Margaret Busse, Executive Director

**6. A) 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	FY2022	FY2023	FY2024
State Government	\$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) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Commerce, Margaret Busse, has reviewed and approved this fiscal analysis.

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Subsection	Subsections	Subsection
13-2-5(1)	13-23-5(1)(a)(iv) (A) through (C)	13-23-5(1)(h)

**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. See Section 63G-3-302 and Rule R15-1 for more information.)

**A) Comments will be accepted until:** 08/01/2022

**10. This rule change MAY become effective on:** 08/08/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Margaret Busse, Executive Director	<b>Date:</b>	06/06/2022
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R152-32a	Filing ID 54691

**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Consumer Protection	
<b>Building:</b>	Heber Wells Bldg	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 146704	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6704	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Blake Young	801-530-6606	bdyoung@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R152-32a. Pawnshop, Secondhand Merchandise Transaction Information Act Rule
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This rule is being changed as a result of H.B. 38, passed in the 2022 General Session, codified as Title 13, Chapter 32a, Pawnshop, Secondhand Merchandise, and Catalytic Converter Transaction Information Act (Act). The purpose of this rule change to correct references within this rule to reflect changes in the Act, to update the title of the Act where it is referenced in this rule, and to indicate the types of information capable of being electronically submitted to the central database with respect to a catalytic converter purchase.

**4. Summary of the new rule or change** (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

This amendment changes the title of this rule to mirror the new title of the statute, and makes nonsubstantive changes to the numbering of certain sections to reflect the Utah Rulewriting Manual guidance. The change also indicates the types of information capable of being electronically submitted to the central database with respect to a catalytic converter purchase.

**Fiscal Information**

**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:**

**A) State budget:**

This rule is anticipated to have no fiscal impact on the state budget beyond the impact identified in the Fiscal Note to H.B. 38 (2022).

**B) Local governments:**

This rule is not expected to have any fiscal impact on local governments because it does not impose requirements upon local governments beyond what is required by Title 13, Chapter 32a. Any fiscal impact on local government was addressed in the Fiscal Note to H.B. 38 (2022).

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

This rule is not expected to have any fiscal impact on small businesses because it does not impose requirements upon small businesses beyond what is required by Title 13, Chapter 32a. Any fiscal impact on small businesses was addressed in the Fiscal Note to H.B. 38 (2022).

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

This rule is not expected to have any fiscal impact on non-small businesses because it does not impose requirements upon non-small businesses beyond what is required by Title 13, Chapter 32a. Any fiscal impact on non-small businesses was addressed in the Fiscal Note to H.B. 38 (2022).

**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 fiscal impact on persons other than small businesses, non-small businesses, or state or local government entities because it does not impose requirements upon persons other than small businesses beyond what is required by Title 13, Chapter 32a.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

This rule does not impose compliance costs upon affected persons beyond what is required by Title 13, Chapter 32a. Any fiscal impact was addressed in the Fiscal Note to H.B. 38 (2022).

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

The Division of Consumer Protection (Division) proposes amendments to update Rule R152-31a. This amendment is being submitted to comport this rule to H.B. 38 (2022). The purpose of the amendment is to change the title to include the recent changes. Also, there are formatting changes throughout this rule to conform this rule to the Office of Administrative Rules' requirements in accordance with Executive Order No. 2021-1 and 2021-12.

The Division does not foresee any foreseeable impact on small businesses beyond the fiscal note to H.B. 38 (2022). Also, the other amendments are made to make this rule comport to the Utah Rulewriting Manual.

**6. A) 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	FY2022	FY2023	FY2024
State Government	\$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) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Commerce, Margaret Busse, has reviewed and approved this fiscal analysis.

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Subsection 13-2-5(1)	Subsection 13-32a-104(8)	Subsection 13-32a-104.5(6)
Subsection 13-32a-104.6(3)	Subsection 13-32a-106(1)(b)	Subsection 13-32a-104.7(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. See Section 63G-3-302 and Rule R15-1 for more information.)

**A) Comments will be accepted until:** 08/01/2022

**10. This rule change MAY become effective on:** 08/08/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Blake Young, Commerce Analyst	<b>Date:</b>	06/15/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b>	Amendment
<b>Utah Admin. Code Ref (R no.):</b>	R162-2g Filing ID 54608

**Agency Information**

<b>1. Department:</b>	Commerce
<b>Agency:</b>	Real Estate

<b>Room no.:</b>	2nd Floor	
<b>Building:</b>	Heber M. Wells Bldg	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 146711	
<b>City, state and zip:</b>	Salt Lake City, UT 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 or section catchline:</b>
R162-2g. Real Estate Appraiser Licensing and Certification Administrative Rules
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
One purpose of the proposed rule amendment is to implement the Governor's policy to reduce barriers to obtain a registration, license, or certification to practice in the appraisal industry and to reduce unnecessary regulation. These changes include the elimination of certain fees and alternative means for an appraiser to obtain experience, pre-license education, and continuing education. These changes will save time and expense to appraisers and education providers. They will also save time for Division of Real Estate (Division) staff, members of the Appraiser Experience Review Committee and the Appraiser Licensing and Certification Board.  Another purpose is to make corrections and changes to the rule including technical and stylistic changes as described in the Rulewriting Manual published by the Utah Office of Administrative Rules.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>
The proposed rule amendment:  a. provides an alternative means for an appraiser applicant or an appraiser to acquire some or all of the required experience to qualify for registration, licensure, or certification by successfully completing an Appraiser Qualifications Board (AQB) approved practical application course of simulated experience training;

b. provides virtual-live education as an alternative to other approved forms of pre-licensing education and continuing education delivery methods;
c. eliminates outdated reference dates;
d. eliminates the processing fee for change forms;
e. eliminates the requirement for in-class instruction experience for an individual seeking certification as a pre-licensing education instructor;
f. eliminates a reference to moral character;
g. reformats the tables in the appendices and adds additional types of experience approved for appraisers in the General Experience Table in Appendix 2; and
h. makes corrections specified in the Rulewriting Manual.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The Division has the staff and budget in place to administer this proposed rule amendment. The substantive changes in the proposed amendment either eliminate requirements for appraisers or provide alternatives to current education and experience requirements. Other proposed changes are technical or stylistic in nature. None of the proposed changes is expected to impact the state's budget by either increasing costs or generating savings. The elimination of the processing fee in Section R162-2g-306b will likewise have no impact on the state's budget as the Division has not charged this fee for a number of years, according to the memory of Division employees. After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in any cost or savings to the state budget.
<b>B) Local governments:</b>
Local governments are not required to comply with or enforce the Real Estate Appraiser Licensing and Certification Rules. After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
The proposed amendments do not create new obligations for small businesses nor do they increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to small businesses. There is no practical way to determine with precision the amount of savings that will result from these amendments.

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

The proposed amendments do not create new obligations for non-small businesses nor do they increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to non-small businesses. There is no practical way to determine with precision the amount of savings that will result from these amendments.

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

After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to persons other than small businesses, non-small businesses, or state or local entities.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

The proposed rule amendment would allow practical application courses of simulated experience training and virtual-live education as alternatives to current experience and education requirements. This could result in a fiscal impact to affected persons. These proposed changes would provide alternatives to appraiser applicants. However, it is not possible to determine the amount of the financial impact of these alternatives. Practical courses of simulated experience training are in the development stage by national education providers but the AQB has not yet approved any courses and the cost of these courses to an appraiser or an appraiser applicant has not been established. The Division is not able to determine how many applicants will chose this alternative experience when it becomes available or what the cost would be as compared to the costs associated with the current experience process with a designated supervisor providing actual appraiser experience.

The Division estimates that a large number of appraiser applicants and appraisers will chose the option of virtual-live education. This form of education was temporarily approved as an alternative during the Covid-19 pandemic. Some providers provide free education as a promotion of their services. Some providers charge a fee for their courses, whether traditional classroom courses or virtual-live classes. Appraiser applicants and appraisers may choose between providers. The choice involves decisions including course content, cost, value, and convenience.

The proposed rule does not mandate more or less education or experience. Rather, it provides another option available for affected persons.

After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in any

cost or savings to affected persons or the costs or savings cannot be determined with precision.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

I have reviewed the proposed filing for the above-referenced rule and considered the fiscal impact that the rule may have on businesses. Margaret Busse, Executive Director

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Commerce, Margaret Busse, has reviewed and approved this fiscal analysis.

