

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed June 02, 2023, 12:00 a.m. through June 15, 2023, 11:59 p.m.

Number 2023-13
July 01, 2023

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

Unless otherwise noted, all information presented in this publication is in the public domain and may be reproduced, reprinted, and redistributed as desired. Materials incorporated by reference retain the copyright asserted by their respective authors. Citation to the source is requested.

Utah state digest.

Semimonthly.

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

KFU440.A73S7

348.792'025--DDC

85-643197

TABLE OF CONTENTS

EXECUTIVE DOCUMENTS	1
WRIT OF ELECTION, PROCLAMATION, AND NOTICE OF ELECTION	
2023-1P	
Calling and Giving Notice of a Special Congressional Election	1
PROCLAMATION	
2023-2S	
Calling a Special Session of the Utah Legislature	3
NOTICES OF PROPOSED RULES	5
GOVERNMENT OPERATIONS	
Facilities Construction and Management	
R23-30. State Facility Energy Efficiency Fund	6
COMMERCE	
Real Estate	
R162-2c. Utah Residential Mortgage Practices and Licensing Rules	7
R162-2e. Appraisal Management Company Administrative Rules	10
R162-2f. Real Estate Licensing and Practices Rules	12
EDUCATION	
Administration	
R277-110. Educator Salary Adjustment.....	14
R277-496. K-3 Reading Software Licenses.....	16
R277-497. School Accountability System	18
R277-607. Absenteeism and Truancy Prevention	19
R277-613. LEA Policies and Training Regarding Bullying, Cyber-	
bullying, Hazing, Retaliation, and Abusive Conduct	21
R277-619. Student Leadership Skills Development	23
R277-726. Statewide Online Education Program.....	24
R277-920. School Improvement and Leadership Development.....	26
HEALTH AND HUMAN SERVICES	
Disease Control and Prevention, Epidemiology	
R386-705. Epidemiology, Health Care Associated Infection	27
Health Care Financing, Coverage and Reimbursement Policy	
R414-8. Electronic Personal Medical Records for the Medicaid Program	29
R414-12. Laboratory Services	30

TABLE OF CONTENTS

Health Care Facility Licensing

R432-35. Background Screening -- Health Facilities.....32
R432-500. Freestanding Ambulatory Surgical Center Rules.....33

NATURAL RESOURCES

Wildlife Resources

R657-3. Collection, Importation, Transportation, and Possession
of Animals35
R657-3a. Collection, Importation, Transportation, and Possession
of Animals37
R657-3b. Certification of Registration – Birds and Mammals.....39
R657-3c. Certification of Registration – Fish, Mollusks, and
Crustaceans40
R657-5. Taking Big Game.....42
R657-6. Taking Upland Game.....44
R657-9. Taking Waterfowl, Snipe and Coot.....45
R657-10. Taking Cougar.....47
R657-11. Taking Furbearers and Trapping49
R657-13. Taking Fish and Crayfish.....50
R657-14. Commercial Harvesting of Protected Aquatic Wildlife.....52
R657-20. Falconry53
R657-22. Commercial Hunting Areas55
R657-33. Taking Bear56
R657-37. Cooperative Wildlife Management Units for Big Game
or Turkey.....58
R657-42. Fees, Exchanges, Surrenders, Refunds and Reallocation
of Wildlife Documents59
R657-46. The Use of Game Birds in Dog Field Trials and Training.....61
R657-54. Taking Wild Turkey63
R657-59. Private Fish Ponds, Short Term Fishing Events, Private
Fish Stocking, and Institutional Aquaculture64
R657-62. Drawing Application Procedures66
R657-67. Utah Hunter Mentoring Program.....67
R657-69. Turkey Depredation.....69

WORKFORCE SERVICES

Housing and Community Development

R990-300. Review Process for Plan for Moderate Income Housing Reports71

NOTICES OF CHANGES IN PROPOSED RULES.....73

 AGRICULTURE AND FOOD

 Plant Industry

 R68-29. Quality Assurance Testing on Cannabis74

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION77

 EDUCATION

 Administration

 R277-461. Elementary School Counselor Grant Program77

 R277-613. LEA Policies and Training Regarding Bullying, Cyber-
bullying, Hazing, Retaliation, and Abusive Conduct78

 R277-619. Student Leadership Skills Development78

 HEALTH AND HUMAN SERVICES

 Disease Control and Prevention, Health Promotion

 R384-201. School-Based Vision Screening for Students in Public Schools79

 R384-210. Co-prescription Guidelines -- Reporting.....80

 Family Health and Preparedness, Children with Special Health Care Needs

 R398-2. Newborn Hearing Screening: Early Hearing Detection and
Intervention (EHDI) Program80

 Health Care Financing, Coverage and Reimbursement Policy

 R414-42. Telehealth81

 INSURANCE

 Administration

 R590-247. Universal Health Insurance Application Rule.....82

 NATURAL RESOURCES

 Wildlife Resources

 R657-51. Poaching-Reported Reward Permits82

 PUBLIC SERVICE COMMISSION

 Administration

 R746-344. Filing Requirements for Telephone Corporations with
Less Than 5,000 Access Line Subscribers83

 R746-500. Americans With Disabilities Act Complaint Procedure.....83

 R746-600. Postretirement Benefits other than Pensions84

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS85

 GOVERNMENT OPERATIONS

 Facilities Construction and Management

 R23-30. State Facility Energy Efficiency Fund85

TABLE OF CONTENTS

NOTICES OF RULE EFFECTIVE DATES87

EXECUTIVE DOCUMENTS

Under authority granted by the Utah Constitution and various federal and state statutes, the Governor periodically issues **EXECUTIVE DOCUMENTS**, which can be categorized as either Executive Orders, Proclamations, and Declarations. Executive Orders set policy for the executive branch; create boards and commissions; provide for the transfer of authority; or otherwise interpret, implement, or give administrative effect to a provision of the Constitution, state law or executive policy. Proclamations call special or extraordinary legislative sessions; designate classes of cities; publish states-of-emergency; promulgate other official formal public announcements or functions; or publicly avow or cause certain matters of state government to be made generally known. Declarations designate special days, weeks or other time periods; call attention to or recognize people, groups, organizations, functions, or similar actions having a public purpose; or invoke specific legislative purposes (such as the declaration of an agricultural disaster).

