

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
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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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## 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 September 02, 2022, 12:00 a.m., and September 15, 2022, 11:59 p.m. are included in this, the October 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 October 31, 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 January 29, 2023, 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: Repeal		
Rule or Section Number:	R23-4	Filing ID: 54830

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Facilities Construction and Management	
<b>Room number:</b>	3626	
<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	
<b>Mailing address:</b>	PO Box 141160	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1160	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Mike Kelley	801-957-7239	mkelley@agutah.gov
Michelle Adams	801-957-7240	michelledadams@agutah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R23-4. Suspension/Debarment
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Executive Order No. 2021-12, Section 5(c)(i) requires each agency head to repeal rules that are no longer necessary. Rule R23-4 was last substantively amended 03/15/2005. Rule R23-4 cites Sections 63A-5-103, 63A-5-201, 63G-6-103, 63G-6-208, and 63G-6-804 through 63G-6-806, all of which have been superseded. Rule R23-4 is redundant of Sections 63A-5b-606 and 63G-6a-904.
<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>
This rulemaking action repeals Rule R23-4 in its entirety to conform to Executive Order No. 2021-12.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>																				
<b>A) State budget:</b>																				
None--Rule R23-4 is redundant of Sections 63A-5b-606 and 63G-6a-904.																				
<b>B) Local governments:</b>																				
None--Rule R23-4 is redundant of Sections 63A-5b-606 and 63G-6a-904.																				
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>																				
None--Rule R23-4 is redundant of Sections 63A-5b-606 and 63G-6a-904.																				
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>																				
None--Rule R23-4 is redundant of Sections 63A-5b-606 and 63G-6a-904.																				
<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>																				
None--Rule R23-4 is redundant of Sections 63A-5b-606 and 63G-6a-904.																				
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>																				
None--Rule R23-4 is redundant of Sections 63A-5b-606 and 63G-6a-904.																				
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>																				
<b>Regulatory Impact Table</b>																				
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2023</th> <th>FY2024</th> <th>FY2025</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table>	Fiscal Cost	FY2023	FY2024	FY2025	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0
Fiscal Cost	FY2023	FY2024	FY2025																	
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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Government Operations, Jenney Rees, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. 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>		
Subsection 63A-5b-305(2)(c)	Subsection 63G-6a-904(6)	

**Public Notice Information**

<b>8. 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>	10/31/2022

<b>9. This rule change MAY become effective on:</b>	11/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	James R. Russell, Director	<b>Date:</b>	08/22/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Repeal		
<b>Rule or Section Number:</b>	R23-9	<b>Filing ID:</b> 54834

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Facilities Construction and Management	
<b>Room number:</b>	3626	
<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	
<b>Mailing address:</b>	PO Box 141160	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1160	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Mike Kelley	801-957-7239	mkelley@agutah.gov
Michelle Adams	801-957-7240	michelledadams@agutah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R23-9. Cooperation with Local Government Planning
<b>3. Purpose of the new rule or reason for the change</b> (Why is the agency submitting this filing?):
Executive Order No. 2021-12, Section 5(c)(i) requires each agency head to repeal rules that are no longer necessary. Rule R23-9 cites Sections 63A-5-103 and 63A-5-206 which have been superseded. Rule R23-9 is redundant of Sections 63A-5b-604; 63A-5b-1104, 10-9a-304, and 17-27a-304.
<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):
This rulemaking action repeals Rule R23-9 to in its entirety to conform to Executive Order No. 2021-12.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
--

NOTICES OF PROPOSED RULES

<b>A) State budget:</b>			
None--Rule R23-9 is redundant of Sections 63A-5b-604; 63A-5b-1104, 10-9a-304, and 17-27a-304.			
<b>B) Local governments:</b>			
None--Rule R23-9 is redundant of Sections 63A-5b-604; 63A-5b-1104, 10-9a-304, and 17-27a-304.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
None--Rule R23-9 is redundant of Sections 63A-5b-604; 63A-5b-1104, 10-9a-304, and 17-27a-304.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
None--Rule R23-9 is redundant of Sections 63A-5b-604; 63A-5b-1104, 10-9a-304, and 17-27a-304.			
<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> ):			
None--Rule R23-9 is redundant of Sections 63A-5b-604; 63A-5b-1104, 10-9a-304, and 17-27a-304.			
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):			
None--Rule R23-9 is redundant of Sections 63A-5b-604; 63A-5b-1104, 10-9a-304, and 17-27a-304.			
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>

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

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Executive Director of the Department of Government Operations, Jenney Rees, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. 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 63A-5b-305(2)(c)		
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**Public Notice Information**

**8. 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>	10/31/2022
--	------------

<b>9. This rule change MAY become effective on:</b>	11/07/2022
---	------------

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	James R. Russell, Director	<b>Date:</b>	08/22/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Repeal and Reenact		
<b>Rule or Section Number:</b>	<b>R58-17</b>	<b>Filing ID:</b> <b>54866</b>

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Animal Industry	
<b>Building:</b>	4315 S 2700 W, TSOB, South Bldg, Floor 2	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Dean Taylor	385-290-9462	djtaylor@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:**

R58-17. Aquaculture and Aquatic Animal Health

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

Utah statute provides specific rulemaking authority over the aquatic animal health program to both the Department of Agriculture and Food (Department) (under Section 4-37-109) and the Fish Health Policy Board (Board) (under Section 4-37-503). Currently, the authority of both entities is addressed in this single rule which can be confusing and makes this rule more difficult to amend when changes are needed because the Board is required to approve changes that address their specific authority only. Accordingly, a repeal and reenact is necessary to reorganize this rule to more clearly divide the authority over the program between the Board (whose authority will be included in Rule R58-17) and the Department (whose will be included in a new rule, Rule R58-27, to be filed concurrently with these changes).

(EDITOR'S NOTE: The proposed new Rule R58-27 is under ID 54868 in this issue, October 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):**

Sections of the existing rule that address licensing and licensing renewal have been removed from this rule to be added to a new rule, R58-27. Sections addressing inspection requirements, health approval, pathogens, and protocols to respond to pathogen detection will remain in

this rule. This reorganization will help ensure that producers, the Department, and the Division of Wildlife Resources understands their roles and the required procedures they must follow when responding to a health emergency. Additionally, the rewrite has removed the list of pathogens and inspection requirements in favor of including those in the Aquatic Animal Inspection Policy. This enables the Board to respond to emerging disease threats or changes in pathogen distribution more efficiently. The Board is required to evaluate and update the policy as necessary or as a minimum every even numbered year. The changes also re-classify pathogens to prohibited, restricted, and reportable, and create restricted health approval for facilities to stay in operation while treating affected animals. Finally, nonsubstantive and formatting changes have been made to the text to make it more consistent with the requirements of the Utah Rulewriting Manual.

**Fiscal Information**

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

**A) State budget:**

This rule is clarifying only and does not add additional program requirements. There should be no fiscal impact to the state.

**B) Local governments:**

This rule does not add additional program requirements and is clarifying only. There should be no fiscal impact to local governments.

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

This rule does not add additional program requirements and includes clarifications only. There should be no fiscal impact to small businesses.

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

This rule does not add additional program requirements and includes clarifications only. There should be 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**):**

This rule does not add additional program requirements and includes clarifications only. There should be 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 general cost of participating in the aquaculture program will not change so there should be no change in compliance costs for affected persons.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The Commissioner of the Department of Agriculture and Food, Craig W Butters, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. 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 4-37-503		
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

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

<b>Official Title of Materials Incorporated (from title page)</b>	U.S. Fish and Wildlife Service and American Fisheries Society-Fish Health Section, Blue Book
<b>Publisher</b>	American Fisheries Society
<b>Issue Date</b>	2020
<b>Issue or Version</b>	2020 edition

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

<b>Official Title of Materials Incorporated (from title page)</b>	Manual of Diagnostic Tests for Aquatic Animals (Aquatic Manual)
<b>Publisher</b>	Office International des Epizooties (OIE), World Organization for Animal Health (WOAH, founded as OIE)
<b>Issue Date</b>	2021
<b>Issue or Version</b>	8th Edition

**Public Notice Information**

**8. 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>	10/31/2022
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<b>9. This rule change MAY become effective on:</b>	11/07/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig W Butters, Commissioner	<b>Date:</b>	09/21/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New		
<b>Rule or Section Number:</b>	R58-27	<b>Filing ID:</b> 54868

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Animal Industry	
<b>Building:</b>	4315 S 2700 W, TSOB, South Bldg. Floor 2	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Dean Taylor	385-290-9462	djtaylor@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R58-27. Aquaculture, Brokering, Aquatic Animal Processing, and Fee Fishing Licensing
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Section 4-37-109 directs the Department of Agriculture and Food (Department) to make rules specifying procedures for the application and renewal of aquaculture or fee fishing facility licenses. Section 4-37-503 directs the Fish Health Policy Board (Board) to: develop aquatic animal inspection procedures; determine the pathogens for which inspection is required; determine the criteria for certifying a source of aquatic animals as health approved; and establish procedures for the timely reporting of pathogens. Because the Department and the Board have specific and distinct rulemaking authority, it is logical to develop separate rules that are divided by that authority. This makes it easier for the Department or the Board to amend rules that are under their authority. The Department has revised Rule R58-17 to include only sections pertaining to inspections, health approval, and pathogens. Additionally, this new rule has been written to include previous sections from Rule R58-17 that deal with licensing and license renewal. (EDITOR'S NOTE: The proposed repeal and reenactment of Rule R58-17 is under ID 54866 in this issue, October 1, 2022, of the Bulletin.)
<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>

This new rule outlines the licensing requirements and aquaculture facility requirements that were previously in Rule R58-17. Language has been added to clarify the activities that are permitted at aquaculture facilities with and without health approval and states that the Department will collect samples for annual health inspections and may charge fees for the sampling and any supplemental inspections. This new rule also adds language to address the Department's role in collecting samples for sterility verification samples for salmonids and for conducting aquatic invasive species investigations. Additionally, screen construction requirements were added to Section R58-27-6.

**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 rule does not add additional program requirements and includes only language that was previously included in Rule R58-17 with some additional clarifications. There should be no fiscal impact to the state.
<b>B) Local governments:</b>
This rule does not add additional program requirements and includes only language that was previously included in Rule R58-17 with some additional clarifications. There should be no fiscal impact to local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This rule does not add additional program requirements and includes only language that was previously included in Rule R58-17 with some additional clarifications. There should be no fiscal impact to small businesses.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
This rule does not add additional program requirements and includes only language that was previously included in Rule R58-17 with some additional clarifications. There should be no fiscal impact to 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>
This rule does not add additional program requirements and includes only language that was previously included in Rule R58-17 with some additional clarifications. There should be no fiscal impact to other persons.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>

NOTICES OF PROPOSED RULES

The general cost of participating in the aquaculture program will not change so there should be no change in compliance costs for affected persons.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

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

**Citation Information**

**6. 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 4-37-109		
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**Public Notice Information**

**8. 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>	10/31/2022
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**9. This rule change MAY become effective on:**

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig W. Buttars, Commissioner	<b>Date:</b>	08/30/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R68-25</b>	<b>Filing ID:</b> 54869

**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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Cody James	801-982-2376	codyjames@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
R68-25. Industrial Hemp Program-Cannabinoid Product Processors

**3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):**  
Changes are needed to make this rule consistent with the Utah Code. The current rule requires all processors to be registered with the Division of Regulatory Services and follow Good Manufacturing Practices (GMP) required by federal law, however, the Division of Plant Industry (Division) does not currently have statutory authority to require registration or GMP certification for cosmetics manufacturers. The language requiring Food, Drug, and Cosmetic (FD&C) Act compliance (which was aimed only at cosmetic manufacturers) and Division registration has been removed. Additionally, basic cleanliness requirements have been added to ensure the safety of all products, including cosmetics.

**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 requirement of a cosmetics manufacturer to comply with the FD&C Act and be registered with the Division of Regulatory Services has been removed from Section R68-25-7. Basic cleanliness standards for processors have been added to Section R68-25-7, as well. In addition testing requirements are clarified in Section R68-25-10 to apply to all cannabinoid products.