**Citation Information**

<b>7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 61-2g-201	Section 61-2g-205	Section 61-2g-302
Section 61-2g-306	Section 61-2g-306	Section 61-2g-308
Section 61-2g-311	Section 61-2g-313	Section 61-2g-314

**Incorporations by Reference Information**

<b>8. A) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
	<b>First Incorporation</b>
<b>Official Title of Materials Incorporated (from title page)</b>	2020-2021 Uniform Standards of Professional Appraisal Practice (USPAP)
<b>Publisher</b>	The Appraisal Foundation
<b>Date Issued</b>	April 5, 2019
<b>Issue, or version</b>	USPAP 2020-2021 Edition (extended through December 31, 2022)

**Public Notice Information**

<b>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. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	08/01/2022

<b>10. This rule change MAY become effective on:</b>	08/08/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Jonathan Stewart, Director	<b>Date:</b>	05/09/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Repeal and Reenact		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R356-3</b>	<b>Filing ID</b> <b>54690</b>

**Agency Information**

<b>1. Department:</b>	Governor	
<b>Agency:</b>	Criminal and Juvenile Justice (State Commission on)	
<b>Room no.:</b>	E330	
<b>Building:</b>	Senate Building (at State Capitol)	
<b>Street address:</b>	350 N. State Street	
<b>City, state and zip:</b>	Salt Lake City, Utah 84114	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angelo Perillo	801-538-1047	aperillo@utah.gov
Ken Matthews	801-538-1058	kmatthews@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
R356-3. Electronic Meetings
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this rule is to establish procedures for conducting an electronic meeting of any public body created in Title 63M, Chapter 7. The purpose of this rule to repeal and reenact the Electronic Meetings to make it compliant with new requirements.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>
The reenacted rule has a more descriptive list of procedures. Please refer to the rule text for the differences.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This program will create no cost burden or savings for the state. This reenacted rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

<b>B) Local governments:</b>
This program will create no cost burden or savings for local government. This reenacted rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This program will create no cost burden or savings for small businesses. This reenacted rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
This program will create no cost burden or savings for non-small businesses. This reenacted rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.
<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 should be no costs or saving for other persons as a result of this rule. This reenacted rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
There should be no costs or saving for any affected persons as a result of this rule. This reenacted rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.
<b>G) Comments by the department head on the fiscal impact this rule may have on businesses</b> (Include the name and title of the department head):
This rule will have no fiscal impact on businesses. Tom Ross, Executive Director
<b>6. A) 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.)

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$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>
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<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) Department head approval of regulatory impact analysis:			
The Executive Director of Criminal and Juvenile Justice (State Commission on), Tom Ross, has reviewed and approved this fiscal analysis.			

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 52-4-202		
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**Public Notice Information**

**9. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

<b>A) Comments will be accepted until:</b>	08/01/2022
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<b>10. This rule change MAY become effective on:</b>	08/08/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Tom Ross, Executive Director	<b>Date:</b>	06/14/2022
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R590-93	Filing ID 54692

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R590-93. Replacement of Life Insurance and Annuities
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the</b>

substantive differences between the repealed rule and the reenacted rule):
The majority of the changes are being done to fix style issues to bring this rule text more in line with the Utah Rulewriting Manual standards. Other changes make the language of this rule more clear, the Enforcement Date section (the current Section R590-93-12) is not reenacted because this rule is already in force, and update the Severability section (the new Section R590-93-9) to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature, and will not change how the Department functions.
<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments. The changes are largely clerical in nature, and will not affect local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature, and will not affect small businesses.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
There is no anticipated cost or savings to non-small businesses. The changes are largely clerical in nature, and will not affect non-small businesses.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>
There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
There are no compliance costs for any affected persons. The changes are largely clerical in nature.
<b>G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):</b>

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

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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) Department head approval of regulatory impact analysis:**

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

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 31A-2-201	Section 31A-22-429	Section 31A-23a-402
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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. See Section 63G-3-302 and Rule R15-1 for more information.)

**A) Comments will be accepted until:** 08/01/2022

**10. This rule change MAY become effective on:** 08/08/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	06/15/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-162</b>	<b>Filing ID</b> <b>54693</b>

**Agency Information**

<b>1. Department:</b>	Insurance	
<b>Agency:</b>	Administration	
<b>Room no.:</b>	Suite 2300	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R590-162. Actuarial Opinion and Memorandum Rule

**3. Purpose of the new rule or reason for the change** (Why is the agency submitting this filing?):

This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.

**4. Summary of the new rule or change** (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The majority of the changes are being done to fix style issues to bring this rule text more in line with the Utah Rulewriting Manual standards. Other changes make the language of this rule more clear, and update the Severability section (the new Section R590-162-8) to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:**

**A) State budget:**

There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature, and will not change how the Department functions.

**B) Local governments:**

There is no anticipated cost or savings to local governments. The changes are largely clerical in nature, and will not affect local governments.

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

There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature, and will not affect small businesses.

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

There is no anticipated cost or savings to non-small businesses. The changes are largely clerical in nature, and will not affect non-small businesses.

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

There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any affected persons. The changes are largely clerical in nature.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

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

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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) Department head approval of regulatory impact analysis:**

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

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 31A-2-201	Section 31A-17-503	
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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. See Section 63G-3-302 and Rule R15-1 for more information.)

<b>A) Comments will be accepted until:</b>	08/01/2022
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<b>10. This rule change MAY become effective on:</b>	08/08/2022
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	06/15/2022
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NOTICE OF PROPOSED RULE			
<b>TYPE OF RULE:</b> Amendment			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-178</b>	<b>Filing ID</b>	<b>54694</b>

**Agency Information**

<b>1. Department:</b>	Insurance		
<b>Agency:</b>	Administration		
<b>Room no.:</b>	Suite 2300		
<b>Building:</b>	Taylorsville State Office Building		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state and zip:</b>	Taylorsville, UT 84129		
<b>Mailing address:</b>	PO Box 146901		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Steve Gooch	801-957-9322	sgooch@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>
R590-178. Securities Custody

**3. Purpose of the new rule or reason for the change** (Why is the agency submitting this filing?):

This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.

**4. Summary of the new rule or change** (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The majority of the changes are being done to fix style issues to bring this rule text more in line with the Utah Rulewriting Manual standards. Other changes make the language of this rule more clear, remove the Enforcement Date section (the current Section R590-178-8) because this rule is already in force, and update the Severability section (the new Section R590-178-8) to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:**

<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature, and will not change how the Department functions.

<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments. The changes are largely clerical in nature, and will not affect 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 changes are largely clerical in nature, and will not affect small businesses.

<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 changes are largely clerical in nature, and will not affect non-small businesses.

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

There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any affected persons. The changes are largely clerical in nature.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

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

**6. A) 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	FY2022	FY2023	FY2024
State Government	\$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>
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

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

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

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

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 31A-2-201	Section 31A-2-206	Section 31A-4-108
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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. See Section 63G-3-302 and Rule R15-1 for more information.)

**A) Comments will be accepted until:** 08/01/2022

**10. This rule change MAY become effective on:** 08/08/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	06/15/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-207</b>	<b>Filing ID</b>	<b>54695</b>
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**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room no.:</b>	Suite 2300
<b>Building:</b>	Taylorville State Office Building
<b>Street address:</b>	4315 S 2700 W
<b>City, state and zip:</b>	Taylorville, UT 84129

NOTICES OF PROPOSED RULES

<b>Mailing address:</b> PO Box 146901		
<b>City, state and zip:</b> Salt Lake City, UT 84114-6901		
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
R590-207. Health Producer Commissions for Small Employer Groups
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This rule is being changed in compliance with Executive Order 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>
The majority of the changes are being done to fix style issues to bring this rule text more in line with the Utah Rulewriting Manual standards. Other changes make the language of this rule more clear, remove the Penalties section (old Section R590-207-7) because penalties are already provided for in statute, remove the Effective Date section (old Section R590-207-8) because this rule is already in force, and update the Severability section (new Section R590-207-5) to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature, and will not change how the Department functions.
<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments. The changes are largely clerical in nature, and will not affect local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>

There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature, and will not affect small businesses.

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

There is no anticipated cost or savings to non-small businesses. The changes are largely clerical in nature, and will not affect non-small businesses.

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

There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any affected persons. The changes are largely clerical in nature.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

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

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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) Department head approval of regulatory impact analysis:**

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

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 31A-2-201	Section 31A-30-104	
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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. See Section 63G-3-302 and Rule R15-1 for more information.)

**A) Comments will be accepted until:** 08/01/2022

**10. This rule change MAY become effective on:** 08/08/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	06/15/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-247</b>	<b>Filing ID</b> <b>54696</b>

**Agency Information**

<b>1. Department:</b>	Insurance	
<b>Agency:</b>	Administration	
<b>Room no.:</b>	Suite 2300	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
R590-247. Universal Health Insurance Application Rule

**3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):**

This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.

**4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):**

The majority of the changes are being done to fix style issues to bring the rule text more in line with current rulewriting standards. Other changes make the language of the rule more clear, remove the Penalties section (old Section R590-247-4) because penalties are already provided for in statute, and update the Severability section (Section R590-247-5) to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:**

**A) State budget:**  
There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature, and will not change how the Department functions.

**B) Local governments:**

There is no anticipated cost or savings to local governments. The changes are largely clerical in nature, and will not affect local governments.