The Governor's Office staff files **EXECUTIVE DOCUMENTS** that have legal effect with the Office of Administrative Rules for publication and distribution.

WRIT OF ELECTION, PROCLAMATION, AND NOTICE OF ELECTION

2023-1P

Calling and Giving Notice of a Special Congressional Election

WHEREAS, on June 6, 2023, United States Rep. Chris Stewart submitted an irrevocable letter of resignation to the governor stating that Rep. Stewart's final day representing the Second Congressional District of Utah is Sep. 15, 2023;

WHEREAS, Article I, Section 2 of the United States Constitution states that "[w]hen vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies;"

WHEREAS, Utah Code § 20A-1-502.5 provides that once a United States representative submits an irrevocable letter of resignation, the governor shall issue a proclamation calling a special congressional election and setting a date for a primary special congressional election and a date for a general special congressional election;

WHEREAS, Utah Code § 20A-1-502.5 states that the governor may set a date for a primary special congressional election and a date for a general special congressional election that are different than the days specified in Utah Code § 20A-1-502.5(1)(a) if the governor calls a special session for the Legislature to appropriate money to hold the special elections;

WHEREAS, Utah Code § 20A-1-502.5(1)(f) requires the governor's proclamation to, consistent with that section, establish the "deadlines, time frames, and procedures for filing a declaration of candidacy, giving notice of an election, and other election requirements;"

WHEREAS, Utah Code § 67-1a-2 designates the Lieutenant Governor as the Chief Election Officer of the State and authorizes her to "exercise oversight, and general supervisory authority, over all elections," and to "exercise direct authority over the conduct of elections for federal, state, and multicounty officers;"

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, by the authority vested in me by the Constitution of the United States, Utah Constitution, and laws of the State of Utah, do hereby issue this Writ of Election, Proclamation, and Notice of Election, and order as follows:

1. The Chief Election Officer shall, if the Legislature appropriates money under Utah Code § 20A-1-502.5(2):
 - a. conduct a primary special congressional election on Sep. 5, 2023;
 - b. conduct a general special congressional election on Nov. 21, 2023; and
 - c. perform any other duties necessary to conduct the elections above.
2. In addition, the following deadlines, time frames, and procedures shall apply:
 - a. Declaration of Candidacy

EXECUTIVE DOCUMENTS

i. Each prospective candidate shall file a declaration of candidacy with the Chief Election Officer between 8 a.m. MST June 8, 2023, and 5 p.m. MST June 14, 2023.

b. Intent to Gather Signatures

i. Each candidate for a qualified political party that intends to seek the party's nomination through the signature gathering process shall, before gathering signatures, file a notice of intent to gather signatures between 8 a.m. MST June 8, 2023 and 5 p.m. MST June 14, 2023.

c. Candidate Selection

i. Each registered political party that is not a qualified political party shall have until July 5, 2023, to select one candidate, in a manner determined by the registered political party, as a candidate for the registered political party.

ii. For each qualified political party, before 5 p.m. on July 5, 2023:

1. the party shall submit to the lieutenant governor one name for placement on the special congressional election primary ballot that the party selects using the convention process described in Utah Code Section 20A-9-407; and

2. members of the qualified political party who desire to be placed on the special congressional election primary ballot using the signature-gathering process described in Utah Code Section 20A-9-408 shall submit signatures to the lieutenant governor.

d. Uniform Military and Overseas Voters

i. For the primary special congressional election, county clerks shall transmit ballots to uniformed-service and overseas voters by July 21, 2023.

ii. For the general special congressional election, county clerks shall transmit ballots to uniformed-service and overseas voters by Oct. 6, 2023.

iii. An election officer shall comply with the requirements of Utah Code § 20A-16-102 *et seq.*, Uniform Military and Overseas Voters Act.

e. Voter Registration

i. The voter registration deadlines and procedures set forth in Utah Code Title 20A, Election Code shall apply to the special congressional elections.

f. Canvassing

i. County Canvass:

1. For the primary special congressional election, the County Board of Canvassers shall complete canvassing by Sep. 19, 2023.

2. For the general special congressional election, the County Board of Canvassers shall complete canvassing by Dec. 6, 2023.

g. State Canvass:

i. For the general special congressional election, the State Board of Canvassers shall complete canvassing by Dec. 8, 2023.

3. Except as otherwise addressed in this proclamation, the deadlines, time frames, and procedures in Utah Code Title 20A, Election Code, shall apply to the congressional special elections.

NOTICE OF ELECTION

I hereby provide notice of an election to fill a vacancy in the Second Congressional District of Utah, consistent with deadlines, time frames, and other requirements provided in this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done this 7th day of June 2023.

(State Seal)

Spencer J. Cox
Governor, State of Utah

ATTEST:

Deidre M. Henderson
Lieutenant Governor, State of Utah

PROCLAMATION**2023-2S**

Calling a Special Session of the Utah Legislature

WHEREAS, on June 6, 2023, United States Rep. Chris Stewart submitted an irrevocable letter of resignation to the governor stating that Rep. Stewart's final day representing the Second Congressional District of Utah is Sep. 15, 2023;

WHEREAS, Article I, Section 2 of the United States Constitution states that "[w]hen vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies;"

WHEREAS, Utah Code § 20A-1-502.5 provides that once a United States representative submits an irrevocable letter of resignation, the governor shall issue a proclamation calling a special congressional election and setting a date for a primary special congressional election and a date for a general special congressional election;