**Fiscal Information**

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

**A) State budget:**  
The changes will have a minimal impact on the state budget because the Department of Agriculture and Food will no longer require registration of cosmetic only manufacturers with the regulatory services division. The Division does not currently have a way to separate registrations for establishments that manufacture just cosmetics from those that may also manufacture other products but feel this number is very small (no more than 1 or 2).

**B) Local governments:**  
Local governments do not administer the program and are not regulated under the program and will not be impacted.

**C) Small businesses ("small business" means a business employing 1-49 persons):**  
There should be a minimal positive fiscal impact to small businesses that manufacture cosmetic cannabinoid products that no longer have to pay for registration. The

Division does not currently have a way to separate registrations for registered establishments that manufacture just cosmetics from those that may also manufacture other products but feel this number is very small (no more than 1 or 2).

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

There should be a minimal positive fiscal impact to non-small businesses that manufacture cosmetic cannabinoid products that no longer have to pay for registration. The Division does not currently have a way to separate registrations for registered establishments that manufacture just cosmetics from those that may also manufacture other products but feel this number is very small (no more than 1 or 2).

**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 they do not operate as industrial hemp processors that sell cosmetic products.

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

There could be a change in compliance costs for persons that produce cosmetics with CBD that no longer are required to register with the Regulatory Services Division. The cost of registration ranges from \$75 to \$750 per year depending on the size of the facility.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>

NOTICES OF PROPOSED RULES

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

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Commissioner of the Department of Agriculture and Food, Craig W Buttars, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. 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 4-41-103(4)		
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**Public Notice Information**

**8. 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>	10/31/2022
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<b>9. This rule change MAY become effective on:</b>	11/07/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig W Buttars, Commissioner	<b>Date:</b>	09/09/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R70-350</b>	<b>Filing ID:</b> <b>54876</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	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Travis Waller	801-982-2200	twaller@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R70-350. Ice Cream and Frozen Dairy Food Standards
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Changes are needed to make this rule text more consistent with the requirements of the Utah Rulewriting Manual.
<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 rule text has been updated to address formatting issues, provide clarity, and ensure the requirements of the Utah Rulewriting Manual are met.

**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):			
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.			
<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 fiscal impact to other persons because the changes are clarifying existing practice and the operation of the program will not change.			
<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 change in compliance costs for affected persons because compliance requirements are not changing.			
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>

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

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. 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 4-3-201

**Public Notice Information**

**8. 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:** 10/31/2022

**9. This rule change MAY become effective on:** 11/07/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig W Buttars, Commissioner	<b>Date:</b>	09/14/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R70-360</b>	<b>Filing ID:</b> 54877

**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	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Travis Waller	801-982-2200	twaller@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R70-360. Procedure for Obtaining a License to Test Milk for Payment
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Changes are needed to make the rule text more consistent with the requirements of the Utah Rulewriting Manual.
<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 rule text has been updated to address formatting issues, provide clarity, and ensure the requirements of the Utah Rulewriting Manual are met.

**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 ("small business" means a business employing 1-49 persons):</b>			
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 ("non-small business" means a business employing 50 or more persons):</b>			
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.			
<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 should be no fiscal impact to other persons because the changes are clarifying existing practice and the operation of the program will not change.			
<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 should be no change in compliance costs for affected persons because compliance requirements are not changing.			
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>

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

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

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

**Citation Information**

**6. 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 4-3-201		
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**Public Notice Information**

**8. 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>	10/31/2022
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<b>9. This rule change MAY become effective on:</b>	11/07/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig W Buttars, Commissioner	<b>Date:</b>	09/14/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-123</b>	<b>Filing ID:</b> <b>54885</b>

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov

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

**General Information**

**2. Rule or section catchline:**

R277-123. Process for Members of the Public to Report Violations of Statute and Board Rule

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

Rule R277-123 is being amended in order to create a process for individuals to appeal local education agency (LEA) decisions on challenged library materials, consistent with H.B. 374, passed in the 2022 General Session.

**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 amendments specifically establish timelines, standards, and procedures for appeals of library materials decisions.

**Fiscal Information**

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

**A) State budget:**

This rule change is not expected to have fiscal impact on state government revenues or expenditures. This rule incorporates new sensitive materials language. The Utah State Board of Education (USBE) does not anticipate fiscal impact outside of the fiscal note attached to the H.B. 374 (2022).

**B) Local governments:**

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The new

NOTICES OF PROPOSED RULES

sensitive materials language does not have an impact for LEAs or other local governments outside of the fiscal note on H.B. 374 (2022).

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. There are no affected small businesses.

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

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This rule only impacts LEAs and the USBE.

**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 affected persons. This rule only impacts the USBE and LEAs.

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

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

**Citation Information**

**6. 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:**

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-401(8)
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**Public Notice Information**

**8. 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>	10/31/2022
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**9. This rule change MAY become effective on:**

11/07/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R277-324	Filing ID: 54886

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-324. Paraprofessional/Paraeducator Programs, Assignments, and Qualifications
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-324 is being amended in order to update requirements for paraprofessionals in schools receiving Title I funds.
<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 amendments specifically remove outdated language based on the federal No Child Left Behind Act and add update preparation requirements for paraprofessionals.

**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 rule change is not expected to have fiscal impact on state government revenues or expenditures. . This rule change removes outdated language and clarifies the process for paraprofessionals. No costs are added for the Utah State Board of Education (USBE) as the changes

pertain mostly to LEA staff. No staff or resources are required to implement the rule change.

**B) Local governments:**

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This rule change removes outdated language and clarifies the process for paraprofessionals. This does not add any expenses for local education agencies (LEAs) and any minor cost savings are not quantifiable at this time.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects LEAs.

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

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only has an impact on LEAs.

**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 affected persons. LEAs have no new compliance requirements.

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

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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>		
Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-501(1)(a)(i)
Subsection 53F-2-411(4)		

**Incorporations by Reference Information**

<b>7. Incorporations by Reference:</b>	
<b>A) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Utah Standards for Instructional Paraeducators
<b>Publisher</b>	Utah State Board of Education
<b>Issue Date</b>	December 4, 2018

**Public Notice Information**

<b>8. 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>	10/31/2022

<b>9. This rule change MAY become effective on:</b>	11/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Rule or Section Number:</b>	R277-426	<b>Filing ID:</b>	54887

**Agency Information**

<b>1. Department:</b>	Education
<b>Agency:</b>	Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S
<b>City, state and zip:</b>	Salt Lake City, UT 84111

<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-426. Definition of Private and Non-Profit Schools for Federal Program Services
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-426 is being amended in order to update terminology.
<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 amendments specifically replace use of the Data Universal Numbering System (DUNS) number with the Unique Entity Identifier (UEI) number issued by the federal government.

**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 rule change is not expected to have fiscal impact on state government revenues or expenditures. The rule changes simply removes reference to DUNS numbers and adds reference to UEI numbers following federal changes. There are no costs for the Utah State Board of Education (USBE).
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The rule changes simply removes reference to DUNS numbers and adds reference to UEI numbers following federal changes. Local education agencies (LEAs) were issued UEI numbers by the federal government and there are no costs.

<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):																				
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects LEAs and the USBE.																				
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):																				
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.																				
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):																				
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects LEAs and the USBE.																				
<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 are no compliance costs for affected persons. No added costs for the USBE and LEAs as UEI numbers have already been generated.																				
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																				
<b>Regulatory Impact Table</b>																				
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2023</th> <th>FY2024</th> <th>FY2025</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table>	Fiscal Cost	FY2023	FY2024	FY2025	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0
Fiscal Cost	FY2023	FY2024	FY2025																	
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 Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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>		
Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-501(3)

**Public Notice Information**

<b>8. 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>	10/31/2022

<b>9. This rule change MAY become effective on:</b>	11/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-436</b>	<b>Filing ID:</b> <b>54888</b>

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-436. Gang Prevention and Intervention Programs in the Schools
<b>3. Purpose of the new rule or reason for the change</b> (Why is the agency submitting this filing?):
Rule R277-436 is being amended in order to align the rule requirements with best practices for the administration of the program.
<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):
The amendments specifically allow grant funds to be used for "professional and technical services" so that local education agencies (LEAs) may contract with Law Enforcement to utilize their advocates/mentors for gang-involved students. These mentors have a level of technical expertise and training that LEA staff do not have. It has been determined that this is an allowable use of funds for the program. Removing the line in rule enables LEAs to be able to contract for this purpose.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
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<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. This change only affects LEA expenditure rules for gang prevention funds and does not impact Utah State Board of Education (USBE) budgets.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This rule removes an allowable use of 10% of funds for professional and technical services. The 10% can still be used for administrative oversight and professional development. The USBE anticipates LEAs will still expend their full allotments for gang prevention programs and does not anticipate any quantifiable fiscal impacts.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects LEAs.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects LEAs.
<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 are no compliance costs for affected persons. The USBE does not estimate any costs associated with compliance for LEAs.

<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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>		
Article X, Section 3	Subsection 53E-3-401(3)	Section 53F-2-410

**Public Notice Information**

<b>8. 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</b>
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NOTICES OF PROPOSED RULES

agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	10/31/2022

<b>9. This rule change MAY become effective on:</b>	11/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-454</b>	<b>Filing ID:</b> <b>54889</b>

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-454. Construction Management of School Building Projects
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-454 is being amended in order to reformat this rule in conformance with the Rulewriting Manual.

<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):
The amendments specifically reformat this rule. There were no substantive changes.

**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 rule change is not expected to have fiscal impact on state government revenues or expenditures. This rule includes a nonsubstantive update to the definition for the construction manager on local education agency (LEA) projects. There are no impacts to the Utah State Board of Education (USB E) budget.

<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This rule updates definitions for the construction manager on LEA projects. It clarifies responsibilities but does not have a material impact on LEA budgets or project costs.

<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects LEAs.

<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.

<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects LEAs.

**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 affected persons. LEAs should not incur more costs with the updated definition.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

**Citation Information**

**6. 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:**

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-705
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**Public Notice Information**

**8. 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>	10/31/2022
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<b>9. This rule change MAY become effective on:</b>	11/07/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-468</b>	<b>Filing ID:</b> <b>54890</b>

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-468. Parents Review of Public Education Curriculum and Review of Complaint Process
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-468 is being amended in order to make conforming changes consistent with the passage of H.B. 374, passed in the 2022 General Session.
<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 amendments specifically amend the definition of "instructional material" to clarify that "sensitive material" defined in Section 53G-10-103 is not instructional material. The rule changes also require an local education agency (LEA) to include parents that are "reflective of the school community" in all the material selection and complaint review processes. The rule changes also require an LEA to make these processes transparent and available to the public.

**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 rule change is not expected to have fiscal impact on state government revenues or expenditures. The changes only affect LEA responsibilities.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The rule changes require "transparent and publicly available" curriculum review processes and review committees that "reflect the school's community". The Utah State Board of Education (USBE) feels that LEAs can comply with the requirements through the already existing open and public meeting compliance and this does not add quantifiable costs for LEAs.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only applies to LEAs.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110).

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only applies to LEAs.

**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 affected persons. The USBE feels that LEAs can comply with the requirements through the already existing open and public meeting compliance and this does not add quantifiable costs for LEAs.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

**6. 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:**

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

**8. 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>	10/31/2022
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<b>9. This rule change MAY become effective on:</b>	11/07/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-469</b>	<b>Filing ID:</b> <b>54891</b>

**Agency Information**

<b>1. Department:</b>	Education
<b>Agency:</b>	Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S

<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-469. Instructional Materials Commission Operating Procedures
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-469 is being amended in order to make conforming changes consistent with the passage of H.B. 374, passed in the 2022 General Session.
<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 amendment specifically amends the definition of "instructional material" to clarify that "sensitive material" defined in Section 53G-10-103 is not instructional material. The rule changes also require the commission to ensure recommended materials adhere to the updated definition.

**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 rule change is not expected to have fiscal impact on state government revenues or expenditures. This clarifies that sensitive materials cannot be instructional materials. Sensitive materials were defined by new legislation and there is no fiscal impact outside fiscal notes.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This clarifies that sensitive materials cannot be instructional materials. Sensitive materials were defined by H.B. 374 (2022) and there is no fiscal impact outside fiscal notes.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects the Utah State Board of Education (USBE) and local education agencies (LEAs).