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

There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature, and will not affect small businesses.

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

There is no anticipated cost or savings to non-small businesses. The changes are largely clerical in nature, and will not affect non-small businesses.

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

There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any affected persons. The changes are largely clerical in nature.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

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

**6. A) 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	FY2022	FY2023	FY2024
State Government	\$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) Department head approval of regulatory impact analysis:**

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

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 31A-2-201	Section 31A-2-212	Section 31A-22-635
Section 31A-30-102	Section 31A-30-117	

**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. See Section 63G-3-302 and Rule R15-1 for more information.)

<b>A) Comments will be accepted until:</b>	08/01/2022
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<b>10. This rule change MAY become effective on:</b>	08/08/2022
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	06/15/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Utah Admin. Code Ref (R no.):</b>	<b>R657-54-20</b>	<b>Filing ID</b>	<b>54689</b>
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**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	Wildlife Resources		
<b>Room no.:</b>	Suite 2110		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state and zip:</b>	Salt Lake City, UT 84116		
<b>Mailing address:</b>	PO Box 146301		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Staci Coons	801-450-3093	stacicoons@utah.gov	
Please address questions regarding information on this notice to the agency.			

**General Information**

<b>2. Rule or section catchline:</b>
R657-54-20. Season Dates, Bag and Possession Limits, and Areas Open
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This section is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resource's (DWR) rule pursuant to the taking of wild turkey.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>
The proposed amendments to this rule amend the number of fall turkey permits a hunter may purchase.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This amendment limits the number of turkey permits an individual hunter may purchase and therefore, DWR has determined that these amendments do not create a cost or savings impact to the state budget or DWR's budget, since the changes will not increase workload and can be carried out with existing budget.
<b>B) Local governments:</b>
Since this amendment limits the number of turkey permits an individual hunter may purchase, this should have little to no effect on local governments. This filing does not create any direct cost or savings impact to local governments because they are not directly affected by this rule. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This amendment limits the number of turkey permits an individual hunter may purchase, therefore, this rule does not impose any additional financial requirements on small businesses, nor generate a cost or saving impact to small businesses because this rule does not create a situation requiring services from them.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
This amendment limits the number of turkey permits an individual hunter may purchase, therefore, this rule does not impose any additional financial requirements on non-small businesses, nor generate a cost or saving impact to non-small businesses because this rule does not create a situation requiring services from them.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>
This amendment limits the number of turkey permits an individual hunter may purchase, therefore, this rule does not impose any additional financial requirements on other persons, nor generate a cost or saving impact to other persons because this rule does not create a situation requiring services from them.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>

DWR has determined that this amendment will not create additional costs for those individuals who participate in wild turkey hunting in Utah.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

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

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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) 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.

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 23-14-18	Section 23-14-19	
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**Public Notice Information**

**9. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

<b>A) Comments will be accepted until:</b>	08/01/2022
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<b>10. This rule change MAY become effective on:</b>	08/08/2022
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	J. Shirley, Director	<b>Date:</b>	04/14/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Utah Admin. Code Ref (R no.):</b>	<b>R850-3</b>	<b>Filing ID</b>	<b>54687</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 E 500 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84102-2818		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Michelle McConkie	801-538-5183	meastmconkie@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 or section catchline:</b>
R850-3. Applicant Qualifications, Application Forms, and Application Processing
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The change in this rule is to include the listing of the Renewable Energy Lease application types in Subsection R850-3-400(1). Renewable Energy Leases on Trust Lands have historically been reviewed and processed under differing rules and requirements based on their location (i.e., as Surface Leases, Development Leases, or Mineral Leases). The proposed rule changes clarify and classify all Renewable Energy Projects (solar, wind, geothermal, and green hydrogen) into their own category for both continuity and clarification, that rule has been submitted as proposed new Rule R850-170. Renewable Energy Lease Agreements.
(EDITOR'S NOTE: The proposed new Rule R850-170 is under ID 54684 in this issue, July 1, 2022, of the Bulletin.)
<b>4. Summary of the new rule or change (What does this filing do)</b>
This change will add the reference to the new type of renewable energy lease prompted by the new Rule R850-170, and will correct minor rulewriting errors.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
No changes are proposed or anticipated with this clarification. This will not affect the state budget cost.
<b>B) Local governments:</b>
Local governments will not see an affect to the changes with this clarification of renewable energy lease applications.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
Small businesses will not be affected by adding the reference to renewable energy lease applications.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
Non-small businesses will not see any changes with this clarification because of the new Rule R850-170.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation,</b>

association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
Other persons will not see any changes with this clarification.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
No direct compliance costs will be charged as a result of these rule changes and no indirect compliance costs are anticipated.
<b>G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):</b>
Renewable Energy leases have always been allowed on Trust Lands but were being tracked through differing lease types. These rule changes allow for Renewable Energy Leases (wind, solar, geothermal, and green hydrogen) to be tracked and processed as Renewable Energy leases, thus simplifying both the application and approval process as well as tracking of renewable energy projects. Michelle McConkie, Director
<b>6. A) 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>

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</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

NOTICES OF PROPOSED RULES

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>B) Department head approval of regulatory impact analysis:</b>			
The Director of the Department of School and Institutional Trust Lands Administration, Michelle McConkie, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Subsection 53C-1-302(1)(a)(ii)	Section 53C-2-404
Article X	Article XX	

**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. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	08/01/2022

<b>10. This rule change MAY become effective on:</b>	08/08/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Michelle McConkie, Director	<b>Date:</b>	06/13/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R850-5</b>	<b>Filing ID</b> <b>54686</b>

**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 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84102-2818	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Michelle McConkie	801-538-5183	meastmconkie@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 or section catchline:</b>
R850-5. Payments, Royalties, Audits, and Reinstatements
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Renewable Energy Leases on Trust Lands have historically been reviewed and processed under differing rules and requirements based on their location (i.e., as Surface Leases, Development Leases, or Mineral Leases). The proposed rule changes clarify and classify all Renewable Energy Projects (solar, wind, geothermal, and green hydrogen) into their own category for both continuity and clarification, that rule has been submitted as proposed new Rule R850-170. Renewable Energy Lease Agreements.
The changes in this rule is to specify the listing of renewable energy leases restatement rules in Subsection R850-5-500(1). The changes also add opening parentheses to the Roman numeral listings in Subsections R850-5-300(1) and R850-5-500(1); and further rule changes to follow the rulewriting guidelines set by the Office of Administrative Rules.
(EDITOR'S NOTE: The proposed new Rule R850-170 is under ID 54684 in this issue, July 1, 2022, of the Bulletin.)
<b>4. Summary of the new rule or change (What does this filing do</b>
This change will add reference to the new type of renewable energy lease references prompted by the new Rule R850-170, and will correct minor rulewriting errors.

**Fiscal Information**

**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:**

**A) State budget:**

No changes to the state budget cost are proposed or anticipated with the clarification of the new Rule R850-170 in this rules amendments.

**B) Local governments:**

Local governments will not see any changes with this clarification.

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

Small businesses are not affected by the additions to the rule referring to renewable energy.

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

The renewable leasing content does not affect the cost or savings to the non-small businesses.

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

Other persons will not be affected by the changes to this rule clarification.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

No direct compliance costs will be charged as a result of these rule changes and no indirect compliance costs are anticipated.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

Renewable Energy leases have always been allowed on Trust Lands but were being tracked through differing lease types. These rule changes allow for Renewable Energy Leases (wind, solar, geothermal, and green hydrogen) to be tracked and processed as Renewable Energy leases, thus simplifying both the application and approval process as well as tracking of renewable energy projects. Michelle McConkie, Director

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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>B) Department head approval of regulatory impact analysis:</b>			
The Director of the Department of School and Institutional Trust Lands Administration, Michelle McConkie, has reviewed and approved this fiscal analysis.			

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Subsection 53C-1-302(1)(a)(ii)	Section 53C-2-404
Article X	Article XX	

**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. See Section 63G-3-302 and Rule R15-1 for more information.)

NOTICES OF PROPOSED RULES

<b>A) Comments will be accepted until:</b>	08/01/2022
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<b>10. This rule change MAY become effective on:</b>	08/08/2022
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Michelle McConkie, Director	<b>Date:</b>	06/13/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Repeal		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R850-27</b>	<b>Filing ID</b> <b>54685</b>

**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 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84102-2818	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Keli Beard	801-538-5185	kelibeard@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 or section catchline:</b>
R850-27. Geothermal Steam

**3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):**

Renewable Energy Leases on Trust Lands have historically been reviewed and processed under differing rules and requirements based on their location (i.e., as Surface Leases, Development Leases, or Mineral Leases). This change removes the Rule R850-27 in its entirety to be replaced with a proposed new rule submitted

as Rule R850-170. Renewable Energy Lease Agreements, for greater clarity and management of this type of commodity.

(EDITOR'S NOTE: The proposed new Rule R850-170 is under ID 54684 in this issue, July 1, 2022, of the Bulletin.)