WHEREAS, Utah Code § 20A-1-502.5 states that the governor may set a date for a primary special congressional election and a date for a general special congressional election that are different than the days specified in Utah Code § 20A-1-502.5(1)(a) if the governor calls a special session for the Legislature to appropriate money to hold the special elections;

WHEREAS, by proclamation of the governor, the primary special congressional election has been set for Tuesday, Sep. 5, 2023, and the general special congressional election has been set for Tuesday, Nov. 21, 2023;

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature into Special Session;

NOW, THEREFORE, I, Spencer J. Cox, governor of the State of Utah, by virtue of the authority vested in me by the Utah Constitution and the laws of the State of Utah, do by this Proclamation call the Sixty-fifth Legislature of the State of Utah into a Second Special Session at the Utah State Capitol, in Salt Lake City, Utah, on the 14th day of June 2023, at 4 p.m., for the following specific purposes:

1. to appropriate money to conduct the elections to be held on Tuesday, Sep. 5, 2023, and Tuesday, Nov. 21, 2023;
2. to change the date of the 2023 municipal primary election from Aug. 15, 2023, to Sep. 5, 2023;
3. to change the date of the 2023 municipal general election from Nov. 7, 2023, to Nov. 21, 2023;
4. to align canvassing deadlines for the Sep. 5, 2023, municipal primary election and the Nov. 21, 2023, municipal general election with the canvassing deadlines for the primary special congressional election and the general special congressional election;
5. to direct counties to conduct the 2023 municipal elections and the counties within the Second Congressional District of Utah to also conduct the special congressional elections;
6. to allow election officers to accept and count ballots for the municipal primary election and the primary special congressional election that are postmarked on or before Sep. 5, 2023;
7. to establish the deadline by which a voter may change the voter's political party affiliation for the Sep. 5, 2023, primary special congressional election; and
8. the Senate consenting to appointments made by the Governor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done this 7th day of June 2023.

(State Seal)

Spencer J. Cox
Governor, State of Utah

EXECUTIVE DOCUMENTS

ATTEST:

Deidre M. Henderson
Lieutenant Governor, State of Utah

End of the Executive Documents Section

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between June 02, 2023, 12:00 a.m., and June 15, 2023, 11:59 p.m. are included in this, the July 01, 2023, 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 July 31, 2023. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through October 30, 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.

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R23-30	Filing ID: 55458

Agency Information

1. Department:	Government Operations	
Agency:	Facilities Construction and Management	
Room number:	3626	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W, 3rd Floor	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	4315 S 2700 W, 3rd Floor	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
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 persons listed above.		

General Information

2. Rule or section catchline:
R23-30. State Facility Energy Efficiency Fund
3. Purpose of the new rule or reason for the change:
Subsection 63I-1-263(2) repeals Section 63A-5b-1003, State Facility Energy Efficiency Fund, effective 07/01/2023. The statutory authorization for Rule R23-30 will no longer be in effect as of 07/01/2023.
4. Summary of the new rule or change:
This filing repeals Rule R23-30 in its entirety.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
None--The statutory authorization for Rule R23-30 will no longer be in effect as of 07/01/2023.

B) Local governments:																																				
None--The statutory authorization for Rule R23-30 will no longer be in effect as of 07/01/2023.																																				
C) Small businesses ("small business" means a business employing 1-49 persons):																																				
None--The statutory authorization for Rule R23-30 will no longer be in effect as of 07/01/2023.																																				
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																																				
None--The statutory authorization for Rule R23-30 will no longer be in effect as of 07/01/2023.																																				
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):																																				
None--The statutory authorization for Rule R23-30 will no longer be in effect as of 07/01/2023.																																				
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):																																				
None--The statutory authorization for Rule R23-30 will no longer be in effect as of 07/01/2023.																																				
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																																				
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</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> <tr> <td>Other Persons</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Total Fiscal Cost</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Fiscal Benefits</td> <td>FY2024</td> <td>FY2025</td> <td>FY2026</td> </tr> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table>	Fiscal Cost	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0	Other Persons	\$0	\$0	\$0	Total Fiscal Cost	\$0	\$0	\$0	Fiscal Benefits	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0
Fiscal Cost	FY2024	FY2025	FY2026																																	
State Government	\$0	\$0	\$0																																	
Local Governments	\$0	\$0	\$0																																	
Small Businesses	\$0	\$0	\$0																																	
Non-Small Businesses	\$0	\$0	\$0																																	
Other Persons	\$0	\$0	\$0																																	
Total Fiscal Cost	\$0	\$0	\$0																																	
Fiscal Benefits	FY2024	FY2025	FY2026																																	
State Government	\$0	\$0	\$0																																	

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

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

The Executive Director of the Department of Government Operations, Marvin Dodge, concurs with the analysis above.

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 63A-5b-1003		
------------------------	--	--

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:

08/07/2023

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

Agency head or designee and title:	James R. Russell, Director	Date:	06/13/2023
---	----------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R162-2c	Filing ID:	55495
--------------------------------	----------------	-------------------	--------------

Agency Information

1. Department:	Commerce	
Agency:	Real Estate	
Room number:	2nd Floor	
Building:	Heber M Wells	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84101	
Mailing address:	PO Box 146711	
City, state and zip:	Salt Lake City, UT 84114-6711	
Contact persons:		
Name:	Phone:	Email:
Justin Barney	801-530-6603	justinbarney@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:

R162-2c. Utah Residential Mortgage Practices and Licensing Rules

3. Reason for this change:

The Residential Mortgage Regulatory Commission has become increasingly concerned about the possible misuse of customer information following a breach of a mortgage entity's security.

The reason for the proposed rule amendment is to protect the public by requiring that a mortgage entity meet minimum customer information security requirements and, when a suspected security breach occurs, requiring that the mortgage entity notify affected customers of the breach.

In addition, the Commission wishes to address minimum standards for supervision of mortgage loan originators and staff members in response to the growing teleworking movement.

4. Summary of this change:

The proposed rule clarifies that the oversight required of a lending manager over sponsored mortgage loan originators and staff includes supervision of those who telework.