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

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects the USBE and LEAs.

**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 affected persons. This clarifies that sensitive materials cannot be instructional materials. Sensitive materials were defined by H.B. 374 (2022) and there is no fiscal impact outside fiscal notes.

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

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

**Citation Information**

**6. 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:**

Article X, Section 3	Subsection 53E-3-401(4)	Section 53E-4-402
Section 53E-4-408		

**Public Notice Information**

**8. 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>	10/31/2022
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**9. This rule change MAY become effective on:**

11/07/2022  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R277-496	Filing ID: 54892

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-496. K-3 Reading Software Licenses
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-496 is being amended in order to update requirements for software providers as required by Subsections 53G-11-303(1)(a) and (b).
<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 amendments specifically require use of evidence-informed processes and grant the Superintendent authority to define standards for evidence.

**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 rule change is not expected to have fiscal impact on state government revenues or expenditures. This rule adds language for using evidence based practices to select software vendors. It does not impact the Utah State Board of Education (USBE) or local education agency (LEA) budgets.

<b>B) Local governments:</b>			
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This rule adds language for using evidence based practices to select software vendors. It does not impact the USBE or LEA budgets.			
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>			
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects the USBE and LEAs.			
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>			
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):</b>			
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities.			
<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 affected persons. This rule adds language for using evidence based practices to select software vendors. It does not impact the USBE or LEA budgets.			
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

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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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

**6. 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:**

Article X, Section 3	Subsection 53E-3-401(4)	Section 53F-4-203
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**Public Notice Information**

**8. 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>	10/31/2022
<b>9. This rule change MAY become effective on:</b>	11/07/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-614</b>	<b>Filing ID:</b> <b>54893</b>

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-614. Athletes and Students with Head Injuries
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-614 is being amended in order to make changes that align with current best practices regarding head injuries that occur at school.
<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 amendments specifically remove the exception to parental notification regarding head injuries that occur during free play when the school is made aware that the head injury occurred.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
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<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. This language only applies to local education agency (LEA) reporting and does not impact the Utah State Board of Education (USBE) budgets.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This rule change adds language "during free play" to clarify that the same standards apply when students are freely playing to report head injuries. There is no major fiscal impact to LEAs because the reporting mechanisms are already in place.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects LEAs.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects LEAs.
<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 are no compliance costs for affected persons. This rule change adds language "during free play" to clarify that the same standards apply when students are freely playing to report head injuries. There is no major fiscal impact to LEAs.

<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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>		
Article X, Section 3	Subsection 53E-3-401(3)	

**Public Notice Information**

<b>8. 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</b>
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NOTICES OF PROPOSED RULES

agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	10/31/2022

<b>9. This rule change MAY become effective on:</b>	11/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-625</b>	<b>Filing ID:</b> <b>54894</b>

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-625. Mental Health Screeners
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-625 is being amended in order to correct a procedural inconsistency with Rule R277-622 and deadlines delineated for the grant program governed by Rule R277-622.

**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 amendments specifically remove the May 1 deadline from this rule regarding when a local education agency (LEA) needs to notify the Utah State Board of Education (USBE) staff regarding the intent to offer mental health screeners and if they are using a screener from the approved list or seeking USBE approval for a screener not on the list. The reason for removing this deadline is that related grant programs for the hiring of mental health personnel (School-base Qualified Mental Health Grant, and the Teacher Student Support Accounts) have deadlines that do not align with the May 1st deadline. This requires LEAs to then make an assertion about mental health screeners prior to when they would be able to submit and have approved, plans to hire personnel who's duties may include administering mental health screeners. For this reason, staff is asking for flexibility in the notice deadline to allow staff to align that deadline with existing grant program deadlines.

**Fiscal Information**

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

**A) State budget:**

This rule change is not expected to have fiscal impact on state government revenues or expenditures. This change simply allows flexibility on the date that LEAs are required to report on mental health screeners to USBE. There are no added costs for the USBE or LEAs.

**B) Local governments:**

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This change simply allows flexibility on the date that LEAs are required to report on mental health screeners to the USBE. There are no added costs for the USBE or LEAs.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects LEAs and the USBE.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only applies to the USBE and LEAs.

**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 affected persons. This change simply allows flexibility on the date that LEAs are required to report on mental health screeners to the USBE. There are no added costs for the USBE or LEAs.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

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

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

**Citation Information**

**6. 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:**

Article X, Section 3	Subsection 53E-3-401(4)	Section 53F-2-522
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**Public Notice Information**

**8. 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>	10/31/2022
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<b>9. This rule change MAY become effective on:</b>	11/07/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-726</b>	<b>Filing ID:</b> <b>54895</b>

**Agency Information**

<b>1. Department:</b>	Education
<b>Agency:</b>	Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S
<b>City, state and zip:</b>	Salt Lake City, UT 84111
<b>Mailing address:</b>	PO Box 144200

<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-726. Statewide Online Education Program
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Since the updated language in Rule R277-726 became effective in August, local education agencies (LEAs) reached out and shared their understanding of the new language and it does not match the Utah State Board of Education (USBE) staff understanding. Rule R277-726 is being amended to clarify what the USBE had previously been communicating with school districts and charter schools, in accordance with the limited amount of the legislative appropriation.
<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 amendments specifically clarify that, subject to legislative appropriations available for this purpose, each public high school with a student population of less than 1,000 students will be eligible to receive available funds to cover at least one course at the highest course rate.

**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 rule change is not expected to have fiscal impact on state government revenues or expenditures. The change prioritizes funding for schools with under 1,000 students.
<b>B) Local governments:</b>
This rule change prioritizes funding for schools with under 1,000 students if legislative appropriations do not cover courses. This change may lead to some larger schools not receiving full funding for courses if legislative appropriations are exhausted. The USBE does not anticipate this to be a common occurrence and there is not a quantifiable impact to LEAs.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects LEAs.

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

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects LEAs.

**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 affected persons. This only applies to distribution for courses and does not change compliance requirements.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	\$0	\$0	\$0
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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>		
Article X, Section 3	Section 53E-3-401	Section 53F-4-510
Section 53F-4-514		

**Public Notice Information**

<b>8. 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>	10/31/2022

<b>9. This rule change MAY become effective on:</b>	11/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> New		
<b>Rule or Section Number:</b>	<b>R277-728</b>	<b>Filing ID:</b> <b>54896</b>

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-728. Honors Courses
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-728 is being proposed in order to establish standards for honors courses.
<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>
This new rule establishes standards for teaching honors courses and admissions to honors courses.

**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 rule change is not expected to have fiscal impact on state government revenues or expenditures. This adds guidelines for honors courses but does not add any costs for the Utah State Board of Education (USB E).
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. It adds

guidelines for honors courses, which are not required. It simply adds clarity for local education agencies (LEAs) wishing to offer the courses.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only applies to LEAs.

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

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only applies to LEAs.

**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 affected persons. This only provides guidelines for honors courses with no compliance costs.

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

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

**Citation Information**

**6. 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:**

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

**8. 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>	10/31/2022
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**9. This rule change MAY become effective on:**

11/07/2022  
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R313-19-100</b>	<b>Filing ID:</b> <b>54863</b>

**Agency Information**

<b>1. Department:</b>	Environmental Quality	
<b>Agency:</b>	Waste Management and Radiation Control, Radiation	
<b>Building:</b>	MASOB	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144880	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4880	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Thomas Ball	801-536-0251	tball@utah.gov
Spencer Wickham	801-536-0082	swickham@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R313-19-100. Transportation
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
In a letter to the director of the Division of Waste Management and Radiation Control, Radiation (Division) dated 07/11/2022, the Nuclear Regulatory Commission (NRC) stated that Utah has erroneously incorporated by reference 10 CFR Part 71.19(a) and (b) into Section R313-19-100. The NRC stated that 10 CFR Part 71.19 is designated as Compatibility Category NRC, which means that these are program elements that belong solely to the NRC and should not be adopted by the Agreement States.
The Division is removing 10 CFR Part 71.19(a) and (b) from R313-19-100 to meet the Compatibility Category NRC designation.

**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 change removes the incorporation by reference of 10 CFR 71.19(a) and (b) from Section R313-19-100 to meet the Compatibility Category NRC designation assigned to 10 CFR part 71.19.

**Fiscal Information**

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

**A) State budget:**

It is not anticipated that there will be any cost or savings to the state budget due to this change because the change does not result in any changes to state agency operations.

**B) Local governments:**

It is not anticipated that there will be any cost or savings to local governments due to this change because the change does not result in any changes to local government agency operations.

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

It is not anticipated that there will be any cost or savings to small businesses due to this change because the change does not require any small businesses that are required to comply with this rule to do anything different than they are currently doing.

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

It is not anticipated that there will be any cost or savings to non-small businesses due to this change because the change does not require any non-small businesses that are required to comply with this rule to do anything different than they are currently doing.

**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**):

It is not anticipated that there will be any cost or savings to any other persons due to this change because the change does not require any persons that are required to comply with this rule to do anything different than they are currently doing.

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

It is not anticipated that there will be any additional compliance costs for affected persons due to the

amendment to this rule because the amended rule does not require any affected persons to do anything different than they are currently doing.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The Executive Director of the Department of Environmental Quality, Kimberly D. Shelley, has reviewed and approved this fiscal analysis.

**Citation Information**

**6. 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 19-3-103.1		
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**Public Notice Information**

**8. 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>	10/31/2022
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**9. This rule change MAY become effective on:**

11/14/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Douglas J. Hansen, Director	<b>Date:</b>	09/08/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R315-101</b>	<b>Filing ID:</b> <b>54864</b>

**Agency Information**

<b>1. Department:</b>	Environmental Quality	
<b>Agency:</b>	Waste Management and Radiation Control, Waste Management	
<b>Building:</b>	MASOB	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144880	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4880	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Tom Ball	801-536-0251	tball@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
R315-101. Cleanup Action and Risk-Based Closure Standards

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



Rule R315-101 is being amended to include the most up-to-date methods and procedures being used by industry to conduct cleanups of contaminated sites and risk assessments based on EPA guidance.

**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 current rule contains limited information and is not clear in its' requirements resulting in confusion and inconsistent interpretations. The revised rule provides consistency in interpretations and requirements needed to conduct risk assessments.

This rule is being amended to provide several available approaches for conducting risk assessments allowing regulated entities to choose the approach that best fits their situation.

Contaminated groundwater is not adequately addressed in the current rule. This rule is being amended to adequately address groundwater at all contaminated sites.

The amended rule spells out a hierarchy of toxicological sources that are scientifically defensible for use in risk assessment evaluation.

The amended rule provides more details, requirements and information resources that are needed to conduct an acceptable ecological risk assessment.

The amended rule defines what DEQ considers to be an acceptable risk range and the target risk considered to be the point of departure. The amended rule also provides clear risk management options available depending on the level of risk. The interpretation of the term No Further Action (NFA) is well defined with regards to the level of risk at a site and the land use exposure scenario. The requirements for drafting a site management plan (SMP) as well as termination are clearly provided.

There is a section in the amended rule that contains a list of guidance documents and other resources that are incorporated by reference into this rule and a section that provides clear definitions of terms used in this rule.

**Fiscal Information**

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

**A) State budget:**

It is not anticipated that there will be any cost or savings to the state budget due to this rule amendment. There will be no change to the procedures and manpower used by the state to review risk assessments and cleanup plans that are based on the amended rule. Any state agencies that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to

this rule that would increase costs, nor does it remove any requirements that would decrease costs.

**B) Local governments:**

It is not anticipated that there will be any cost or savings to local governments due to this rule amendment. Any local governments that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to this rule that would increase costs, nor does it remove any requirements that would decrease costs.

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

It is not anticipated that there will be any cost or savings to small businesses due to this rule amendment. Any small businesses that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to the rule that would increase costs, nor does it remove any requirements that would decrease costs.

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

It is not anticipated that there will be any cost or savings to non-small businesses due to this rule amendment. Any non-small businesses that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to this rule that would increase costs, nor does it remove any requirements that would decrease costs.