**4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):**

This change repeals the Rule R850-27 in its entirety. Geothermal projects will now be reviewed under the new rule submitted as Rule R850-170.

**Fiscal Information**

**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:**

**A) State budget:**  
No significant change is anticipated the state budget with the repeal of this rule. Geothermal Projects will now be reviewed under the proposed Rule R850-170.

**B) Local governments:**  
With the repeal of this rule and geothermal projects being reviewed under the proposed Rule R850-170, local governments will have additional opportunity for comments through the Resource Development Coordinating Committee Process and public notifications that will take place.

**C) Small businesses ("small business" means a business employing 1-49 persons):**  
No significant change is anticipated with the repeal of this rule. Geothermal Projects will now be reviewed under the proposed Rule R850-170. Small businesses pursuing geothermal projects could see streamlined process resulting in minor costs savings.

**D) Non-small businesses ("non-small business" means a business employing 50 or more persons):**  
No significant change is anticipated with the repeal of this rule. Geothermal Projects will now be reviewed under the proposed Rule R850-170. Non-small businesses pursuing geothermal projects could see streamlined process resulting in minor costs savings.

**E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):**  
No significant change is anticipated with the repeal of this rule. Geothermal Projects will now be reviewed under the proposed Rule R850-170. Other persons pursuing

geothermal projects could see streamlined process resulting in minor costs savings.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

No direct compliance costs will be charged as a result of the repeal of this rule and no indirect compliance costs are anticipated.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

Renewable Energy leases have always been allowed on Trust Lands but were being tracked through differing lease types. These rule changes allow for Renewable Energy Leases (wind, solar, geothermal, and green hydrogen) to be tracked and processed as Renewable Energy leases, thus simplifying both the application and approval process as well as tracking of renewable energy projects. Michelle McConkie, Director

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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>
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<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**B) Department head approval of regulatory impact analysis:**

The Director of the Department of School and Institutional Trust Lands Administration, Michelle McConkie, has reviewed and approved this fiscal analysis.

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Subsection 53C-1-302(1)(a)(ii)	Subsection 53C-2-402(1)
Article X	Article XX	Subsection 53C-2-201(1)(a)

**Public Notice Information**

**9. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

**A) Comments will be accepted until:** 08/01/2022

**10. This rule change MAY become effective on:** 08/08/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Michelle McConkie, Director	<b>Date:</b>	06/13/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Repeal and Reenact		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R850-30</b>	<b>Filing ID</b> <b>54683</b>

**Agency Information**

<b>1. Department:</b>	School and Institutional Trust Lands Administration
<b>Agency:</b>	Administration

<b>Room no.:</b>	Suite 500	
<b>Street address:</b>	675 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84102-2818	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Michelle McConkie	801-538-5183	meastmconkie@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 or section catchline:</b>
R850-30. Special Use Leases
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The current Special Use Lease rule needs clarification and reorganization so that it is consistent with other agency administrative rules, particularly the new Renewable Energy Lease rule (proposed Rule R850-170) that is being considered under a separate rule filing. The revised rule streamlines and simplifies rule language, clarifies out of date language, and provides better organization to the rule structure. The revised rule updates requirements related to the solicitation and evaluation of lease proposals and the determination of lease rates to align with current business practices. Finally, the reenacted rule updates provisions related to financial guarantees required by the agency and clarifies lease assignment and sublease procedures.
(EDITOR'S NOTE: The proposed new Rule R850-170 is under ID 54684 in this issue, July 1, 2022, of the Bulletin.)
<b>4. Summary of the new rule or change (What does this filing do)</b>
The repeal of the current Special Use Lease rule and reenactment of the revised rule is to streamline and simplify rule language, provide better organization to this rule, and update requirements and procedures to align with current business practices.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The purpose of the repeal of the current rule and reenactment of revised language is to streamline and simplify rule language, provide better organization to the

rules, and update requirements and procedures to align with current business practices. Changes to this rule will mainly impact internal technical aspects regarding processing of lease applications and administration of leases by the agency. It is not anticipated that there would be additional costs or savings to the state budget as a result of the revised rule.

**B) Local governments:**

The purpose of the repeal of the current rule and reenactment of revised language is to streamline and simplify rule language, provide better organization to the rule, and update requirements and procedures to align with current business practices. Changes to this rule will mainly impact internal technical aspects regarding processing of lease applications and administration of leases by the agency.

Local governments occasionally lease trust lands for government purposes such as water storage tanks. It is not anticipated that enactment of the revised rules will result in any changes to lease rates paid to the School and Institutional Trust Lands Administration (SITLA) by local governments for current and/or future leases.

Local governments are also impacted by the issuance of leases on trust lands as they review and provide input on lease proposals, issue conditional use permits, regulate land uses, and collect taxes. It is not anticipated that the revised rule would result in any changes to the current impacts of SITLA's leasing program on local governments. The volume of leases issued by the agency is largely dependent on outside market forces and will not be impacted by the proposed rule revisions.

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

The purpose of the repeal of the current rule and reenactment of the revised language is to streamline and simplify rule language, provide better organization to the rule, and update requirements and procedures to align with current business practices.

Changes to this rule will mainly impact internal technical aspects regarding processing of lease applications and administration of leases by the agency. Small businesses occasionally lease trust lands for various purposes. It is not anticipated that enactment of the revised language will result in any changes to lease rates paid to SITLA for current and/or future leases.

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

The purpose of the repeal of the current rule and reenactment of the revised language is to streamline and simplify rule language, provide better organization to the rule, and update requirements and procedures to align with current business practices.

Changes to this rule will mainly impact internal technical aspects regarding processing of lease applications and administration of leases by the agency. Non-small businesses frequently lease trust lands for various purposes. It is not anticipated that enactment of the revised language will result in any changes to lease rates paid to SITLA for current and/or future leases.

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

The purpose of the repeal of the current rule and reenactment of the revised language is to streamline and simplify rule language, provide better organization to the rule, and update requirements and procedures to align with current business practices. Changes to this rule will mainly impact internal technical aspects regarding processing of lease applications and administration of leases by the agency. Other persons occasionally lease trust lands for various purposes. It is not anticipated that enactment of the revised language will result in any changes to lease rates paid to SITLA for current and/or future leases.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

The purpose of the repeal of the current rule and reenactment of the revised language is to streamline and simplify rule language, provide better organization to the rule, and update requirements and procedures to align with current business practices.

Changes to this rule will mainly impact internal technical aspects regarding processing of lease applications and administration of leases by the agency. No direct compliance costs will be charged as a result of these rule changes and no indirect compliance costs are anticipated.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

The purpose of the repeal of the current rule and reenactment of the revised language is to streamline and simplify rule language, provide better organization to the rule, and update requirements and procedures to align with current business practices.

Changes to this rule will mainly impact internal technical aspects regarding processing of lease applications and administration of leases by the agency. No adverse fiscal impact for businesses is anticipated. Michelle McConkie, Director

**6. A) 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>FY2022</b>	<b>FY2023</b>	<b>FY2024</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) Department head approval of regulatory impact analysis:**

The Director of the Department of School and Institutional Trust Lands Administration, Michelle McConkie, has reviewed and approved this fiscal analysis.

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Subsection 53C-1-302(1)(a)	Subsection 53C-4-101(1)
Article X	Article XX	Subsection 53C-4-202

**Public Notice Information**

**9. The public may submit written or oral comments to the agency identified in box 1. (The public may also**

NOTICES OF PROPOSED RULES

request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

**A) Comments will be accepted until:** 08/01/2022

**10. This rule change MAY become effective on:** 08/08/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Michelle McConkie, Director	<b>Date:</b>	06/13/2022
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NOTICE OF PROPOSED RULE	
<b>TYPE OF RULE:</b> New	
<b>Utah Admin. Code Ref (R no.):</b>	<b>R850-170</b> <b>Filing ID 54684</b>

**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 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84102-2818	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Keli Beard	801-538-5185	kelibeard@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 or section catchline:</b>
R850-170. Renewable Energy Lease Agreements
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Renewable Energy Leases on Trust Lands have historically been reviewed and processed under differing rules and requirements based on their location. (i.e., as

Surface Leases, Development Leases, or Mineral Leases). This proposed rule clarifies and classifies all Renewable Energy Projects (solar, wind, geothermal, and green hydrogen) into their own category for both continuity and clarification. The proposed rule is largely in line with the School and Institutional Trust Lands Administration's (SITLA) surface rule requirements for application acceptance, processing, review, and public notice procedures.

**4. Summary of the new rule or change** (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

This proposed rule establishes the Renewable Energy Lease types and procedures for the application, processing, and review of those projects. Geothermal projects will be classified in the new Renewable Energy lease's category, therefore adding this rule will also allow for the repeal of Rule R850-27, Geothermal Steam.