The proposed rule requires that a lending manager include conditions of privacy and security of customer information, encryption of data, password management, and use of a secured virtual private network in the policies and procedures that the lending manager is required to establish, maintain, and enforce.

The proposed rule also requires that a mortgage entity notify its customers in the event of a suspected security breach if misuse of the customer's personal information is likely to occur as a result of the security breach.

Fiscal Information

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

A) State budget:

The Division of Real Estate (Division) has the staff and budget in place to administer the proposed rule amendment. None of the proposed changes is expected to impact the state's budget. After conducting a thorough analysis, there is no anticipated cost or savings to the state budget.

B) Local government:

Local governments are not required to comply with or enforce the Utah Residential Mortgage Practicing and Licensing Rules. This rule is not expected to have a fiscal impact on local governments' revenues or expenditures.

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

1. Information Security.

The proposed rule amendment would require the lending manager of residential mortgage entities to establish, maintain, and enforce customer information security requirements, including securing customer information, encrypting data, password management, and maintenance of a virtual private network (information security requirements).

The Division estimates that 600 (about 70%) of the approximately 862 licensed mortgage entities are small businesses.

The Division estimates that approximately 480 (about 80%) of these small businesses already contract with an outside business for the information security services or they employ staff to provide the information security that would be required by the proposed rule amendment and would not incur any cost for the information security requirements of the proposed rule amendment.

The Division estimates that approximately 120 licensed mortgage entities would need to contract with a provider or employ staff to comply with the information security requirements in the proposed rule amendment.

After conducting a thorough analysis, the Division estimates that 120 licensed mortgage entities will either hire staff or will purchase some or all of the information security services required by the proposed rule amendment. The one-time cost to a mortgage entity purchasing all of these services is estimated to be approximately \$4,000, and the on-going annual cost for

these mortgage entities is estimated to be approximately \$600 per year, beginning the year following the initial sale.

The Division estimate that approximately one-half of the affected small mortgage businesses will purchase these services in fiscal year 2024 and one-half will purchase the services in fiscal year 2024. The total cost to 60 small business mortgage entities is estimated to be \$240,000 in fiscal year 2024 and \$240,000 in fiscal year 2025.

Fiscal year 2024 -- 60 businesses x \$4,000 = \$240,000
 Fiscal year 2025 -- 60 businesses x \$4,000 = \$240,000
 Fiscal year 2024 -- 60 businesses x \$600 = \$36,000
 Fiscal year 2025 -- 120 businesses x \$600 = \$72,000
 Fiscal year 2026 -- 120 businesses x \$600 = \$72,000

2. Notice Requirement.

Not all mortgage entities will experience a suspected security breach in which misuse of the customer's personal information is likely to occur as a result of the security breach. To protect the public, those mortgage entities that do experience such a suspected breach would be required by the proposed rule amendment to notify affected customers of the suspected breach.

Estimating that approximately 15 licensed small business mortgage entities might experience a suspected breach of customer information in any one fiscal year affecting an estimated average of 150 customers for each affected mortgage entity, the total number of customers to be notified by a small business mortgage entity is estimated to be approximately 2,250 customers per fiscal year.

Assuming the cost to notify a customer to be approximately \$5.00, the average total annual regulatory cost to residential mortgage entities for notifying customers of a suspected breach would be approximately \$11,250.

Each fiscal year -- 15 businesses x 150 customers x \$5 per customer = \$11,250.

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

1. Information Security.

The proposed rule amendment would require licensed residential mortgage entities to establish, maintain, and enforce customer information security requirements, including securing customer information, encrypting data, password management, and maintenance of a virtual private network (information security requirements).

The Division estimates that approximately 260 (about 30%) of the licensed mortgage entities are non-small businesses.

The Division estimates that all licensed mortgage entities that are non-small businesses already contract with an outside business for the information security services or they employ staff to provide the information security that

would be required by the proposed rule amendment and would not incur any cost for the information security requirements of the proposed rule amendment.

2. Notice Requirement.

Not all mortgage entities will experience a suspected security breach in which misuse of the customer's personal information is likely to occur as a result of the security breach. To protect the public, those mortgage entities that do experience such a suspected breach would be required by the proposed rule amendment to notify affected customers of the suspected breach.

Estimating that approximately 5 licensed non-small business mortgage entities might experience a suspected breach of customer information in any one fiscal year affecting an estimated average of 150 customers for each affected mortgage entity, the total number of customers to be notified by a non-small business mortgage entity is estimated to be approximately 750 customers per fiscal year.

Assuming the cost to notify a customer to be approximately \$5.00, the average total annual regulatory cost to licensed non-small mortgage entities for notifying customers of a suspected breach would be approximately \$3,750.

Each fiscal year -- 5 businesses x 150 customers x \$5 per customer = \$3,750.

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

The proposed amendment does not create new obligations for persons other than small businesses, non-small businesses, state, or local government entities nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to persons other than small businesses, businesses, or local government entities.

F) Compliance costs for affected persons:

The compliance costs for affected persons are reflected in total in the fiscal impact estimated for affected licensed mortgage entities split between small businesses and non-small businesses. No other compliance cost is anticipated from the proposed rule amendment.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$287,250	\$323,250	\$83,250
Non-Small Businesses	\$3,750	\$3,750	\$3,750
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$291,000	\$327,000	\$87,000
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	(\$291,000)	(\$327,000)	(\$87,000)

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

The Executive Director of the Department of Commerce, Margaret Busse, 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 61-2c-103(3)	Section 61-2c-301	
-------------------------	-------------------	--

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Jonathan Stewart, Director	Date:	04/19/2023
---	----------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R162-2e	Filing ID: 55456