**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**):

It is not anticipated that there will be any cost or savings to persons other than small businesses, non-small businesses, state, or local government entities due to this rule amendment. Any persons other than small businesses, non-small businesses, state, or local government entities that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to this rule that would increase costs, nor does it remove any requirements that would decrease costs.

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

Because this is an amendment to an existing rule and the changes to this rule do not significantly change how cleanups and risk assessments are conducted under this

rule it is not anticipated that the compliance costs for affected persons will change due to the rule amendments.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Environmental Quality, Kimberly D. Shelley, has reviewed and approved this fiscal analysis.			

**Citation Information**

**6. 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 19-6-105	Section 19-6-106	
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

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

<b>Official Title of Materials Incorporated (from title page)</b>	Groundwater Statistics and Monitoring Compliance
<b>Publisher</b>	Interstate Technology Regulatory Council (ITRC)
<b>Date Issued</b>	December 2013

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

<b>Official Title of Materials Incorporated (from title page)</b>	ECO-Risk Database
<b>Publisher</b>	Los Alamos National Laboratory (LANL)
<b>Date Issued</b>	2011

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

<b>Official Title of Materials Incorporated (from title page)</b>	Toxicological Benchmarks for Wildlife: 1996 Revision
<b>Publisher</b>	Oakridge National Laboratory (ORNL)
<b>Date Issued</b>	1996

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

<b>Official Title of Materials Incorporated (from title page)</b>	A Guide to the ORNL Ecotoxicological Screening Benchmarks: Background, Development, and Application
<b>Publisher</b>	Oakridge National Laboratory (ORNL)
<b>Date Issued</b>	May 1998
<b>Issue, or version</b>	Revision 1

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

<b>Official Title of Materials Incorporated (from title page)</b>	Guidelines for the Health Risk Assessment of Chemical Mixtures
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	1986

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

<b>Official Title of Materials Incorporated (from title page)</b>	Risk Assessment Guidance for Super Fund Volume 1: Human Health Evaluation Manual (Part A)
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	1989
<b>Issue, or version</b>	Interim Final

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

<b>Official Title of Materials Incorporated (from title page)</b>	Risk Assessment Guidance for Super Fund Volume 1: Human Health Evaluation Manual Supplemental Guidance Standard Default Exposure Factors
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	March 25, 1991
<b>Issue, or version</b>	Interim Final

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

<b>Official Title of Materials Incorporated (from title page)</b>	Risk Assessment Guidance for Super Fund Volume 1: Human Health Evaluation Manual (Part B Development of Risk-based Preliminary Remediation Goals)
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	December 1991
<b>Issue, or version</b>	Interim Final

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

<b>Official Title of Materials Incorporated (from title page)</b>	Wildlife Exposure Factors Handbook, Volume I of II
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	December 1993

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

<b>Official Title of Materials Incorporated (from title page)</b>	Supplemental Guidance to RAGS: Calculating the Concentration Term
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<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	May 1992

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

<b>Official Title of Materials Incorporated (from title page)</b>	Framework for Ecological Risk Assessment
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	February 1992

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

<b>Official Title of Materials Incorporated (from title page)</b>	Wildlife Exposure Factors Handbook, Appendix: Literature Review Database, Volume II of II
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	December 1993

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

<b>Official Title of Materials Incorporated (from title page)</b>	Soil Screening Guidance Technical Background Document
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	May 1996

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

<b>Official Title of Materials Incorporated (from title page)</b>	Ecological Risk Assessment Guidance for Superfund: Process for Designing and Conducting Ecological Risk Assessments
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	June 1997
<b>Issue, or version</b>	Interim Final

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

<b>Official Title of Materials Incorporated (from title page)</b>	Guidelines for Ecological Risk Assessment
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<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	April 1998

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

<b>Official Title of Materials Incorporated (from title page)</b>	Supplementary Guidance for Conducting Health Risk Assessment of Chemical Mixtures
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	August 2000

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

<b>Official Title of Materials Incorporated (from title page)</b>	Risk Assessment Guidance for Superfund Volume 1: Human Health Evaluation Manual (Part D, Standardized Planning, Reporting, and Review of Superfund Risk Assessments)
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	2001
<b>Issue, or version</b>	Final

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

<b>Official Title of Materials Incorporated (from title page)</b>	EPA Requirements for Quality Management Plans
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	2001

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

<b>Official Title of Materials Incorporated (from title page)</b>	Risk Assessment Guidance for Superfund: Volume III - Part A, Process for Conducting Probabilistic Risk Assessment
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	December 2001

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

<b>Official Title of Materials Incorporated (from title page)</b>	Supplemental Guidance for Developing Soil Screening Levels for Superfund Sites
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	2002

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

<b>Official Title of Materials Incorporated (from title page)</b>	Guidance for Quality Assurance Project Plans
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	December 2002

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

<b>Official Title of Materials Incorporated (from title page)</b>	Calculating Upper Confidence Limits for Exposure Point Concentrations at Hazardous Waste Sites
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	December 2002
<b>Issue, or version</b>	December 2002(a)

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

<b>Official Title of Materials Incorporated (from title page)</b>	Guidance for Developing Ecological Soil Screening Levels
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	November 2003
<b>Issue, or version</b>	February 2005

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

<b>Official Title of Materials Incorporated (from title page)</b>	Human Health Toxicity Values in Superfund Risk Assessment
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	December 2003

<b>Y) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	User's Guide for Evaluating Subsurface Vapor Intrusion into Buildings
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	February 2004
<b>Issue, or version</b>	February 22, 2004

<b>Z) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Risk Assessment Guidance for Superfund Volume 1: Human Health Evaluation Model (Part E, Supplemental Guidance for Dermal Risk Assessment)
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	July 2004
<b>Issue, or version</b>	Final

<b>AA) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Guidelines for Carcinogen Risk Assessment
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	March 2005
<b>Issue, or version</b>	March 2005(b)

<b>BB) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	March 2005
<b>Issue, or version</b>	March 2005(c)

<b>CC) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Guidance on Systematic Planning Using the Data Quality Objectives Process

<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	February 2006

<b>DD) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Risk Assessment Guidance for Superfund Volume 1: Human Health Evaluation Manual (Part F, Supplemental Guidance for Inhalation Risk Assessment)
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	January 2009
<b>Issue, or version</b>	Final

<b>EE) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	March 2009
<b>Issue, or version</b>	Final

<b>FF) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Risk Assessment Guidance for Super Fund Volume 1: Human Health Evaluation Manual (Part C, Risk Evaluation of Remedial Alternatives)
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	December 1991
<b>Issue, or version</b>	Interim

<b>GG) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Exposure Factors Handbook: 2011 Edition
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	September 2011
<b>Issue, or version</b>	2011

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

<b>Official Title of Materials Incorporated (from title page)</b>	Superfund Vapor Intrusion FAQs
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	February 2012

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

<b>Official Title of Materials Incorporated (from title page)</b>	ProUCL Version 5.1 Technical Guide Statistical Software for Environmental Applications for Data Sets with and without Nondetect Observations
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	October 2015

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

<b>Official Title of Materials Incorporated (from title page)</b>	Human Health Evaluation Manual, Supplemental Guidance: Update of Standard Default Exposure Factors
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	February 2014

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

<b>Official Title of Materials Incorporated (from title page)</b>	Vapor Intrusion Screening Level (VISL) Calculator User's Guide
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	May 2014

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

<b>Official Title of Materials Incorporated (from title page)</b>	OSWER Technical Guide for Assessing and Mitigating the Vapor Intrusion Pathway from Subsurface Vapor Sources to Indoor Air
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	June 2015

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

<b>Official Title of Materials Incorporated (from title page)</b>	Technical Guide for Addressing Petroleum Vapor Intrusion at Leaking Underground Storage Tank Sites
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	June 2015

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

<b>Official Title of Materials Incorporated (from title page)</b>	Update of Ecological Soil Screening Level (Eco-SSL) Guidance and Contaminant Specific Documents
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	March 2005

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

<b>Official Title of Materials Incorporated (from title page)</b>	Guidelines for Mutagenicity Risk Assessment
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	September 1986

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

<b>Official Title of Materials Incorporated (from title page)</b>	Establishing Background Levels
<b>Publisher</b>	United States Environmental Protection Agency (US EPA)
<b>Date Issued</b>	September 1995

**Public Notice Information**

**8. 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>	10/31/2022
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<b>9. This rule change MAY become effective on:</b>	11/14/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Douglas J. Hansen, Division Director	<b>Date:</b>	09/08/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R414-305-9</b>	<b>Filing ID:</b> <b>54770</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Health Care Financing, Coverage and Reimbursement Policy	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 143102	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-3102	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R414-305-9. Transfer of Resources for Institutional Medicaid and Home and Community Based Services Waivers
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this change is to show how the state calculates the statewide average private-pay rate for nursing home care.
<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>
This amendment specifies the procedure and formula used to calculate the statewide average private-pay rate for nursing home care.

**Fiscal Information**

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

**A) State budget:**

There is an annual increase of about \$688,685 based on Medicaid paying long-term care services and support to its members.

**B) Local governments:**

There is no impact on local governments as they neither determine nor monitor eligibility under the Medicaid program.

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

This change impacts members only. It creates neither costs nor revenue to small businesses.

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

This change impacts members only. It creates neither costs nor revenue to non-small businesses.

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

There is an out-of-pocket savings to Medicaid members based on the total figure of \$688,685, due to the state paying long-term care services and support.

**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 as this change only results in out-of-pockets savings to Medicaid members.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$688,685	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

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Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$688,685	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The Executive Director of the Department of Health and Human Services, Tracy S. Gruber, has reviewed and approved this fiscal analysis. This amendment does not affect business costs nor revenue, but results in out-of-pocket savings to Medicaid members.

**Citation Information**

**6. 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 26B-1-204	Section 26-18-3	42 U.S.C. 1396p
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**Public Notice Information**

**8. 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>	10/31/2022
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**9. This rule change MAY become effective on:**

11/07/2022  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	07/24/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-28</b>	<b>Filing ID:</b> <b>54870</b>

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Wildlife Resources	
<b>Room number:</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 persons:</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**

**2. Rule or section catchline:**

R657-28. Use of Division Lands

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

This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to the use of DWR lands.

**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 proposed amendments to this rule: 1) restructures the rule, condensing information by subject and moving from 32 sections to 9 sections; 2) removes obsolete or outdated practices from the entire rule; 3) adds definitions to improve clarity, including "lease", "special use permit", "termed easement" and "wood product permit"; 4) adds a definition for "motorized vehicle", this definition now includes Class II and Class III electronic bicycles, which have a throttle; 5) modifies the unlawful uses section to remove all unlawful uses already covered in statute Section 23-21-7; 6) adds additional language to unlawful uses that are not already described in Utah Code, such as posted closures,



additional structures, and occupying DWR lands for residential purposes;  
 7) modifies the unlawful use of motorized vehicles except as authorized, this includes the use of e-bike;  
 8) consolidates Domestic Livestock Grazing into one section;  
 9) improves contractual language for the Domestic Grazing section;  
 10) defines the solicitation procedure for the DWR, adds additional flexibility to improve the selection process;  
 11) consolidates wood products, seed harvesting, and extraction of sand, gravel, cinders and ornamental rock into one section called Saleable Products;  
 12) minor changes to language throughout rule to provide consistency;  
 13) clarifies expectations for the DWR and applicants for agricultural leases;  
 14) clarifies the process for "right-of-way leases", "leases", and "special use permits";  
 15) adds a late fee for applicants who fail to submit a request 30 days prior to the proposed activity;  
 16) clarifies the application process, approval process and compensation requirement for termed easement and lease section;  
 17) removes language specific to each permit or agreement allowing flexibility to address issues on a case-by-case basis; and  
 18) additional corrections to language and formatting as needed.

**Fiscal Information**

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

**A) State budget:**

This amendment reorganizes and restructures the division lands use rule and clarifies current processes and restrictions therefore, DWR determines 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) Local governments:**

Since this amendment restructures an already established rule, 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.

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

This amendment restructures an already established rule, 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.

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

This amendment restructures an already established rule, 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.

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

This amendment restructures an already established rule, therefore, this rule does not impose any additional financial requirements on other persons, nor generate a cost or saving impact to other persons because the rule does not create a situation requiring services from them.