(EDITOR'S NOTE: The proposed repeal of Rule R850-27 is under ID 54685 in this issue, July 1, 2022, of the Bulletin.)

**Fiscal Information**

**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:**

**A) State budget:**  
The purpose of establishing the new Renewable Energy rules is to streamline and help eliminate confusion on the part of applicants and developers of renewable energy projects on Trust Lands. Some of the processes in the review of those projects would require additional administrative steps and Board Approvals, which were deemed to not be necessary and overly burdensome to both staff and applicants. It is not anticipated that there would be any additional costs and streamlining the process for both applicants and staff could see some minimal savings to the agency and applicants.

**B) Local governments:**  
The current leasing process for renewable energy projects requires notification to the Resource Development Coordinating Committee (RDCC), Local Association of Governments, and the County that the project is located in. This process would be not change and is incorporated into this rule. No fiscal impact is anticipated to local governments with this proposed rule.

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
The purpose of this proposed rule is to streamline and simplify rule language and update requirements and procedures to align with current business practices. This rule will mainly impact internal technical aspects regarding processing of lease applications. Renewable Energy

projects are not typically pursued by small business; however these changes would make the process easier to understand and follow.

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

The purpose of this proposed rule is to streamline and simplify rule language and update requirements and procedures to align with current business practices. This rule will mainly impact internal technical aspects regarding processing of lease applications. However, Renewable Energy projects are typically pursued by larger National and International developers. Having consistent rules and process' for review of those proposals will allow for conformity in the process.

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

The purpose of this proposed rule is to streamline and simplify rule language and update requirements and procedures to align with current business practices. This rule will mainly impact internal technical aspects regarding processing of lease applications. Other Persons may occasionally lease Trust lands for Renewable Energy projects. Having consistent rules and process' for review of those proposals will allow for conformity in the process.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

No direct compliance costs will be charged as a result of these rule changes and no indirect compliance costs are anticipated.

**G) Comments by the department head on the fiscal impact this rule may have on businesses** (Include the name and title of the department head):

Renewable Energy leases have always been allowed on Trust Lands but were being tracked through differing lease types. These rule changes allow for Renewable Energy Leases (wind, solar, geothermal, and green hydrogen) to be tracked and processed as Renewable Energy leases, thus simplifying both the application and approval process as well as tracking of renewable energy projects. No adverse fiscal impact for business is anticipated. Michelle McConkie, Director

**6. A) 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	FY2022	FY2023	FY2024

State Government	\$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>

Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<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>
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**B) Department head approval of regulatory impact analysis:**

The Director of the Department of School and Institutional Trust Lands Administration, Michelle McConkie, has reviewed and approved this fiscal analysis.

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Subsection 53C-1-302(1)(a)	Subsection 53C-4-101(1)
Article X	Article XX	Section 53C-4-202

**Public Notice Information**

**9. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

<b>A) Comments will be accepted until:</b>	08/01/2022
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NOTICES OF PROPOSED RULES

<b>10. This rule change MAY become effective on:</b>	08/08/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Michelle McConkie, Director	<b>Date:</b>	06/13/2022
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**End of the Notices of Proposed Rules Section**

# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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 [adminrules.utah.gov](http://adminrules.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.):	R68-15	Filing ID: 50149
Effective Date:	06/03/2022	

### Agency Information

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Plant Industry	
<b>Building:</b>	4315 S 2700 W, TSOB, South Bldg, Floor 2	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Robert Hougaard	801-982-2305	rhougaard@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

### General Information

<b>2. Rule catchline:</b>
R68-15. Quarantine Pertaining to Japanese Beetle, (Popillia Japonica)
<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 promulgated under the authority of Subsection 4-2-103(1)(k)(ii) which allows the Department of Agriculture and Food to establish and enforce quarantines.
<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.
<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 is necessary because it is necessary to protect the state from damage from the Japanese Beetle. Therefore, this rule should be continued.

### Agency Authorization Information

<b>Agency head or designee, and title:</b>	Craig W. Buttars, Commissioner	<b>Date:</b>	06/03/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R68-23	Filing ID: 50156
Effective Date:	06/03/2022	

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Plant Industry	
<b>Street address:</b>	4315 S 2700 W, TSOB, South Bldg, Floor 2	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Robert Hougaard	801-982-2305	rhougaard@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R68-23. Utah Firewood Quarantine
<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 Subsection 4-2-103(1)(k)ii that allows the Department of Agriculture and Food to establish and enforce quarantines.
<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.
<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 is necessary because it will help prevent the movement of invasive insects transported by firewood that could be extremely damaging to Utah plants. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Craig W. Buttars, Commissioner	<b>Date:</b>	06/03/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

Utah Admin. Code Ref (R no.):	R343-11	Filing ID: 50844
Effective Date:	06/13/2022	

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Nondepository Lenders	
<b>Room no.:</b>	201	
<b>Street address:</b>	324 S State St	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2393	
<b>Mailing address:</b>	PO Box 146800	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6800	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8855	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R343-11. Rule Designating Applicable Federal Law for a Mortgage Lender, Broker, or Servicer Subject to the Jurisdiction of the Department of Financial Institutions
<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 rule designates which one or more federal laws are applicable to a mortgage lender, broker or servicers subject to the jurisdiction of the Department of Financial Institutions (Department). This rule establishes that designated federal law may only be enforced by the Department by taking action permitted under Title 70D and the applicable chapters set forth in Subsection 70D-2-502(2).
<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 supporting or opposing written comments have been received since the last notice of continuation.

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

Subsection 70D-2-502(2) requires that the Department designate, by rule, which one or more federal laws are applicable to a person subject to the jurisdiction of the Department. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Darryle Rude, Interim Commissioner	<b>Date:</b>	06/13/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-122</b>	<b>Filing ID: 53986</b>
<b>Effective Date:</b>	<b>06/03/2022</b>	

**Agency Information**

<b>1. Department:</b>	Insurance	
<b>Agency:</b>	Administration	
<b>Room no.:</b>	Suite 2300	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
R590-122. Permissible Arbitration Provisions
<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 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.

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

The Department of Insurance has received no written comments regarding this rule during the past five years.

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

This rule is important because it provides guidance to an insurer about the type of arbitration provisions that may be put into an insurance policy. These provisions provide steps to be taken by insureds who disagree with the settlement of their claims and would like to involve a third party in the settlement process. This rule sets standards for disclosure to make sure policy provisions are fair and nondiscriminatory. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	06/03/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-149</b>	<b>Filing ID: 54098</b>
<b>Effective Date:</b>	<b>06/03/2022</b>	

**Agency Information**

<b>1. Department:</b>	Insurance	
<b>Agency:</b>	Administration	
<b>Room no.:</b>	Suite 2300	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov

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

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

**General Information**

<b>2. Rule catchline:</b>
R590-149. Americans with Disabilities Act Grievance Procedures
<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 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
<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 of Insurance (Department) has received no written comments regarding this rule during the past five years.
<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 implements 28 CFR 35 and Title II of the Americans with Disabilities Act. This rule is important because it provides that no qualified individual with a disability, by reason of such disability, be excluded from participation in or the benefits of the services, programs, and activities of the Department. This rule must remain in force to keep the Department in compliance with the federal Americans with Disabilities Act. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	06/03/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-240</b>	<b>Filing ID:</b>	<b>51422</b>
<b>Effective Date:</b>	<b>06/03/2022</b>		

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room no.:</b>	Suite 2300
<b>Building:</b>	Taylorville State Office Building
<b>Street address:</b>	4315 S 2700 W
<b>City, state and zip:</b>	Taylorville, UT 84129
<b>Mailing address:</b>	PO Box 146901

<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R590-240. Procedure to Obtain Exemption of Student Health Programs From Insurance Code
<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>
Subsection 31A-1-103(3)(d) specifies by rule the business transactions that are exempted from insurance regulation. Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
<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 of Insurance has received no written comments regarding this rule during the past five years.
<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 is important because it provides guidance regarding procedures that an institution of higher education must follow in order to obtain exemption of a student health program from the Insurance Code. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	06/03/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R616-1</b>	<b>Filing ID:</b>	<b>51531</b>
<b>Effective Date:</b>	<b>06/03/2022</b>		