Agency Information

1. Department:	Commerce	
Agency:	Real Estate	
Room number:	2nd Floor	
Building:	Heber M Wells	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84101	
Mailing address:	PO Box 146711	
City, state and zip:	Salt Lake City, UT 84114-6711	
Contact persons:		
Name:	Phone:	Email:
Justin Barney	801-530-6603	justinbarney@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R162-2e. Appraisal Management Company Administrative Rules
3. Reason for this change:
The reason for the proposed rule amendment is to clarify the communication required of an Appraisal Management Company (AMC) to an appraiser when the AMC chooses to use a bifurcated appraisal assignment and to reduce the amount of USPAP instruction required for AMC personnel under certain circumstances.
4. Summary of this change:
The proposed rule would: 1) add definitions for appraisal review, bifurcated assignment, and third-party property

data collection; 2) for a bifurcated appraisal assignment, require that the AMC disclose to the appraiser: a) the date data was collected; b) the identity or the collector; and c) other relevant information; 3) incorporate USPAP into rule by reference; and 4) reduce the amount of required USPAP instruction for AMC personnel who do not appraise property but who select an appraiser for an assignment or who complete the review of an appraisal.

Fiscal Information

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

A) State budget:
There is no anticipated cost or savings to the state budget as the Division of Real Estate (Division) has the staff and budget in place to administer the proposed rule amendment. None of the proposed changes is expected to impact the state's budget by either increasing costs or generating savings.

B) Local government:
Local governments are not required to comply with or enforce the Appraisal Management Company Administrative Rules. After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
The Division finds that adoption of the proposed rule amendments will not result in a fiscal impact for small businesses. Since the practices of most small businesses doing appraisals are already conducting the process, the proposed amendments will only affect businesses positively that choose to implement the bifurcation process.

Further, the Division does not foresee any negative impact on small businesses from the grammar since the new rule was drafted to comport to the Utah Rulewriting Manual.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed amendment does not create new obligations for non-small businesses nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to non-small businesses.

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

The proposed amendment does not create new obligations for persons other than small businesses, non-small businesses, state, or local government entities nor does it increase the cost associated with any existing obligation. After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to persons other than small businesses, businesses, or local government entities.

F) Compliance costs for affected persons:

Not all AMCs will be affected by the proposed rule amendment. AMCs are not required to offer bifurcated appraisal assignments. Those that choose to offer such assignments have made a business decision to do so, presumably because of likely cost savings to the AMC for bifurcated assignments but also because of other possible benefits perceived by the AMC unrelated to cost savings. The proposed rule would require an AMC that chooses to offer a bifurcated appraisal assignment to communicate to the appraiser information about who collected data for use in an appraisal assignment, when the data was collected, and other relevant information. This information would already be known to the AMC and could be communicated through a simple electronic communication or other method selected by the AMC. The Division is unable to estimate how many bifurcated appraisal assignments AMCs will choose to offer, but whatever the number, the cost of communicating required information is estimated to be negligible or is unable to be determined and likely would be offset by possible cost savings to the AMC resulting from the AMCs choice to offer a bifurcated appraisal.

The proposed change that reduces the education requirement for certain AMC personnel would result in both a time savings and cost savings for affected AMCs. The Division is unable to estimate the cost savings because the Division cannot know how many AMCs have an unlicensed person selecting an appraiser for an assignment or conducting an appraisal review and which would therefor benefit from the lower cost due to the reduced education requirement. A licensed person in this role for the AMC would have already received the education expected to be reduced by the proposed rule.

After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to affected persons or, if there is a fiscal impact, the impact is inestimable. Any fiscal impact would likely be negligible and offset by a possible cost savings to the AMC.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of Commerce, Margaret Busse, has reviewed and approved this regulatory impact analysis.

"I have reviewed the proposed filing for the above-referenced rule and considered the fiscal impact that the rule may have on businesses. The Division of Real Estate (Division), in concert with the Real Estate Appraiser Board, propose amendments to Rule R162-2e to accommodate a bifurcated appraisal process. A bifurcated appraisal provides for a licensed or certified appraiser to use third-party data collected by licensed or non-licensed persons engaged by an appraisal management company (AMC). The appraisal process for a bifurcated appraisal is split between the data accumulation phase followed by the analysis phase.

The proposed amendment would also reduce the current education requirement of AMC personnel who select an appraiser for an appraisal assignment or who conduct an appraisal review for the AMC from a 15-hour instructive course to a four-hour course."

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 61-2e-103	Subsection 61-2e-301(3)	Subsection 61-2e-304(3)
Subsection 61-2e-305(2)		

Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	2020-2021 Uniform Standards of Professional Appraisal Practice
Publisher	The Appraisal Foundation
Issue Date	January 1, 2020
Issue or Version	2020-2021 Edition, Extended through December 31, 2023

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Jonathan C. Stewart, Director	Date:	04/05/2023
---	-------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R162-2f	Filing ID:	55454
--------------------------------	----------------	-------------------	--------------

Agency Information

1. Department:	Commerce
Agency:	Real Estate
Room number:	2nd Floor

Building:	Heber M Wells	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84101	
Mailing address:	PO Box 146711	
City, state and zip:	Salt Lake City, UT 84114-6711	
Contact persons:		
Name:	Phone:	Email:
Justin Barney	801-530-6603	justinbarney@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R162-2f. Real Estate Licensing and Practices Rules

3. Reason for this change:
The Division of Real Estate (Division), in concert with the Real Estate Commission, propose amendments to Rule R162-2f to accommodate situations that may arise in the event of the sudden death or incapacity of a principal broker, when no provisions have been made for a successor principal broker.

The Division wishes to expand the core continuing education topics, to relax the requirements for a broker applicant currently licensed in another state, to allow a broker applicant to acquire partial experience, and to eliminate a form from the forms list.

Also, the Division has made formatting conformities throughout the rule to align with the Utah Rulewriting Manual in accordance with Executive Orders No. 2021-1 and 2021-12.