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

The DWR determines that this amendment will not create additional costs for those individuals who participate in authorized uses on DWR lands in Utah.

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

**Regulatory Impact Table**

<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

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Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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 23-14-8		

**Public Notice Information**

<b>8. 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>	10/31/2022

<b>9. This rule change MAY become effective on:</b>	11/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J. Shirley, Division Director	<b>Date:</b>	09/12/2022
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NOTICE OF PROPOSED RULE	
TYPE OF RULE: New	
<b>Rule or Section Number:</b>	R765-901
<b>Filing ID:</b>	54859

**Agency Information**

<b>1. Department:</b>	Higher Education (Utah Board of)
<b>Agency:</b>	Administration

<b>Building:</b>	Utah Board of Higher Education Building, The Gateway	
<b>Street address:</b>	60 S 400 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84101	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R765-901. Talent Ready Utah Program
<b>3. Purpose of the new rule or reason for the change</b> (Why is the agency submitting this filing?):
The purpose of this rule is to replace Rule R357-28 with a rule that provides for the administration of the Talent Ready Utah Program by the Utah Board of Higher Education.
<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):
The rule is similar to Rule R357-28 and provides for: a) the method and deadlines for applying for funding under the Talent Ready Utah Program; b) the distribution of funding under the said program; and c) the reporting requirements of each entity receiving funding under the program.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
Enactment of this rule likely will not materially impact state revenue because the rule applies to the administration of funding under the Talent Ready Utah Program by the Utah Board of Higher Education and does not require any additional funding outside of that statutorily created program.

<b>B) Local governments:</b>			
Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses. This rule only applies to those small businesses that are eligible and choose to participate in the Talent Ready Utah Program.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses. This rule only applies to those non-small businesses that are eligible and choose to participate in the Talent Ready Utah Program.			
<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> ):			
Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because the rule applies only to the administration of the Talent Ready Utah Program. Those persons who choose to participate in the program will be subject to the rules of the program, but will not otherwise have their regulatory burden affected by this rule.			
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):			
Since this rule applies only to those persons who choose to participate in the Talent Ready Utah Program, the rule does not create any compliance costs.			
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Board of Higher Education, David R. Woolstenhulme, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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>		
Subsection		
53B-34-107(7)		

**Public Notice Information**

<b>8. 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>	10/31/2022

<b>9. This rule change MAY become effective on:</b>	11/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Designee and Assistant Attorney General	<b>Date:</b>	09/06/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> New		
<b>Rule or Section Number:</b>	<b>R765-902</b>	<b>Filing ID:</b> <b>54857</b>

**Agency Information**

<b>1. Department:</b>	Higher Education (Utah Board of)	
<b>Agency:</b>	Administration	
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway	
<b>Street address:</b>	60 S 400 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84101	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R765-902. Utah Works Program
<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 replace Rule R357-24 with a rule that provides for the administration of the Utah Works Program by the Utah Board of Higher Education.
<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 rule is similar to Rule R357-24 and provides for the development and administration of the Utah Works Program.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
Enactment of this rule likely will not materially impact state revenue because this rule applies to the administration of the Utah Works Program by the Utah Board of Higher Education and does not require any additional funding outside of that statutorily created program.
<b>B) Local governments:</b>
Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses. This rule only applies to those small businesses that are eligible and choose to participate in the Utah Works Program.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses. This rule only applies only to those non-small businesses that are eligible and choose to participate in the Utah Works Program.
<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>
Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because the rule applies only to the administration of the Utah Works Program. Those persons who choose to participate in the program will be subject to the rules of the program, but will not otherwise have their regulatory burden affected by this rule.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
Since this rule only applies to those persons who choose to participate in the Utah Works Program, this rule does not create any compliance costs.
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Board of Higher Education, David R. Woolstenhulme, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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>		
Subsection 53B-34-108(4)		

**Public Notice Information**

<b>8. 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>	10/31/2022

<b>9. This rule change MAY become effective on:</b>	11/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Designee and Assistant Attorney General	<b>Date:</b>	09/06/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New		
<b>Rule or Section Number:</b>	R765-1001	<b>Filing ID:</b> 54858

**Agency Information**

<b>1. Department:</b>	Higher Education (Utah Board of)	
<b>Agency:</b>	Administration	
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway	
<b>Street address:</b>	60 S 400 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84101	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-1001. Utah Data Research Center
<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 replace Rule R982-800 with a rule that provides for the administration of the Utah Data Research Center by the Utah Board of Higher Education.
<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):

This rule is similar to Rule R982-800 and provides for: a) the procedures for submitting a data research request under Section 53B-33-302; b) the criteria to determine how to prioritize data research requests; and c) the minimum standards for information a person is required to include in a data research request.

**Fiscal Information**

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

**A) State budget:**

Enactment of this rule likely will not materially impact state revenue because this rule applies to the administration of the Utah Data Research Center by the Utah Board of Higher Education.

**B) Local governments:**

Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.

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

Enactment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses.

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

Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses.

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

Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because this rule applies only to the administration of the Utah Data Research Center.

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

The rule does not create any compliance costs for affected persons since it provides only for the administration of the Utah Data Research Center.

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

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

**Regulatory Impact Table**

Fiscal Cost	FY2023	FY2024	FY2025
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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The Commissioner of the Board of Higher Education, David R. Woolstenhulme, has reviewed and approved this fiscal analysis.

**Citation Information**

**6. 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 53B-33-302(9)		
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**Public Notice Information**

**8. 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>	10/31/2022
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<b>9. This rule change MAY become effective on:</b>	11/07/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Designee and Assistant Attorney General	<b>Date:</b>	09/06/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R986-300-307</b>	<b>Filing ID:</b> <b>54872</b>

**Agency Information**

<b>1. Department:</b>	Workforce Services	
<b>Agency:</b>	Employment Development	
<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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda B. McPeck	801-526-9653	ampeck@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R986-300-307. Refugee Transitional Cash Assistance
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The amendment adds a new section adopting a program providing Refugee Transitional Cash Assistance (RTCA).
<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 new Section R986-300-307 establishes eligibility and program administration guidelines for the new Refugee Transitional Cash Assistance program for eligible refugees.

**Fiscal Information**

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

**A) State budget:**  
The rule change will not have any fiscal impact on state revenues or expenditures. No additional state revenue is required. Administration of the RTCA program will not require additional staff. The program will be funded entirely with federal funds.

**B) Local governments:**  
The rule change will not have any fiscal impact on local governments' revenues or expenditures. This amendment requires no action or expenditure by local governments.

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
There are no anticipated costs or savings to small businesses. This amendment requires no action or expenditure by small businesses.

**D) Non-small businesses** ("non-small business" means a business employing 50 or more persons):  
There are no anticipated costs or savings to non-small businesses. This amendment requires no action or expenditure by non-small businesses.

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

There are no anticipated costs to other persons as the amendment requires no action or expenditure by any person. The Department of Workforce Services (Department) anticipates there will be a fiscal benefit to potentially eligible recipients. The Department estimates that 370 refugees will be eligible for the RTCA program over the next three years, with the majority of those individuals being eligible in fiscal year 2023. The Department estimates that \$134,055 of RTCA funds will be provided in fiscal year 2023, and \$63,000 each for fiscal years 2024 and 2025.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):  
This amendment is not expected to cause any compliance costs for affected persons because it does not create any

NOTICES OF PROPOSED RULES

new administrative fees or requirements for financial assistance recipients.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</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>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$134,055	\$63,000	\$63,000
<b>Total Fiscal Benefits</b>	<b>\$134,055</b>	<b>\$63,000</b>	<b>\$63,000</b>

<b>Net Fiscal Benefits</b>	<b>\$134,055</b>	<b>\$63,000</b>	<b>\$63,000</b>
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**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The Executive Director of the Department of Workforce Services, Casey Cameron, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. 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 35A-3-103	45 CFR 400.65 through 400.68	
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**Public Notice Information**

**8. 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>	10/31/2022
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<b>9. This rule change MAY become effective on:</b>	12/01/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	09/12/2022
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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

<b>Rule Number:</b>	R277-420	<b>Filing ID:</b> 50413
<b>Effective Date:</b>	09/15/2022	

### Agency Information

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

### General Information

<b>2. Rule catchline:</b>	R277-420. Aiding Financially Distressed School Districts
<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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and

state law; and Subsection 53G-7-306(5), which requires the Board to develop standards for defining and aiding financially distressed school districts.

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

There were no public comments received.

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

This rule is necessary because this rule specifies eligibility requirements and procedures for nonrecurring or nonroutine interfund transfers for financially distressed school districts. Therefore, this rule should be continued.

### Agency Authorization Information

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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## FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

<b>Rule Number:</b>	R277-422	<b>Filing ID:</b> 50411
<b>Effective Date:</b>	09/15/2022	

### Agency Information

<b>1. Department:</b>	Education
<b>Agency:</b>	Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S

<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R277-422. State Supported Voted Local Levy, Board Local Levy and Reading Improvement 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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Subsection 53E-3-501(1)(e), which directs the Board to establish rules for: (i) school productivity and cost effectiveness measures; (ii) federal programs; (iii) school budget formats; and (iv) financial, statistical, and student accounting requirements.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
There were no public comments 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 specifies requirements, timelines, and clarifications for the state-supported voted local levy, the board local levy; and the reading improvement program. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/14/2022
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<b>FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION</b>		
<b>Rule Number:</b>	<b>R277-426</b>	<b>Filing ID: 50420</b>
<b>Effective Date:</b>	<b>09/15/2022</b>	

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R277-426. Definition of Private and Non-Profit Schools for Federal Program Services
<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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Subsection 53E-3-501(3), which allows the Board to administer federal funds and to distribute them to eligible applicants.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
There were no public comments 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 defines requirements that private, non-public, and non-profit schools must meet in conjunction with federal program criteria to receive services under federal laws requiring the public education system to serve students in these schools. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-454</b>	<b>Filing ID:</b>	<b>50429</b>
<b>Effective Date:</b>	<b>09/15/2022</b>		

**Agency Information**

<b>1. Department:</b>	Education		
<b>Agency:</b>	Administration		
<b>Building:</b>	Board of Education		
<b>Street address:</b>	250 E 500 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111		
<b>Mailing address:</b>	PO Box 144200		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R277-454. Construction Management of School Building Projects
<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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution, and state law Section 53E-3-705 which requires the Board to prepare an annual school plant capital outlay report of all LEAs, which includes information on the number and size of building projects completed and under construction.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
There were no public comments received.

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

This rule is necessary because this rule specifies the standards local boards of education shall follow in using construction management for school construction projects. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-469</b>	<b>Filing ID:</b>	<b>50431</b>
<b>Effective Date:</b>	<b>09/15/2022</b>		

**Agency Information**

<b>1. Department:</b>	Education		
<b>Agency:</b>	Administration		
<b>Building:</b>	Board of Education		
<b>Street address:</b>	250 E 500 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111		
<b>Mailing address:</b>	PO Box 144200		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R277-469. Instructional Materials Commission Operating 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>
This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law, and Section 53E-4-408, which directs the Board to make rules that establish the qualifications of the independent parties who may evaluate and map the

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

alignment of the primary instructional materials and requirements for the detailed summary of the evaluation.

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

There were no public comments received.

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

This rule is necessary because this rule provides: definitions, operating procedures and criteria for recommending instructional materials for use in Utah public schools; guidance on mapping and alignment of primary instructional materials to the Core consistent with Utah law; and associated rules for purchasing and distribution of instructional materials within the state. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-474</b>	<b>Filing ID:</b>	<b>53786</b>
<b>Effective Date:</b>	<b>09/15/2022</b>		

**Agency Information**

<b>1. Department:</b>	Education		
<b>Agency:</b>	Administration		
<b>Building:</b>	Board of Education		
<b>Street address:</b>	250 E 500 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111		
<b>Mailing address:</b>	PO Box 144200		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R277-474. School Instruction and Sex Education

**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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Subsections 53G-10-402(2), (4) and (5), which direct the Board to adopt rules to allow local boards to adopt sex education materials or programs as described in this rule and provide sex education instruction as provided in Section 53G-10-402.