**Agency Information**

<b>1. Department:</b>	Labor Commission
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<b>Agency:</b>	Boiler, Elevator and Coal Mine Safety	
<b>Room no.:</b>	3rd Floor	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 146600	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6600	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Pete Hackford	801-536-7605	phackford@utah.gov
Chris Hill	801-530-6113	chill@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R616-1 Coal, Gilsonite, or other Hydrocarbon Mining Certification
<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 34A-1-104 gives the Labor Commission (Commission) authority to establish rules to administer and enforce all laws for the protection of the life, health, and safety of employees. Section 40-2-401 authorizes the Commission to certify individuals involved in coal, gilsonite, or other hydrocarbon mining pursuant to rules established by the Commission.
<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 have been 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>
In light of the Commission's continuing certification of individuals involved in Utah's coal, gilsonite or other hydrocarbon mining industries, this rule remains necessary. Therefore, this rule should be continued.
The Commission has received no comments in opposition to this rule.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Jaceson R. Maughan, Commissioner	<b>Date:</b>	05/27/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R657-28</b>	<b>Filing ID:</b>	<b>51757</b>
<b>Effective Date:</b>	<b>06/13/2022</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Wildlife Resources	
<b>Room no.:</b>	Suite 2110	
<b>Building:</b>	DNR – Salt Lake Complex	
<b>Street address:</b>	1594 W North Temple	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R657-28. Use of Division Lands
<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 23-14-8 authorizes the director of the Division of Wildlife Resources (Division) full control of all property acquired and held for the purposes specified in this title.
<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 supporting or opposing Rule R657-28 were received since June 2017, when this rule was last reviewed.
<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>

Rule R657-28 is necessary to provide the application procedures and administration of rights-of-way, leases, and special use permits on Division land. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	J Shirley, Division Director	<b>Date:</b>	06/13/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R657-29</b>	<b>Filing ID:</b>	<b>51756</b>
<b>Effective Date:</b>	<b>06/13/2022</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Wildlife Resources	
<b>Room no.:</b>	Suite 2110	
<b>Building:</b>	DNR – Salt Lake Complex	
<b>Street address:</b>	1594 W North Temple	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R657-29. Government Records Access Management Act
<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>
Subsection 63G-2-204(2) authorizes the Division of Wildlife Resources (Division) to make rules in accordance with Title 63G, Chapter 2, Government Records Access Management Act, specifying where and to whom requests for records access shall be directed.
<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 Division and the Wildlife Board have not received written comments, either in support or opposition to Rule R657-29 since the last review in 2017.

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

Rule R657-29 is necessary to provide an effective and efficient process prescribing where and to whom requests for information shall be directed and provide procedures for access to Division records as allowed under Subsection 63G-2-204(2). Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	J Shirley, Division Director	<b>Date:</b>	06/13/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R657-64</b>	<b>Filing ID:</b>	<b>51777</b>
<b>Effective Date:</b>	<b>06/13/2022</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Wildlife Resources	
<b>Room no.:</b>	Suite 2110	
<b>Building:</b>	DNR – Salt Lake Complex	
<b>Street address:</b>	1594 W North Temple	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R657-64. Predator Control Incentives
<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>

Under Sections 23-14-18 and 23-14-19, the Wildlife Board is authorized and required to regulate and prescribe the means by which wildlife may be taken.

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

The Division of Wildlife Resources (Division) has not received any written comments regarding this rule. Any comments received in opposition to this rule are resolved using existing policies and procedures or the issue is placed on the Regional Advisory Council's and Wildlife Board's agenda for review and discussion during the process for taking public input. The public is welcome to view the Regional Advisory Council minutes, Wildlife Board minutes, and administrative record for this rule at the Division.

**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 purpose of this rule is to allow the Division flexibility with participants in the Targeted Predator Control Program for effectively controlling coyotes in a targeted area that are detrimental to mule deer production. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	J Shirley, Division Director	<b>Date:</b>	06/13/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R708-47</b>	<b>Filing ID:</b>	<b>51896</b>
<b>Effective Date:</b>	<b>06/07/2022</b>		

**Agency Information**

<b>1. Department:</b>	Public Safety		
<b>Agency:</b>	Driver License		
<b>Street address:</b>	4501 S 2700 W		
<b>City, state and zip:</b>	Salt Lake City, UT 84129		
<b>Mailing address:</b>	PO Box 144501		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4501		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Kim Gibb	801-556-8198	kgibb@utah.gov	

Tara Zamora	801-964-4483	tarazamora@utah.gov
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Britani Flores	801-884-8313	bflores@utah.gov
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Please address questions regarding information on this notice to the agency.

**General Information**

**2. Rule catchline:**

R708-47. Emergency Contact Database

**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 Subsection 53-3-205.6(4) which requires the Driver License Division to establish a method for an individual who holds a license certificate, learner permit, or identification card to provide emergency contacts in the event the individual is in an accident or for any other emergency in which the individual is not able to communicate with the contact person or persons.

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

There have not been any written comments received since the last five year review of this rule.

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

This rule is authorized by Subsection 53-3-205.6(4) and is necessary to establish the Emergency Contact Database needed to house emergency contacts of a person who holds a license certificate, learner permit, identification card or any other type of license or permit issued under Title 53, Chapter 3, Uniform Driver Licensing Act. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Christopher Caras, Division Director	<b>Date:</b>	06/01/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R708-48</b>	<b>Filing ID:</b>	<b>51891</b>
<b>Effective Date:</b>	<b>06/07/2022</b>		

**Agency Information**

<b>1. Department:</b>	Public Safety	
<b>Agency:</b>	Driver License	
<b>Street address:</b>	4501 S 2700 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84129	
<b>Mailing address:</b>	PO Box 144501	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4501	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kim Gibb	801-556-8198	kgibb@utah.gov
Tara Zamora	801-964-4483	tarazamora@utah.gov
Britani Flores	801-884-8313	bflores@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
R708-48. Ignition Interlock System Program
<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 by Section 53-3-1004 which requires the Driver License Division (Division) to make rules that establish requirements for the licensure of a provider and installer of an ignition interlock system, and Section 53-3-1007 which requires the Division to make rules that establish procedures for certifying and regulating providers and installers of ignition interlock systems, acceptable proof of installation of an ignition interlock device, a system provider to electronically notify the Division, and for the administration of the Ignition Interlock System Program.
<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 have not been any written comments received 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>
This rule is authorized by Sections 53-3-1004 and 53-3-1007 and is necessary to establish the licensure, certification and regulation of ignition interlock system providers and installers. In addition, it is necessary to

establish the procedures for providing proof of installation of an ignition interlock device, and for establishing a system provider with an electronic means to notify the division of installation and removal of an ignition interlock device. Finally, this rule is necessary for the administration of the Ignition Interlock System Program. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Christopher Caras, Division Director	<b>Date:</b>	06/01/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R994-102</b>	<b>Filing ID:</b>	<b>54440</b>
<b>Effective Date:</b>	<b>06/09/2022</b>		

**Agency Information**

<b>1. Department:</b>	Workforce Services	
<b>Agency:</b>	Unemployment Insurance	
<b>Building:</b>	Olene Walker Building	
<b>Street address:</b>	140 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 45244	
<b>City, state and 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	801-526-9653	ampeck@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
R994-102. Employment Security Act, Public Policy and Authority
<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 35A-1-104 authorizes the Department of Workforce Services (Department) to adopt rules and establish eligibility standards for its programs. Section 35A-4-502 authorizes the Department to adopt rules necessary for the administration of the Employment Security Act. Section 35A-4-102 describes the public policy of the Employment Security Act.

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

No written comments have been received during the last five years or 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 explains the purpose of Employment Security Act, including the stimulative nature of unemployment benefits in accordance with federal law and guidance. This rule is necessary to identify some limits to the receipt of benefits and accurately reflects Utah statutes and case law. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	06/09/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R994-106</b>	<b>Filing ID:</b>	<b>54480</b>
<b>Effective Date:</b>	<b>06/09/2022</b>		

**Agency Information**

<b>1. Department:</b>	Workforce Services		
<b>Agency:</b>	Unemployment Insurance		
<b>Building:</b>	Olene Walker Building		
<b>Street address:</b>	140 E 300 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111		
<b>Mailing address:</b>	PO Box 45244		
<b>City, state and 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	801-526-9653	ampeck@utah.gov	
Please address questions regarding information on this notice to the agency.			

**General Information**

<b>2. Rule catchline:</b>
R994-106. Combined-Wage Claims

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

Section 35A-1-104 authorizes the Department of Workforce Services (Department) to adopt rules and establish eligibility standards for its programs. Section 35A-4-502 authorizes the Department to adopt rules necessary for the administration of the Employment Security Act. Section 35A-4-106 authorizes the Department to enter into reciprocal arrangements with other jurisdictions for the payment of unemployment insurance benefits when an individual has wages and covered employment in more than one jurisdiction.