4. Summary of this change:
The proposed amendment would: 1) allow a broker applicant to accumulate partial experience points for a portion of the total number of experience points required to qualify for licensure, thus allowing some applicants to qualify for licensure sooner, and in some instances, with less overall experience; 2) allow certain broker applicants who are already licensed as a real estate broker in another state to qualify for licensure in Utah without repeating the national portion of prelicensing education or the national component of the licensing exam, saving the applicant both time and money; 3) authorize the Real Estate Commission to designate an acting principal broker in the event of the death or incapacity of a principal broker under circumstances in which a real estate brokerage fails to replace the deceased or incapacitated principal broker within 14 days to close out active and pending transactions but would not to represent new clients or continue the

activities of the brokerage for more than four months; 4) add additional topics to the list of approved continuing education core topics; and 5) eliminate the outdated state approved Uniform Real Estate Contract.

Fiscal Information

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

A) State budget:

The Division has the staff and budget in place to administer the proposed amendment. None of the proposed changes are expected to impact the state's budget by either increasing costs or generating savings.

After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in any cost or savings to the state budget.

B) Local government:

Local governments are not required to comply with or enforce the Real Estate Licensing and Practices Rules. After conducting a thorough analysis, it was determined that the proposed rule amendment will not result in a fiscal impact to local governments.

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

The proposed rule amendment would restructure the courses for broker applicants. Under the proposed amendment, the Division believes that 12 to 24 brokers already licensed in another state will apply each year for licensure as a broker in Utah.

The Division feels that one-half of these applicants already apply for and are granted a waiver of a portion of the pre-licensing education under the current rule.

The Division believes that 6 to 12 applicants per year may qualify for reduced pre-licensing education hours. The cost of pre-licensing education hours could average \$10 per hour for the education. The Division estimates that eight applicants would purchase a total of 80 fewer hours each per year resulting in a fiscal cost to small business education providers of \$6,400 per year.

Ultimately, the Division estimates the fiscal impact in possible lost revenue to small business education providers would be approximately \$6,400 per year beginning in fiscal year 2024.

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

After conducting a thorough analysis, the Division finds that the non-small businesses in Utah will not suffer a negative fiscal impact from the proposed changes, or, if there is a negative fiscal impact, the impact is inestimable.

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

The proposed amendment does not create new obligations for persons other than small businesses, non-small businesses, state, or local government entities nor does it increase the cost associated with any existing obligation.

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

F) Compliance costs for affected persons:

Affected persons include real estate broker applicants who will qualify for application for licensure with fewer pre-license education hours. The proposed rule amendment does not create new obligations for affected persons nor does it increase the cost associated with any existing obligation.

The proposed rule amendment does provide for a reduction in educational requirements for broker applicants for licensure in Utah who are already licensed in another state. This option would result in a fiscal benefit in the form of cost savings to affected persons in the amount that they would not need to pay to education providers (see paragraph C, fiscal information for small businesses).

After conducting a thorough analysis, it was determined that the lower cost for pre-license education paid by affected persons would result in fiscal benefit of approximately \$6,400 per year.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$6,400	\$6,400	\$6,400
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$6,400	\$6,400	\$6,400

NOTICES OF PROPOSED RULES

Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$6,400	\$6,400	\$6,400
Total Fiscal Benefits	\$6,400	\$6,400	\$6,400
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of Commerce, Margaret Busse, 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 61-2f-103	Subsection 61-2f-202(6)	Subsection 61-2f-203(1)
Subsection 61-2f-206(8)	Subsection 61-2f-306(3)	Section 61-2f-401(13)

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Jonathan C. Stewart, Director	Date:	04/05/2023
---	-------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-110	Filing ID: 55486

Agency Information

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

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R277-110. Educator Salary Adjustment

3. Purpose of the new rule or reason for the change:
This rule is being amended due to the passage of H.B. 215, during the 2023 General Session, which required the Board to make rules.

4. Summary of the new rule or change:
These amendments make specific changes to the educator evaluation procedures and to the educator's salary adjustment. The amendments require a Local Education Agency (LEA) to: 1) increase the total wage compensation of each educator, including salary and stipends, by at least \$4,200, from the educator's compensation in fiscal year 2022-23; and 2) appropriately code educator salary and payroll provided through the educator salary adjustment to the educator salary adjustment program code in accordance with Rule R277-113 and the LEA's program accounting policy.

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. The fiscal impacts have been captured in the fiscal note to H.B. 215

(2023). This rule change clarifies legislation changes from H.B. 215 (2023) to inform LEA salary schedules and procedures.

There is no impact to the Utah State Board of Education (USBE) budget as any impacts are on the LEAs. USBE will not incur additional expense, Full Time Equivalencies (FTEs), or receive any additional revenue.

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This rule clarifies the changes in H.B. 215 (2023) in LEAs. The increased educator salary adjustment amount is meant to be separate from normal LEA salary negotiations and increases. Therefore, LEAs will follow their normal procedures for negotiating and setting salary schedules.

The USBE does not estimate any additional expenditures for LEAs outside the fiscal note already provided with H.B. 215 (2023).

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.

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. Educators will receive additional compensation, but these impacts were captured in the legislation from H.B. 215 (2023).

Otherwise this rule change 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. USBE does not estimate any measurable compliance costs for LEAs. If LEAs do not increase educator salary by the required amounts, USBE would initiate corrective action plans to ensure compliance. However, this can be done within the scope of existing staff and resources.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head 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 53F-2-405(5)

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:	07/31/2023

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/15/2023
---	---	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-496	Filing ID: 55487

Agency Information

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

General Information

2. Rule or section catchline:
R277-496. K-3 Reading Software Licenses
3. Purpose of the new rule or reason for the change:
This rule is being amended due to the passage of S.B. 44, during the 2023 General Session.
4. Summary of the new rule or change:
These amendments remove requirements for the Utah State Board of Education (USBE) to distribute software licenses for the early interactive reading software program to Local Education Agencies (LEAs) that apply for the licenses, and instead requires the USBE to administer funds for early interactive reading software for early grades.