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

There were no public comments received.

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

This rule is necessary because this rule specifies requirements for LEAs and individual educators to select instructional materials about sex education and maturation, provide notice to parents of proposed sex education and maturation discussions and instruction; and provides direction to public education employees regarding instruction and discussion of maturation and sex education with students. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-496</b>	<b>Filing ID:</b>	<b>50453</b>
<b>Effective Date:</b>	<b>09/15/2022</b>		

**Agency Information**

<b>1. Department:</b>	Education		
<b>Agency:</b>	Administration		
<b>Building:</b>	Board of Education		
<b>Street address:</b>	250 E 500 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111		
<b>Mailing address:</b>	PO Box 144200		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200		

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R277-496. K-3 Software Reading Licenses
<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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law, and Subsection 53F-4-203(2), which directs the Board to distribute software licenses for the early interactive reading software program to LEAs that apply for the licenses.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
There were no public comments 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 establishes criteria and procedures to administer the K-3 reading software program. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-522</b>	<b>Filing ID:</b>	<b>50476</b>
<b>Effective Date:</b>	<b>09/15/2022</b>		

**Agency Information**

<b>1. Department:</b>	Education
<b>Agency:</b>	Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S

<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R277-522. Entry Years Enhancements (EYE) for Quality Teaching - Level 1 Utah Teachers
<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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; Subsection 53E-6-103(2)(a)(iii), which finds that the implementation of progressive strategies regarding induction, professional development and evaluation are essential in creating successful teachers; and Section 53E-6-301, which directs the Board to establish rules for the training and experience required of educator license applicants.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
There were no public comments 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 outlines the required entry years enhancements of professional and emotional support for Level 1 teachers to develop successful teaching skills and strategies with assistance from experienced colleagues. Therefore, this rule should be continued. This program will be sunset at the end of this school year.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	09/15/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R331-17	Filing ID: 50818
Effective Date:	09/15/2022	

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Administration	
<b>Room number:</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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8855	pallred@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R331-17. Publication and Disclosure of Acquisition of Control, Merger, or Consolidation Applications to 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>
Subsection 7-1-301(5) authorizes the commissioner to grant applications of approval for new institutions, branches, relocations, mergers, consolidations, changes of control, and other applications. Section 7-1-703 places restrictions on acquisition of institutions and holding companies. Section 7-1-704 states that an institution subject to the jurisdiction of the Department of Financial Institutions (Department) may maintain an office in this state or engage in activities of a financial institution in this state only if it is authorized to do so by the department. Section 7-1-705 lists the criteria necessary to file an application with the Department, as well as what is required for approval and grounds for disapproval.
<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 by the agency concerning 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 applies to all applicants to the Department for change of control, acquisition of, merger, or consolidation with any financial institution chartered by the state. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/15/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R333-5	Filing ID: 50805
Effective Date:	09/08/2022	

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Banks	
<b>Room number:</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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8855	pallred@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R333-5. Discount Securities Brokerage Service by Banks
<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 7-1-301(3)(a) grants the commissioner power to authorize a state-chartered depository institution all rights, powers, privileges, benefits, or immunities it would possess if it were chartered under the laws of the United States. Section 7-3-3.2 authorizes banks to engage in the business of purchasing, selling, underwriting, and dealing in securities subject to the limitations of this section.

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

No supporting or opposing written comments have been received by the agency concerning this rule.

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

This rule limits securities activities to "discount brokerage" services and gives state-chartered banks competitive equality with national banks which have their principal office in this state by granting the same rights and privileges to state chartered bank as are enjoyed by Utah's national banks. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/08/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R333-8</b>	<b>Filing ID:</b>	<b>50808</b>
<b>Effective Date:</b>	<b>09/08/2022</b>		

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Banks	
<b>Room number:</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 persons:</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>
R333-8. Authority for Banks to Issue Subordinated Capital Notes or Debentures

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

Subsection 7-1-301(8)(v) authorizes the commissioner to put "limitations on the amount and type of borrowings by each class of financial institution in relation to the amount of its capital and the character and condition of its assets and its deposits and other liabilities". Section 7-3-28 covers the issuance of capital notes or debentures, when they shall be subordinated, that they may not exceed certain limitations, that the amount for not maturing within one year will be added to the capital of the bank, and other regulations for protection.

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

No supporting or opposing written comments have been received by the agency concerning this rule.

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

This rule establishes the criteria and procedures for issuance of subordinated capital notes or debentures and limitations on the total amount of such instruments which may be outstanding in order to protect the bank's depositors and shareholders. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/08/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R333-9</b>	<b>Filing ID:</b>	<b>50821</b>
<b>Effective Date:</b>	<b>09/08/2022</b>		

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Banks	
<b>Room number:</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	

Contact persons:		
Name:	Phone:	Email:
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>
R333-9. Indemnification of Directors, Officers, and Employees
<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 7-1-301(4) authorizes the commissioner to safeguard the interest of shareholders, members, depositors, and other customers of institutions. Section 7-3-13 restricts changes in the articles of incorporation if the change would result in the impairment of the rights, remedies, or securities of depositors and other creditors.
<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 by the agency concerning 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 defines, clarifies, and limits the extent to which a state-chartered bank may provide in its articles of incorporation or bylaws for the indemnification of directors, officers, and employees. This rule also deters acts that could threaten the safety and soundness of banks by specifically prohibiting the indemnification of directors, officers, and employees. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/08/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Rule Number:</b>	R333-10	<b>Filing ID:</b> 50813
<b>Effective Date:</b>	09/08/2022	

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Banks	
<b>Room number:</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	
Contact persons:		
Name:	Phone:	Email:
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>
R333-10. Securities Activities of Subsidiaries and Affiliates of State-Chartered Banks
<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 7-3-3.2 authorizes banks to engage in the business of purchasing, selling, underwriting, and dealing in securities subject to the limitations of this section. Section 7-3-21 outlines the conditions of stock ownership by banks.
<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 by the agency concerning 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 establishes safeguards to ensure that subsidiaries or affiliates engaged in securities activities do not endanger the safety and soundness of the state-chartered banks. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/08/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R333-12	Filing ID: 50815
Effective Date:	09/15/2022	

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Banks	
<b>Room number:</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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8855	pallred@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R333-12. Investment by State-Chartered Banks in Real Property Other Than Bank Premises
<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 7-1-301 authorizes rulemaking authority to the commissioner. Section 7-3-18 permits a bank to purchase, hold, and convey real estate, other than bank premises, only for those purposes and in a manner prescribed by the Commissioner by regulation.
<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 by the agency concerning 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 authorizes state-chartered banks with sufficient capital to invest in real property, other than bank premises, as prescribed by the commissioner by regulation. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

Rule Number:	R335-1	Filing ID: 50816
Effective Date:	09/13/2022	

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Consumer Credit	
<b>Room number:</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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8855	pallred@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R335-1. Rule Prohibiting Negative Amortizing Wrap Loans
<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 70C-8-102(1)(e) authorizes the Department of Financial Institutions to adopt, amend, and repeal rules to supplement, interpret, or carry out the provisions of this title. This rule applies to all extensions of credit subject to Title 70C, Utah Consumer Credit Code, which furthers consumer understanding of credit transactions, prohibits certain unfair practices, and avoids duplication of laws and regulations pertaining to consumer credit between state and federal authorities.
<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 by the agency concerning this rule.

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

The purpose for this rule is to prohibit wrap loans that will not fully service all obligations wrapped by the loan. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/13/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R335-2</b>	<b>Filing ID:</b>	<b>50825</b>
<b>Effective Date:</b>	<b>09/13/2022</b>		

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Consumer Credit	
<b>Room number:</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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8855	pallred@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R335-2. Rule Prescribing Allowable Terms and Disclosure Requirements for Variable and Adjustable Interest Rates in Consumer Credit Contracts
<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 70C-8-102(1)(e) authorizes the Department of Financial Institutions to adopt, amend, and repeal rules to supplement, interpret, or carry out the provisions of this title. This rule applies to all extensions of credit subject to Title 70C, Utah Consumer Credit Code, which furthers consumer understanding of credit transactions, prohibits certain unfair practices, and avoids duplication of laws and

regulations pertaining to consumer credit between state and federal authorities.

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

No supporting or opposing written comments have been received by the agency concerning this rule.

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

The purpose for this rule is to distinguish variable or adjustable interest rates from other kinds of rate formulas or provisions, to specify what must be included in rate formulas represented to be variable or adjustable and to specify certain disclosure requirements under state and federal law applicable to variable or adjustable rate and other formulas. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/13/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R335-4</b>	<b>Filing ID:</b>	<b>50830</b>
<b>Effective Date:</b>	<b>09/13/2022</b>		

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Consumer Credit	
<b>Room number:</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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8855	pallred@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R335-4. Notice Concerning Refund of Unearned Credit Insurance Premiums Upon Prepayment of a Consumer Debt
<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 70C-8-102(1)(e) authorizes the Department of Financial Institutions to adopt, amend, and repeal rules to supplement, interpret, or carry out the provisions of this title. This rule applies to all extensions of credit subject to Title 70C, Utah Consumer Credit Code, which furthers consumer understanding of credit transactions, prohibits certain unfair practices, and avoids duplication of laws and regulations pertaining to consumer credit between state and federal authorities.
<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 by the agency concerning this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The purpose for this rule is to require all consumer creditors, including assignees or other successors in interest, to notify a borrower when a debtor may be entitled to a separate refund of unearned credit insurance premiums. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/13/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R339-4</b>	<b>Filing ID:</b>	<b>50824</b>
<b>Effective Date:</b>	<b>09/15/2022</b>		

**Agency Information**

<b>1. Department:</b>	Financial Institutions
<b>Agency:</b>	Industrial Loan Corporations
<b>Room number:</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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8855	pallred@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R339-4. Authority for Industrial Loan Corporations to Issue Subordinated Capital Notes or Debentures
<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 7-1-301(8) authorizes the commissioner to establish reasonable classes of financial institutions and types of investments for the deposits and other funds, as well as eligible obligations, reserves, and other accounts to be included in the computation of capital. Subsection 7-1-301(13) authorizes the commissioner to regulate the issuance, advertising, offer for sale, and sale of a security.
<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 by the agency concerning 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 construes, applies, and elaborates on Rule R331-5 as it applies to industrial loan corporations in the issuance of subordinated capital notes or debentures. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R339-6</b>	<b>Filing ID:</b>	<b>50834</b>
<b>Effective Date:</b>	<b>09/15/2022</b>		

**Agency Information**

<b>1. Department:</b>	Financial Institutions	
<b>Agency:</b>	Industrial Loan Corporations	
<b>Room number:</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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8855	pallred@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R339-6. Rule Clarifying Industrial Loan Corporation Investments
<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 7-1-301(8) authorizes the commissioner to establish reasonable classes of financial institutions and types of investments for the deposits and other funds. Section 7-8-13 allows industrial loan corporations to purchase, hold, and convey real estate, other than the premises used in the conduct of its business. Section 7-8-14 lists the types of investments in property industrial loan corporations may invest in including real property and any interest in real property, stock, bonds, debentures, etc.
<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 by the agency concerning 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 defines acceptable investments for the funds of an industrial loan corporation and defines and clarifies investments in real estate. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darryle Rude, Commissioner	<b>Date:</b>	09/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R414-2A</b>	<b>Filing ID:</b>	<b>53579</b>
<b>Effective Date:</b>	<b>09/14/2022</b>		

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Health Care Financing, Coverage and Reimbursement Policy	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 143102	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-3102	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R414-2A. Inpatient Hospital Services
<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 26-18-3 requires the Department of Health and Human Services (Department) to implement the Medicaid program through administrative rules. Additionally, 42 CFR 440.10 authorizes the provision of inpatient hospital services.
<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 did not receive any written comments regarding this rule.