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

No written comments have been received during the last five years or 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 explains the process for evaluating a combined-wage claim, defines the paying and transferring state in a combined-wage claim and their respective roles, and identifies limits on a combined-wage claim. This rule also identifies the procedure for appealing a combined-wage claim determination. Combined-wage claims are primarily governed by interstate agreements and this rule is necessary to explain the process for such claims. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	06/09/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R994-303</b>	<b>Filing ID:</b>	<b>54505</b>
<b>Effective Date:</b>	<b>06/09/2022</b>		

**Agency Information**

<b>1. Department:</b>	Workforce Services		
<b>Agency:</b>	Unemployment Insurance		
<b>Building:</b>	Olene Walker Building		
<b>Street address:</b>	140 E 300 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111		

<b>Mailing address:</b>	PO Box 45244	
<b>City, state and 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	801-526-9653	ampeck@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R994-303. Contribution Rates
<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 35A-1-104 authorizes the Department of Workforce Services (Department) to adopt rules and establish eligibility standards for its programs. Section 35A-4-502 authorizes the Department to adopt rules necessary for the administration of the Employment Security Act. Section 35A-4-303 describes how an employer's contribution rate is determined, including how to calculate social costs and reserves.
<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 have been received during the last five years or 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 is necessary to explain how contribution rates are assigned and calculated for each employer including how the Department calculates experience ratings using the reserve factor and benefit ratio. This rule also describes how employer successorship is determined and how it affects the contribution rate to avoid "SUTA dumping" (a process in which an employer changes ownership to avoid a high experience rating in an effort to lower state unemployment taxes). SUTA dumping rules are required under agreements with the Department's federal partners. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	06/09/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	R994-401	<b>Filing ID:</b> 54506
<b>Effective Date:</b>	06/09/2022	

**Agency Information**

<b>1. Department:</b>	Workforce Services
<b>Agency:</b>	Unemployment Insurance
<b>Building:</b>	Olene Walker Building
<b>Street address:</b>	140 E 300 S
<b>City, state and zip:</b>	Salt Lake City, UT 84111
<b>Mailing address:</b>	PO Box 45244
<b>City, state and 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	801-526-9653 ampeck@utah.gov
Please address questions regarding information on this notice to the agency.	

**General Information**

<b>2. Rule catchline:</b>
R994-401. Payment of Benefits
<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 35A-1-104 authorizes the Department of Workforce Services (Department) to adopt rules and establish eligibility standards for its programs. Section 35A-4-502 authorizes the Department to adopt rules necessary for the administration of the Employment Security Act. Section 35A-4-401 authorizes the Department to prescribe rules for determining an individual's monetary eligibility for unemployment insurance benefits and for calculating the amount benefits payable to an individual who is unemployed.
<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 have been received during the last five years or 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 is necessary to determine an individual's monetary eligibility for benefits, the weekly benefit amount, and the maximum benefit amount for each claim. This rule

also explains what wages are used for determining eligibility and how retirement is counted when determining the weekly benefit amount. This rule is also necessary for determining concurrent liability when there is no separation from a part-time reimbursable employer. Finally, this rule explains a claimant's obligations for reporting income while receiving unemployment benefits. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	06/09/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R994-402</b>	<b>Filing ID: 54507</b>
<b>Effective Date:</b>	<b>06/09/2022</b>	

**Agency Information**

<b>1. Department:</b>	Workforce Services	
<b>Agency:</b>	Unemployment Insurance	
<b>Building:</b>	Olene Walker Building	
<b>Street address:</b>	140 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 45244	
<b>City, state and 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	801-526-9653	ampeck@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R994-402. Extended Benefits (EB)
<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 35A-1-104 authorizes the Department of Workforce Services (Department) to adopt rules and establish eligibility standards for its programs. Section 35A-4-502 authorizes the Department to adopt rules necessary for the administration of the Employment Security Act. Section 35A-4-402 describes the eligibility criteria for the payment of extended benefits.
<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 have been received during the last five years or 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>
Extended benefits are benefits payable to certain claimants when the state's unemployment rate has exceeded certain thresholds as determined by the Department in accordance with federal regulations. This rule is necessary to describe the eligibility criteria for extended benefits, which are different from regular unemployment insurance benefits. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	06/09/2022
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**End of the Five-Year Notices of Review and Statements of Continuation Section**



## NOTICES OF FIVE-YEAR EXPIRATIONS

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Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). The Office of Administrative Rules (Office) is required to notify agencies of rules due for review at least 180 days prior to the anniversary date. If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR EXTENSION (EXTENSION)** with the Office. However, if the agency fails to file either the **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION** or the **EXTENSION** by the date provide by the Office, the rule expires.

Upon expiration of the rule, the Office files a **NOTICE OF FIVE-YEAR EXPIRATION (EXPIRATION)** to document the action. The Office is required to remove the rule from the *Utah Administrative Code*. The agency may no longer enforce the rule and it must follow regular rulemaking procedures to replace the rule if it is still needed.

The Office has filed **EXPIRATIONS** for each of the rules listed below which were not reviewed in accordance with Section 63G-3-305. These rules have expired and have been removed from the *Utah Administrative Code*.

The expiration of administrative rules for failure to comply with the five-year review requirement is governed by Subsection 63G-3-305(8).

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NOTICE OF EXPIRED RULE		
Utah Admin. Code Ref (R no.):	R277-520	ID No. 54531

### Agency Information

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Street address:</b>	250 E 500 S	
<b>City, state, and zip:</b>	Salt Lake City, UT 84111	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

### General Information

<b>2. Title of rule (catchline):</b>	
R277-520. Appropriate Licensing and Assignment of Teachers	
<b>3. Effective Date:</b>	06/07/2022
<b>4. Summary:</b>	
The five-year review and notice of continuation was not filed for this rule by the deadline. This rule has expired and was removed from the Utah Administrative Code.	

**End of the Notices of Notices of Five Year Expirations 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** or **CHANGES IN PROPOSED RULES** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** or a related **CHANGE IN PROPOSED RULE** the rule lapses.

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

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

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### Agriculture and Food

#### Administration

No. 54442 (Amendment) R51-6: Agricultural Advisory Board Electronic Meetings  
Published: 04/15/2022  
Effective: 06/01/2022

No. 54443 (Amendment) R51-7: Open and Public Meetings Act Electronic Meetings  
Published: 04/15/2022  
Effective: 06/01/2022

#### Conservation Commission

No. 54444 (Amendment) R64-2: Conservation Commission Electronic Meetings  
Published: 04/15/2022  
Effective: 06/01/2022

#### Plant Industry

No. 54519 (Amendment) R68-3: Utah Fertilizer Rule  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54517 (Amendment) R68-5: Grain Inspection  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54518 (Amendment) R68-6: Utah Nursery Act  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54541 (Amendment) R68-9: Utah Noxious Weed Act  
Published: 05/15/2022  
Effective: 06/21/2022

No. 54513 (Amendment) R68-10: Quarantine Pertaining to the European Corn Borer  
Published: 05/01/2022  
Effective: 06/21/2022

No. 54512 (Amendment) R68-11: Quarantine Pertaining to the Emerald Ash Borer  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54514 (Amendment) R68-14: Quarantine Pertaining to the Gypsy Moth - *Lymantria Dispar*  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54515 (Amendment) R68-15: Quarantine Pertaining to Japanese Beetle, *Popillia japonica*  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54516 (Amendment) R68-18: Quarantine Pertaining to Karnal Bunt  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54511 (Amendment) R68-19: Compliance Procedures  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54504 (Amendment) R68-20: Utah Organic Standards  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54534 (Amendment) R68-27: Cannabis Cultivation  
Published: 05/01/2022  
Effective: 06/08/2022

No. 54535 (Amendment) R68-30: Independent Cannabis Testing Laboratory  
Published: 05/01/2022  
Effective: 06/08/2022

NOTICES OF RULE EFFECTIVE DATES

No. 54536 (Amendment) R68-32: Sale and Transfer of Industrial Hemp Waste Material to Medical Cannabis Cultivators  
Published: 05/01/2022  
Effective: 06/08/2022

Regulatory Services

No. 54446 (Amendment) R70-520: Standards of Identity and Labeling Requirements for Honey  
Published: 04/15/2022  
Effective: 06/01/2022

Education

Administration

No. 54526 (Amendment) R277-110: Educator Salary Adjustment  
Published: 05/01/2022  
Effective: 06/07/2022

No. 54525 (New Rule) R277-124: Teacher Bonuses for Extra Assignments  
Published: 05/01/2022  
Effective: 06/07/2022

No. 54527 (Amendment) R277-301: Educator Licensing  
Published: 05/01/2022  
Effective: 06/07/2022

No. 54528 (Amendment) R277-312: Online Educator Licensure  
Published: 05/01/2022  
Effective: 06/07/2022

No. 54529 (Amendment) R277-433: Disposal of Textbooks in the Public Schools  
Published: 05/01/2022  
Effective: 06/07/2022

No. 54530 (Amendment) R277-489: Kindergarten Entry and Exit Assessment - Enhanced Kindergarten Program  
Published: 05/01/2022  
Effective: 06/07/2022

Government Operations

Risk Management

No. 54473 (Amendment) R37-4: Adjusted Utah Governmental Immunity Act Limitations on Judgments Amendments  
Published: 05/01/2022  
Effective: 07/01/2022