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. The USBE has a slightly reduced workload from not distributing licenses to LEAs, but these changes were captured as part of the fiscal note for S.B. 44 (2023).
Otherwise, there are no additional staff costs or resources required to distribute funds to LEAs based on early grades enrollment rather than distribute the licenses. There is no change to USBE revenue.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The fiscal impact of moving from USBE distributed licenses to having LEAs receive funds and contract with providers on their own was captured in the fiscal note to S.B. 44 (2023).
USBE does not estimate any additional impact from this rule change; data sharing agreements are standard practice for LEAs contracting with software providers and USBE does not estimate any additional LEA staff time or other costs.
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 USBE and 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 impacts on revenues or expenditures for persons other than small businesses, businesses, or local government entities.

This only affects 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. USBE does not estimate any costs for the agency or LEAs to comply with this rule.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

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

H) Department head 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-4-203
----------------------	-------------------------	-------------------

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/15/2023
---	--	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R277-497	Filing ID:	55488
--------------------------------	-----------------	-------------------	--------------

Agency Information

1. Department:	Education
Agency:	Administration

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

General Information

2. Rule or section catchline:
R277-497. School Accountability System
3. Purpose of the new rule or reason for the change:
This rule is being amended due to the passage of H.B. 308, during the 2023 General Session.
4. Summary of the new rule or change:
These amendments remove the requirement for the Superintendent to Assign an Overall Rating for a School and make updates related to how the indexing of points are used to calculate academic growth.

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. The changes from H.B. 308 (2023) that required the rule change to remove the overall ratings/letter grades do not have a fiscal impact for the Utah State Board of Education (USBE). The functionality required to make these changes is already built into agency systems.
There are no additional costs for USBE or changes to revenue associated with this rule change.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The school accountability system is not directly tied to school funding and does not have an impact to Local Education Agencies' (LEAs) revenues and does not add any costs for 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 USBE's rating system.

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 USBE's rating system.

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. There are no costs for USBE associated with adjusting to the school grading system modifications. The functionality required to make the changes is already built into agency systems.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head 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-5-202

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:	07/31/2023

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/15/2023
---	--	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-607	Filing ID: 55489

Agency Information

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

General Information

2. Rule or section catchline:
R277-607. Absenteeism and Truancy Prevention
3. Purpose of the new rule or reason for the change:
This rule is being amended due to the passage of H.B. 400, during the 2023 General Session.
4. Summary of the new rule or change:
These amendments include updates to terminology throughout this rule, and updated policy requirements for responding to absenteeism issues.

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. H.B. 400 (2023)'s fiscal note captured the need for the Utah State Board of Education (USBE) to hire an additional prevention specialist to train Local Education Agencies (LEAs) on best practices for creating policies and strategies to reduce student absenteeism.
This rule change does not add any additional staff, or resources to USBE's budgets and does not affect USBE revenue.

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. Impacts on LEA policymaking have been captured in the fiscal note to H.B. 400 (2023), and this rule does not add any measurable costs for LEAs. LEAs already report absences through existing systems. There is no impact to LEA revenues with this rule change.

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 USBE and 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 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. USBE does not anticipate any added costs apart from what has been captured in the fiscal note to H.B. 400 (2023) for the agency or 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.)

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head 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 53G-6-206
-------------------------	----------------------------	----------------------

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/15/2023
---	--	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-613	Filing ID: 55490

Agency Information

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

General Information

2. Rule or section catchline:
R277-613. LEA Policies and Training Regarding Bullying, Cyber-bullying, Hazing, Retaliation, and Abusive Conduct
3. Purpose of the new rule or reason for the change:
This rule is being amended due to the passage of H.B. 481, in the 2023 General Session.
4. Summary of the new rule or change:
These amendments add notification requirements for student threats of suicide and a requirement for Local Education Agencies (LEAs) to provide parents with suicide prevention materials and information.

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. H.B. 481 (2023) did not note any fiscal impact, as the Utah State Board of Education (USBE) already has the suicide prevention resources available for Local Education Agency (LEA) use.

USBE does not anticipate any additional costs for the agency or revenue changes associated with this rule.

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The impacts of notifying families with firearm safety information when a student threatens safety were captured in the fiscal note to H.B. 481 (2023).

USBE does not anticipate any additional impacts to LEA budgets associated with this rule change on sending notifications to families.

LEAs already have systems in place to send required notifications to families.

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 USBE and 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 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. USBE does not anticipate any added costs for the agency or LEAs outside the impacts captured by the fiscal note for H.B. 481 (2023).

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head 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 53G-9-607
Section 53E-3-501	Section 53G-8-209	Title 53G, Chapter 9

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/15/2023
---	--	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal

Rule or Section Number:	R277-619	Filing ID:	55491
--------------------------------	-----------------	-------------------	--------------

Agency Information

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

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R277-619. Student Leadership Skills Development
3. Purpose of the new rule or reason for the change:
This rule is being repealed because pilot Student Leadership Skills Development program was repealed from the Utah Code in 2021.
4. Summary of the new rule or change:
This rule is being repealed in its entirety.

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. There are no costs or revenue changes for the Utah State Board of Education (USBE) associated with repealing this rule for the program which was repealed in 2021.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This has no impact for Local Education Agencies (LEAs) as the program was repealed by the Legislature in 2021.
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 rule only affects USBE and 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 rule only affects 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. There are no costs associated with repealing this rule for a program repealed by the Legislature in 2021.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head 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-2-508
-------------------------	----------------------------	-------------------

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
---	------------

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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/15/2023
---	---	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-726	Filing ID: 55492

Agency Information

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

General Information

2. Rule or section catchline:

R277-726. Statewide Online Education Program

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

This rule is being amended due to the passage of S.B. 45 and S.B. 167, during the 2023 General Session.

4. Summary of the new rule or change:

These amendments add several new definitions, as well as update language to clarify existing definitions. The amendments make specific updates related to the Course Credit Acknowledgment (CCA) process, and also update the requirements related to program implementation and accountability for a Local Education Agency (LEA), Superintendent, parents and students, and authorized online course providers.