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

The Department has determined that this rule is necessary because it implements provisions for member eligibility, hospital admissions, the Prepaid Mental Health Plan, service coverage, provider-preventable conditions, reporting, utilization, cost sharing, and reimbursement. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	09/14/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R414-3A</b>	<b>Filing ID:</b>	<b>50958</b>
<b>Effective Date:</b>	<b>09/14/2022</b>		

**Agency Information**

<b>1. Department:</b>	Health and Human Services		
<b>Agency:</b>	Health Care Financing, Coverage and Reimbursement Policy		
<b>Building:</b>	Cannon Health Building		
<b>Street address:</b>	288 N 1460 W		
<b>City, state and zip:</b>	Salt Lake City, UT 84116		
<b>Mailing address:</b>	PO Box 143102		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-3102		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov	
Jonah Shaw	385-310-2389	jshaw@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R414-3A. Outpatient Hospital Services
<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 26-18-3 requires the Department of Health and Human Services (Department) to implement the Medicaid

program through administrative rules. Additionally, 42 CFR 440.20 authorizes the provision of outpatient hospital services.

**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 did not receive any written comments regarding this rule.

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

The Department has determined that this rule is necessary because it implements provisions for member eligibility, program access, service coverage, prior authorization, cost sharing, and reimbursement. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	09/14/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R460-1</b>	<b>Filing ID:</b>	<b>51138</b>
<b>Effective Date:</b>	<b>09/14/2022</b>		

**Agency Information**

<b>1. Department:</b>	Housing Corporation		
<b>Agency:</b>	Administration		
<b>Street address:</b>	2479 Lake Park Boulevard		
<b>City, state and zip:</b>	West Valley City, UT 84120		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jonathan Hanks	801-902-8221	jhanks@uthc.org	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R460-1. Authority and Purpose
<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>
Title 63H, Chapter 8, as amended (the Act), is the enabling legislation of the Utah Housing Corporation (UHC).

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Section 63H-8-301 of the Act grants UHC the power to adopt, amend, and repeal rules. Section 63H-8-302 of the Act states that UHC "shall make rules or adopt policies and procedures" governing the activities authorized by its enabling legislation.

**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:**

UHC has received no comments, either orally or in writing, supporting or opposing this rule.

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

This rule is necessary to provide a clear statement to the public and any entity with which UHC may conduct business of the rulemaking authority and responsibility granted to UHC by statute. Therefore, this rule should be continued.

Title 63H, Chapter 8, as amended (the Act), is the enabling legislation of the Utah Housing Corporation (UHC). Section 63H-8-301 of the Act grants UHC the power to adopt, amend, and repeal rules. Section 63H-8-302 of the Act states that UHC "shall make rules or adopt policies and procedures" governing the activities authorized by its enabling legislation.

**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:**

UHC has received no comments, either orally or in writing, supporting or opposing this rule.

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

This rule is necessary to provide the public with clear definitions of terms used in UHC's rules. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	David Damschen, CEO	<b>Date:</b>	09/14/2022
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**Agency Authorization Information**

<b>Agency head or designee and title:</b>	David Damschen, CEO	<b>Date:</b>	09/14/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R460-2</b>	<b>Filing ID:</b>	<b>51139</b>
<b>Effective Date:</b>	<b>09/14/2022</b>		

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R460-3</b>	<b>Filing ID:</b>	<b>51153</b>
<b>Effective Date:</b>	<b>09/14/2022</b>		

**Agency Information**

<b>1. Department:</b>	Housing Corporation		
<b>Agency:</b>	Administration		
<b>Street address:</b>	2479 Lake Park Boulevard		
<b>City, state and zip:</b>	West Valley City, UT 84120		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jonathan Hanks	801-902-8221	jhanks@uthc.org	
<b>Please address questions regarding information on this notice to the agency.</b>			

**Agency Information**

<b>1. Department:</b>	Housing Corporation		
<b>Agency:</b>	Administration		
<b>Street address:</b>	2479 Lake Park Boulevard		
<b>City, state and zip:</b>	West Valley City, UT 84120		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jonathan Hanks	801-902-8221	jhanks@uthc.org	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R460-2. Definitions of Terms Used throughout R460
<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>

**General Information**

<b>2. Rule catchline:</b>
R460-3. Programs of UHC
<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>

Title 63H, Chapter 8, as amended (the Act), is the enabling legislation of the Utah Housing Corporation (UHC). Section 63H-8-301 of the Act grants UHC the power to adopt, amend, and repeal rules. Section 63H-8-302 of the Act states that UHC "shall make rules or adopt policies and procedures" governing the activities authorized by its enabling legislation.

**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:**

UHC has received no comments, either orally or in writing, supporting or opposing this rule.

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

This rule is necessary to provide the public with a clear statement of the programs available from UHC and the general purpose and scope of each of those programs that have been created under authority granted to UHC by statute. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	David Damschen, CEO	<b>Date:</b>	09/14/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R460-4</b>	<b>Filing ID:</b>	<b>51141</b>
<b>Effective Date:</b>	<b>09/14/2022</b>		

**Agency Information**

<b>1. Department:</b>	Housing Corporation	
<b>Agency:</b>	Administration	
<b>Street address:</b>	2479 Lake Park Boulevard	
<b>City, state and zip:</b>	West Valley City, UT 84120	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jonathan Hanks	801-902-8221	jhanks@uthc.org
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R460-4. Additional Servicing Rules (Reserved)

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

Title 63H, Chapter 8, as amended (the Act), is the enabling legislation of the Utah Housing Corporation (UHC). Section 63H-8-301 of the Act grants UHC the power to adopt, amend, and repeal rules. Section 63H-8-302 of the Act states that UHC "shall make rules or adopt policies and procedures" governing the activities authorized by its enabling legislation.

**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:**

UHC has received no comments, either orally or in writing, supporting or opposing this rule.

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

The justification for this rule, even though it is only "reserved", is that the mortgage servicing world continues to evolve. A few state housing finance agencies have begun servicing loans for other state housing finance agencies over the last few years. UHC services all of its own loans and may, at a future date, add language to this rule to allow it to service loans for properties located outside the state of Utah. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	David Damschen, CEO	<b>Date:</b>	09/14/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R460-5</b>	<b>Filing ID:</b>	<b>51140</b>
<b>Effective Date:</b>	<b>09/14/2022</b>		

**Agency Information**

<b>1. Department:</b>	Housing Corporation	
<b>Agency:</b>	Administration	
<b>Street address:</b>	2479 Lake Park Boulevard	
<b>City, state and zip:</b>	West Valley City, UT 84120	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jonathan Hanks	801-902-8221	jhanks@uthc.org
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R460-5. Termination of Eligibility to Participate in Programs
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Title 63H, Chapter 8, as amended (the Act), is the enabling legislation of the Utah Housing Corporation (UHC). Section 63H-8-301 of the Act grants UHC the power to adopt, amend, and repeal rules. Section 63H-8-302 of the Act states that UHC "shall make rules or adopt policies and procedures" governing the activities authorized by its enabling legislation.
<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>
UHC has received no comments, either orally or in writing, supporting or opposing 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 necessary to provide the public with a clear statement of what type of activity and/or behavior by a participant in UHC's programs may lead to the termination of that participant's eligibility to continue to participate in UHC's programs. Therefore, this rule should be continued.

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

**General Information**

<b>2. Rule catchline:</b>
R460-6. Adjudicative Proceedings
<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>
Title 63H, Chapter 8, as amended (the Act), is the enabling legislation of the Utah Housing Corporation (UHC). Section 63H-8-301 of the Act grants UHC the power to adopt, amend, and repeal rules. Section 63H-8-302 of the Act states that UHC shall make rules governing the activities authorized by its enabling legislation.
<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>
UHC has received no comments, either orally or in writing, supporting or opposing 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 necessary to provide the public with a clear statement of the process UHC will follow when UHC determines that an adjudicative proceeding is necessary. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	David Damschen, CEO	<b>Date:</b>	09/14/2022
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**Agency Authorization Information**

<b>Agency head or designee and title:</b>	David Damschen, CEO	<b>Date:</b>	09/14/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	R460-6	<b>Filing ID:</b>	51151
<b>Effective Date:</b>	09/14/2022		

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	R460-7	<b>Filing ID:</b>	51145
<b>Effective Date:</b>	09/14/2022		

**Agency Information**

<b>1. Department:</b>	Housing Corporation		
<b>Agency:</b>	Administration		
<b>Street address:</b>	2479 Lake Park Boulevard		
<b>City, state and zip:</b>	West Valley City, UT 84120		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jonathan Hanks	801-902-8221	jhanks@uthc.org	

**Agency Information**

<b>1. Department:</b>	Housing Corporation		
<b>Agency:</b>	Administration		
<b>Street address:</b>	2479 Lake Park Boulevard		
<b>City, state and zip:</b>	West Valley City, UT 84120		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jonathan Hanks	801-902-8221	jhanks@uthc.org	



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

**General Information**

**2. Rule catchline:**

R460-7. Public Petitions For Declaratory Orders

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

Title 63H, Chapter 8, as amended (the Act), is the enabling legislation of the Utah Housing Corporation (UHC). Section 63H-8-301 of the Act grants UHC the power to adopt, amend, and repeal rules. Section 63H-8-302 of the Act states that UHC "shall make rules or adopt policies and procedures" governing the activities authorized by its enabling legislation.

**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:**

UHC has received no comments, either orally or in writing, supporting or opposing this rule.

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

This rule is necessary to provide the public with a clear statement of the procedures required for petitions for declaratory orders with regard to the applicability of rules, statutes, and orders governing or issued by UHC. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	David Damschen, CEO	<b>Date:</b>	09/14/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R460-8</b>	<b>Filing ID:</b>	<b>51146</b>
<b>Effective Date:</b>	<b>09/14/2022</b>		

**Agency Information**

<b>1. Department:</b>	Housing Corporation
<b>Agency:</b>	Administration
<b>Street address:</b>	2479 Lake Park Boulevard
<b>City, state and zip:</b>	West Valley City, UT 84120

**Contact persons:**

<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jonathan Hanks	801-902-8221	jhanks@uthc.org

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

**General Information**

**2. Rule catchline:**

R460-8. Americans with Disabilities Act (ADA) Complaint Procedures

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

Title 63H, Chapter 8, as amended (the Act), is the enabling legislation of the Utah Housing Corporation (UHC). Section 63H-8-301 of the Act grants UHC the power to adopt, amend, and repeal rules. Section 63H-8-302 of the Act states that UHC "shall make rules or adopt policies and procedures" governing the activities authorized by its enabling legislation.

**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:**

UHC has received no comments, either orally or in writing, supporting or opposing this rule.

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

This rule is necessary to provide the public with a clear procedure UHC will follow for the prompt and equitable resolution of any complaints filed under the Americans with Disabilities Act. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	David Damschen, CEO	<b>Date:</b>	09/14/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R592-5</b>	<b>Filing ID:</b>	<b>53654</b>
<b>Effective Date:</b>	<b>09/12/2022</b>		

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Title and Escrow Commission

<b>Room number:</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 persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R592-5. Title Insurance Product or Service Approval for a Dual Licensed Title Licensee
<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-2-404 authorizes the Title and Escrow Commission to make rules regarding title insurance matters in accordance with the Utah Administrative Rulemaking Act, with the concurrence of the insurance commissioner, and with proper notice being given to the Office of Administrative Rules and the Real Estate Commission. Section 31A-2-405 authorizes the Title and Escrow Commission to make rules to implement the filing requirements under Subsection 31A-2-405(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>
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 sets requirements for a dual licensed title licensee to obtain approval from the Title and Escrow Commission to sell a title insurance product. Therefore, this rule should be continued.
The Title and Escrow Commission, which has rulemaking authority over rules in Title R592, Title and Escrow Commission, voted at its 08/22/2022 meeting to continue this rule by a vote of 5 to 0.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	09/12/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R600-1</b>	<b>Filing ID:</b>	<b>51476</b>
<b>Effective Date:</b>	<b>09/12/2022</b>		

**Agency Information**

<b>1. Department:</b>	Labor Commission		
<b>Agency:</b>	Administration		
<b>Room number:</b>	3rd Floor		
<b>Building:</b>	Heber M Wells		
<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 persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Chris Hill	801-530-6113	chill@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R600-1. Declaratory Order
<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-4-503(2) requires all agencies, including the Labor Commission (Commission), to issue rules for declaratory proceedings and orders.
<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 since the last five-year review of this rule from interested person supporting or opposing 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>

As required by Subsection 63G-4-503(2), this rule provides the procedures for submission, review, and disposition of petitions for agency declaratory orders on the applicability of statutes, rules, and orders governing or issued by the commission. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jacson R. Maughan, Commissioner	<b>Date:</b>	09/12/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R628-2</b>	<b>Filing ID:</b>	<b>52998</b>
<b>Effective Date:</b>	<b>09/02/2022</b>		

**Agency Information**

<b>1. Department:</b>	Money Management Council		
<b>Agency:</b>	Administration		
<b>Room number:</b>	Suite 180		
<b>Building:</b>	State Capitol		
<b>Street address:</b>	350 N. State Street		
<b>City, state and zip:</b>	Salt Lake City, UT 84111		
<b>Mailing address:</b>	PO Box 142315		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-2315		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Ann Pedroza	801-538-1883	apedroza@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R628-2. Investment of Funds of Public Education Foundations Established Under Section 53E-3-403 or Funds Acquired by Gift, Devise, or Bequest
<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 enacted under Subsection 51-7-13(2) which says that rules established by the Money Management Council will govern how these types of funds are invested and Subsection 51-7-18(2)(b) gives the Council rulemaking authority.