Human Resource Management

No. 54556 (Amendment) R477-1: Definitions  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54557 (Amendment) R477-2: Administration  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54558 (Amendment) R477-3: Classification  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54559 (Amendment) R477-4: Filling Positions  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54560 (Amendment) R477-5: Employee Status and Probation  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54561 (Amendment) R477-6: Compensation  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54562 (Amendment) R477-7: Leave  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54563 (Amendment) R477-8: Working Conditions  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54564 (Amendment) R477-9: Employee Conduct  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54565 (Amendment) R477-10: Employee Development  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54566 (Amendment) R477-11: Discipline  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54567 (Amendment) R477-12: Separations  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54568 (Amendment) R477-13: Volunteer Programs  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54569 (Amendment) R477-14: Substance Abuse and Drug-Free Workplace  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54570 (Amendment) R477-15: Workplace Harassment Prevention  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54571 (Amendment) R477-16: Abusive Conduct Prevention  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54572 (Amendment) R477-101: Administrative Law Judge Conduct Committee  
 Published: 05/15/2022  
 Effective: 07/01/2022

Health

Child Care Center Licensing Committee  
 No. 54342 (Amendment) R381-40: Commercial Preschool Programs  
 Published: 02/01/2022  
 Effective: 06/01/2022

No. 54343 (Amendment) R381-60: Hourly Child Care Centers  
 Published: 02/01/2022  
 Effective: 06/01/2022

No. 54344 (Amendment) R381-70: Out of School Time Child Care Programs  
 Published: 02/01/2022  
 Effective: 06/01/2022

No. 54345 (Amendment) R381-100: Child Care Centers  
 Published: 02/01/2022  
 Effective: 06/01/2022

Disease Control and Prevention, Environmental Services  
 No. 54412 (Amendment) R392-101: Food Safety Manager Certification  
 Published: 04/01/2022  
 Effective: 06/21/2022

No. 54409 (Amendment) R392-105: Agritourism Food Establishment Sanitation  
 Published: 04/01/2022  
 Effective: 06/21/2022

No. 54382 (Amendment) R392-301: Recreational Vehicle Park Sanitation  
 Published: 03/15/2022  
 Effective: 05/31/2022

No. 54381 (Amendment) R392-702: Cosmetology Facility Sanitation  
 Published: 03/15/2022  
 Effective: 05/31/2022

Family Health and Preparedness, WIC Services  
 No. 54399 (Repeal and Reenact) R406-100: Special Supplemental Nutrition Program for Women, Infants and Children  
 Published: 04/01/2022  
 Effective: 06/21/2022

No. 54400 (Repeal) R406-200: Program Overview  
 Published: 04/01/2022  
 Effective: 06/21/2022

No. 54401 (Repeal) R406-201: Outreach Program  
 Published: 04/01/2022  
 Effective: 06/21/2022

No. 54402 (Repeal) R406-202: Eligibility  
 Published: 04/01/2022  
 Effective: 06/21/2022

No. 54403 (Repeal) R406-301: Clinic Guidelines  
 Published: 04/01/2022  
 Effective: 06/21/2022

Health Care Financing, Coverage and Reimbursement Policy  
 No. 54413 (Amendment) R414-308: Application, Eligibility Determinations, Improper Medical Assistance, and Suspension of Benefits  
 Published: 04/01/2022  
 Effective: 05/31/2022

Family Health and Preparedness, Emergency Medical Services  
 No. 54386 (Amendment) R426-2: Emergency Medical Services Provider Designations for Pre-Hospital Providers, Critical Incident Stress Management and Quality Assurance Reviews  
 Published: 03/15/2022  
 Effective: 05/31/2022

No. 54387 (Amendment) R426-5: Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards  
 Published: 03/15/2022  
 Effective: 05/31/2022

Family Health and Preparedness, Child Care Licensing  
 No. 54346 (Amendment) R430-8: Exemptions from Child Care Licensing  
 Published: 02/01/2022  
 Effective: 06/01/2022

No. 54347 (Amendment) R430-50: Residential Certificate Child Care  
 Published: 02/01/2022  
 Effective: 06/01/2022

No. 54348 (Amendment) R430-90: Licensed Family Child Care  
 Published: 02/01/2022  
 Effective: 06/01/2022

Family Health and Preparedness, Primary Care and Rural Health  
 No. 54496 (Repeal) R434-20: Repeal - R434-20. Behavioral Health Workforce Reinvestment Initiative  
 Published: 05/01/2022  
 Effective: 06/07/2022

No. 54497 (Amendment) R434-40: Utah Health Care Workforce Financial Assistance Program  
 Published: 05/01/2022  
 Effective: 06/07/2022

NOTICES OF RULE EFFECTIVE DATES

Human Services

Aging and Adult Services

No. 54291 (Repeal and Reenact) R510-100: Funding

Formulas

Published: 02/01/2022

Effective: 06/01/2022

Insurance

Administration

No. 54581 (Amendment) R590-102: Insurance Department

Fee Payment Rule

Published: 05/15/2022

Effective: 06/21/2022

No. 54582 (Amendment) R590-152: Health Discount

Programs and Value Added Benefit Rule

Published: 05/15/2022

Effective: 06/21/2022

No. 54481 (Amendment) R590-170: Fiduciary and Trust

Account Obligations

Published: 04/15/2022

Effective: 05/26/2022

No. 54524 (Repeal and Reenact) R590-173: Credit for Reinsurance

Published: 05/01/2022

Effective: 06/07/2022

No. 54520 (Amendment) R590-196: Bail Bond Premium and Fee Standards, Collateral Standards, and Disclosure Form

Published: 05/01/2022

Effective: 06/07/2022

No. 54521 (Amendment) R590-199: Plan of Orderly Withdrawal Rule Relating to Health Benefit Plans

Published: 05/01/2022

Effective: 06/07/2022

No. 54482 (Amendment) R590-203: Health Grievance Review Process

Published: 04/15/2022

Effective: 05/26/2022

No. 54483 (Amendment) R590-241: Preferred Mortality Tables to Determine Minimum Reserve Liabilities

Published: 04/15/2022

Effective: 05/26/2022

No. 54583 (Amendment) R590-243: Commercial Motor Vehicle Insurance Coverage

Published: 05/15/2022

Effective: 06/21/2022

No. 54584 (Amendment) R590-245: Self-Service Storage Insurance

Published: 05/15/2022

Effective: 06/21/2022

No. 54522 (Amendment) R590-271: Data Reporting for Consumer Quality Comparison

Published: 05/01/2022

Effective: 06/07/2022

Natural Resources

Water Resources

No. 54485 (New Rule) R653-10: 2021 Grant Money for Metering Existing Secondary Water Systems

Published: 04/15/2022

Effective: 06/01/2022

Pardons (Board of)

Administration

No. 54489 (Amendment) R671-203: Victim Input and Notification

Published: 05/01/2022

Effective: 06/09/2022

No. 54490 (Amendment) R671-205: Credit for Time Served

Published: 05/01/2022

Effective: 06/09/2022

No. 54509 (Repeal and Reenact) R671-207: Custody Transfer for Mentally Ill Offenders and Mentally

Decompensating Offenders

Published: 05/01/2022

Effective: 06/09/2022

No. 54487 (Amendment) R671-308: Offender Hearing Assistance

Published: 05/01/2022

Effective: 06/09/2022

No. 54488 (Amendment) R671-311: Special Attention Reviews, Hearing and Decisions

Published: 05/01/2022

Effective: 06/09/2022

No. 54493 (Amendment) R671-315: Pardons

Published: 05/01/2022

Effective: 06/09/2022

No. 54492 (Amendment) R671-403: Restitution

Published: 05/01/2022

Effective: 06/09/2022

No. 54508 (New Rule) R671-404: Restitution and Other Costs Applicable to Persons Sentenced on or After July 1, 2021

Published: 05/01/2022

Effective: 06/09/2022

No. 54491 (Amendment) R671-405: Parole Termination

Published: 05/01/2022

Effective: 06/09/2022

Public Safety

Driver License

No. 54538 (Repeal and Reenact) R708-37: Certification of Licensed Instructors of Commercial Driver Training Schools or Testing Only Schools to Administer Driving Skills Tests  
Published: 05/15/2022  
Effective: 06/22/2022

No. 54539 (Amendment) R708-46: Refugee, Asylee, or Covered Humanitarian Parolee Knowledge Test in Applicant's Native Language  
Published: 05/15/2022  
Effective: 06/22/2022

Transportation

Administration

No. 54542 (Amendment) R907-66: Procurement of Consultant Services - Procedures and Contract Administration  
Published: 05/15/2022  
Effective: 06/21/2022

Workforce Services

Employment Development

No. 54576 (Amendment) R986-100: Employment Support Programs  
Published: 05/15/2022  
Effective: 07/01/2022

No. 54577 (Amendment) R986-300-306: Time Limits  
Published: 05/15/2022  
Effective: 06/21/2022

No. 54585 (Amendment) R986-700: Child Care Assistance  
Published: 05/15/2022  
Effective: 07/01/2022

Housing and Community Development

No. 54555 (Repeal) R990-12: State Small Business Credit Initiative Program Fund  
Published: 05/15/2022  
Effective: 07/01/2022

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