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

There have been no written comments either supporting or opposing this rule during or since the last five-year review of this rule.

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

Foundation funds are held to provide income that is used to fund scholarships and the like, and investing in high-quality longer-term securities and funds allows for that flexibility. With these criteria for foundation funds in a rule the Council is able to respond more quickly to changes in markets. The Council reviewed the Rule in the August 2022 meeting and unanimously voted to continue this rule for five years. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	K Wayne Cushing, Council Chair	<b>Date:</b>	09/02/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R653-2</b>	<b>Filing ID:</b>	<b>52473</b>
<b>Effective Date:</b>	<b>09/09/2022</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	Water Resources		
<b>Room number:</b>	310		
<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 146201		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6201		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Lanli Pham	801-538-7235	lpham@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

**General Information**

<b>2. Rule catchline:</b>
R653-2. Financial Assistance from the Board of Water Resources
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 73-10g-105(1)(a) requires the Division of Water Resources (Division) to make rules regarding loans made from available funds for repairing, replacing, or improving underfunded federal water infrastructure projects.
Subsection 3-10g-105(1)(b) requires the Division to make rules regarding loans made from available funds for developing the state's underdeveloped share of the Bear and Colorado rivers.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No comments have been received 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 necessary because it allows water users to achieve the highest beneficial use of water resources within the state and also because the statute requires it. Therefore, this rule should be continued.

**Agency Authorization Information**

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

<b>Rule Number:</b>	<b>R653-4</b>	<b>Filing ID:</b>	<b>51714</b>
<b>Effective Date:</b>	<b>09/15/2022</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Water Resources
<b>Room number:</b>	310
<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 146201	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6201	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Lanli Pham	801-538-7235	lpham@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R653-4. Investigation Account
<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 73-10-8 authorizes the Division of Water Resources to use the money in the Investigation Account.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No comments have been received 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 necessary because it provides guidelines for the use of the Investigation Account funds to ensure they are used for water development and water resource uses for the state's citizens' best interests. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Candice Hasenyager, Director	<b>Date:</b>	09/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R653-5</b>	<b>Filing ID:</b>	<b>51718</b>
<b>Effective Date:</b>	<b>09/09/2022</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Water Resources
<b>Room number:</b>	310

<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 146201	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6201	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Lanli Pham	801-538-7235	lpham@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R653-5. Cloud Seeding
<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 73-13-3 grants the Division of Water Resources (Division) sole power and authority over cloud seeding and states that the Division is the only entity to authorize cloud-seeding research, evaluation, or implementation projects to alter precipitation, cloud forms, or meteorological parameters within the state of Utah.
Section 73-15-5 requires the Division to establish criteria for reporting and recordkeeping procedures for cloud-seeding.
Section 73-15-6 requires the Division to establish qualifications for becoming a cloud-seeding contractor in the state of Utah.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No comments have been received 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 necessary because the Division is still currently conducting cloud seeding projects to increase precipitation throughout the state and also because the statute requires it. Therefore, this rule should be continued.

**Agency Authorization Information**

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

<b>Rule Number:</b>	<b>R653-6</b>	<b>Filing ID:</b>	<b>51710</b>
<b>Effective Date:</b>	<b>09/09/2022</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	Water Resources		
<b>Room number:</b>	310		
<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 146201		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6201		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Lanli Pham	801-538-7235	lpham@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R653-6. Privatization Projects
<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 73-10d-6(2) requires the Division of Water Resources to establish rules for periodic reporting by any political subdivision that establishes ordinances, franchises, or other forms of regulation.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No comments have been received since the last five-year review of this rule.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS 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:**

This rule is necessary because it helps municipalities or counties finance the cost of a privatization project for drinking water, water, and wastewater. Also, because the statute requires it. Therefore, this rule should be continued.

**Agency Authorization Information**

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

## NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR REVIEW EXTENSION (EXTENSION)** with the Office of Administrative Rules. The **EXTENSION** permits the agency to file the review up to 120 days beyond the anniversary date.

Agencies have filed **EXTENSIONS** for the rules listed below. The "Extended Due Date" is 120 days after the anniversary date.

**EXTENSIONS** are governed by Subsection 63G-3-305(6).

NOTICE OF FIVE-YEAR REVIEW EXTENSION		
<b>Rule Number:</b>	<b>R154-1</b>	<b>Filing ID: 50252</b>
<b>New Date:</b>	<b>Deadline</b>	<b>01/09/2023</b>

### Agency Information

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Corporations and Commercial Code	
<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 84111-2316	
<b>Mailing address:</b>	PO Box 146705	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6705	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Leigh Veillette	801-530-6162	lveillette@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

### General Information

<b>2. Rule catchline:</b>
R154-1. Central Filing System for Agriculture Product Liens
<b>3. Reason for requesting the extension:</b>
The Division of Corporations and Commercial Code needs additional time to submit the five-year review for this rule.

### Agency Authorization Information

<b>Agency head or designee and title:</b>	Leigh Veillette, Division Director	<b>Date:</b>	09/12/2022
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### NOTICE OF FIVE-YEAR REVIEW EXTENSION

<b>Rule Number:</b>	<b>R653-3</b>	<b>Filing ID: 51712</b>
<b>New Date:</b>	<b>Deadline</b>	<b>01/27/2023</b>

### Agency Information

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Water Resources	
<b>Room number:</b>	310	
<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 146201	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6201	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Lanli Pham	801-538-7235	lpham@utah.gov
Todd Stonely	801-538-7277	toddstonely@utah.gov
Martin Bushman	801-538-7273	martinbushman@agutah.gov

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

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

**General Information**

**2. Rule catchline:**  
R653-3. Selecting Private Consultants

**3. Reason for requesting the extension:**

The Division of Water Resources needs an extension so this rule does not expire before a repeal can be made effective.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Candice Hasenyager, Director	<b>Date:</b>	09/14/2022
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**End of the Notices of Five-Year Review Extensions Section**



## NOTICES OF RULE EFFECTIVE DATES

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State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **PROPOSED RULES** 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

#### Plant Industry

No. 54754 (Amendment) R68-7: Utah Pesticide Control Rule  
Published: 08/01/2022  
Effective: 09/07/2022

### Real Estate

No. 54608 (Amendment) R162-2g: Real Estate Appraiser Licensing and Certification Administrative Rules  
Published: 07/01/2022  
Effective: 09/14/2022

### Commerce

#### Administration

No. 54760 (Amendment) R151-1: Department of Commerce General Provisions  
Published: 08/15/2022  
Effective: 09/21/2022

### Education

#### Administration

No. 54712 (Amendment) R277-609: Standards for LEA Discipline Plans and Emergency Safety Interventions  
Published: 07/15/2022  
Effective: 09/09/2022

No. 54753 (Amendment) R151-4: Department of Commerce Administrative Procedures Act Rule  
Published: 08/01/2022  
Effective: 09/07/2022

### Environmental Quality

#### Air Quality

No. 54595 (Amendment) R307-401-14: Used Oil Fuel Burned for Energy Recovery  
Published: 06/01/2022  
Effective: 09/26/2022

No. 54761 (Repeal) R151-55: Regulatory Sandbox Program Rule  
Published: 08/15/2022  
Effective: 09/21/2022

No. 54500 (Amendment) R307-508: Oil and Gas Industry: VOC Control Devices  
Published: 05/01/2022  
Effective: 09/06/2022

### Corporations and Commercial Code

No. 54775 (Amendment) R154-1: Central Filing System for Agricultural Product Liens  
Published: 08/15/2022  
Effective: 09/21/2022

No. 54500 (Change in Proposed Rule) R307-508: Oil and Gas Industry: VOC Control Devices  
Published: 08/01/2022  
Effective: 09/06/2022

No. 54776 (Repeal and Reenact) R154-2: Filing Office Rules  
Published: 08/15/2022  
Effective: 09/21/2022

No. 54501 (Amendment) R307-509: Oil and Gas Industry: Leak Detection and Repair Requirements  
Published: 05/01/2022  
Effective: 09/06/2022

No. 54777 (Repeal and Reenact) R154-100: Administrative Procedures Act Rule  
Published: 08/15/2022  
Effective: 09/21/2022

No. 54501 (Change in Proposed Rule) R307-509: Oil and Gas Industry: Leak Detection and Repair Requirements  
Published: 08/01/2022  
Effective: 09/06/2022

NOTICES OF RULE EFFECTIVE DATES

Health and Human Services

Disease Control and Prevention, Environmental Services  
No. 54455 (Amendment) R392-110: Food Service  
Sanitation in Residential Care Facilities  
Published: 04/15/2022  
Effective: 09/27/2022

No. 54455 (Change in Proposed Rule) R392-110: Food  
Service Sanitation in Residential Care Facilities  
Published: 07/15/2022  
Effective: 09/27/2022

No. 54718 (Repeal and Reenact) R392-200: Design,  
Construction, Operation, Sanitation, and Safety of Schools  
Published: 07/15/2022  
Effective: 09/27/2022

Health Care Financing, Coverage and Reimbursement Policy  
No. 54720 (Amendment) R414-49: Dental, Oral and  
Maxillofacial Surgeons and Orthodontia  
Published: 07/15/2022  
Effective: 09/08/2022

Center for Health Data, Health Care Statistics  
No. 54579 (Amendment) R428-2: Health Data Authority  
Standards for Health Data  
Published: 05/15/2022  
Effective: 09/01/2022

Family Health and Preparedness, Licensing  
No. 54593 (Amendment) R432-32: Licensing Exemption  
for Non-Profit Volunteer End-of-Life Care  
Published: 06/01/2022  
Effective: 09/08/2022

Administration, Administrative Services, Licensing  
No. 54731 (Repeal) R501-2: Core Rules  
Published: 07/15/2022  
Effective: 09/09/2022

Aging and Adult Services  
No. 54292 (Repeal and Reenact) R510-104: Nutrition  
Programs  
Published: 02/01/2022  
Effective: 09/08/2022

No. 54292 (Change in Proposed Rule) R510-104: Nutrition  
Programs  
Published: 06/15/2022  
Effective: 09/08/2022

Natural Resources

State Parks  
No. 54773 (Repeal) R651-608: Events of Special Uses  
Published: 08/15/2022  
Effective: 09/23/2022

No. 54772 (Amendment) R651-635: Commercial Use of  
Division Managed Park Areas  
Published: 08/15/2022  
Effective: 09/23/2022

Public Safety

Highway Patrol  
No. 54742 (New Rule) R714-570: Mental Health  
Resources for First Responders Grant Funding  
Published: 08/01/2022  
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Workforce Services

Employment Development  
No. 54728 (Amendment) R986-300-306: Time Limits  
Published: 08/01/2022  
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No. 54749 (Amendment) R986-700-721: Commercial  
Preschool Subsidy  
Published: 08/01/2022  
Effective: 10/01/2022

No. 54779 (Amendment) R986-700-771: Grants for Child  
Care Start-up Costs  
Published: 08/15/2022  
Effective: 10/01/2022

No. 54778 (Repeal) R986-800: Displaced Homemaker  
Program  
Published: 08/15/2022  
Effective: 09/22/2022

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