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. Impacts to the Utah State Board of Education (USBE) budgets were captured with the fiscal note to S.B. 45 and S.B. 167 (2023). USBE does not anticipate any additional costs associated with the rule updates including staff time or resources.

There are no changes to USBE revenue associated with this rule update.

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. Impacts to LEAs were captured in S.B. 45 and S.B. 167 (2023).

USBE does not anticipate any added costs for LEAs associated with this rule change or revenue changes.

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 impacts USBE and 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 impacts 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. USBE does not anticipate added costs for the entity or LEAs related to the language changes from the rule; costs to USBE budgets were captured with the fiscal note to S.B. 45 and S.B. 167 (2023).

There are no staff or additional resources needed associated with the rule changes.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

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

H) Department head 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	Section 53E-3-401	Section 53F-4-510
	Section 53F-4-514	

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/15/2023
---	--	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R277-920	Filing ID:	55493
--------------------------------	-----------------	-------------------	--------------

Agency Information

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

General Information

2. Rule or section catchline:
R277-920. School Improvement and Leadership Development
3. Purpose of the new rule or reason for the change:
This rule is being amended due to the passage of H.B. 308, during the 2023 General Session.
4. Summary of the new rule or change:
These amendments specifically update Section R277-920-5, related to the 'Superintendent's Identification of Schools for Targeted Needs Status and Elevate Schools' and Section R277-920-12 'Exit Criteria for a Springboard School and Schools in Critical Needs Status -- Extensions -- More Rigorous Interventions'.
The amendments update the cutoff score to replace the references to letter grades, which were eliminated by the Legislature through H.B. 308 (2023).

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. The changes are due to H.B. 308 (2023) to updated identification of applicable schools.
The Utah State Board of Education (USBE) has all mechanisms in place to identify schools as required by the legislation and does not anticipate any added staff time, resources, or revenue changes.

B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. H.B. 308 (2023) made changes to the school grading system and identification of applicable schools, but this rule change has no independent fiscal impacts for Local Education Agency (LEA) expenditures or revenues.
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 USBE and 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 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. There are no costs for USBE or LEAs with the rule changes.
It updates the applicable schools identified for supports with the changes in H.B. 308 (2023).
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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head 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-7-202

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:	07/31/2023

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/15/2023
---	--	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R386-705	Filing ID: 55455

Agency Information

1. Department:	Health and Human Services	
Agency:	Disease Control and Prevention, Epidemiology	
Room number:	Second Floor	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142102	
City, state and zip:	Salt Lake City, UT 84114-2102	
Contact persons:		
Name:	Phone:	Email:
April Clements	385 229-0858	aclements@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R386-705. Epidemiology, Health Care Associated Infection
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The amendments to Rule R386-705 provide technical and conforming changes in accordance with the Utah Rulewriting Manual.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

Technical and conforming amendments were made to all sections of this rule to align with the Utah Rulewriting Manual and remove superfluous and repetitive language, including the following:

In Section R386-705-2, definitions for acronyms used in the rule are added.
The definition of UFORS was removed as it is no longer active.

In Section R386-705-3, various formatting changes were made. The correct spelling of Clostridioides difficile was fixed.

In Section R386-705-4, report date for influenza reporting changed to May 15 to align with the date required through NHSN.
Instances of the use of UFORS was removed as it is no longer active.

Fiscal Information

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

A) State budget:

No anticipated cost or savings because the changes do not affect existing operations.

B) Local governments:

No anticipated cost or savings because the changes do not affect existing operations.

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

No anticipated cost or savings because the changes do not affect existing operations.

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

No anticipated cost or savings because the changes do not affect existing operations.

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

No anticipated cost or savings because the changes do not affect existing operations.

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

No anticipated cost or savings because the changes do not affect existing operations.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Health and Human Services, Tracy Gruber, 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 26B-1-202	Section 26B-7-202	Section 26B-7-207
Section 26B-7-221		

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
---	------------

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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/21/2023
---	-------------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R414-8	Filing ID:	55496
--------------------------------	---------------	-------------------	--------------

Agency Information

1. Department:	Health and Human Services		
Agency:	Health Care Financing, Coverage and Reimbursement Policy		
Building:	Cannon Health Building		
Street address:	288 N 1460 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 143102		
City, state and zip:	Salt Lake City, UT 84114-3102		
Contact person(s):			
Phone:	Phone:	Email:	
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov	
Jonah Shaw	385-310-2389	jshaw@utah.gov	

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R414-8. Electronic Personal Medical Records for the Medicaid Program

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

The purpose of this change is to update and clarify the rule text as needed.

4. Summary of the new rule or change:

This amendment updates and clarifies terms and entities in the text. It also makes other technical changes.

Fiscal Information

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

A) State budget:

There is no impact to the state budget as there are only minor changes and technical updates.

B) Local governments:

There is no impact on local governments as they neither fund nor provide benefits under the Medicaid Program.

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

There is no impact on small businesses as there are only minor changes and technical updates.

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

There is no impact on non-small businesses as there are only minor changes and technical updates.

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

There is no impact to other persons or entities as there are only minor changes and technical updates.

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 to a single person or entity as there are only minor changes and technical updates.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.			
Businesses will see no fiscal impact with these minor changes and technical updates.			

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-1-213	Section 26B-3-902	Section 26B-3-108

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:	07/31/2023
9. This rule change MAY become effective on:	08/07/2023

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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	06/15/2023
---	-------------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R414-12	Filing ID:	55497

Agency Information

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

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R414-12. Laboratory Services
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify this rule text as needed.
Additionally, this rule updates the authorizing citations following the 2023 General Session recodification of the Department of Health and Human Services' (Department) statute.
4. Summary of the new rule or change:
This amendment updates names, terms, and entities in the text. It also makes other technical and structural changes.

Additionally, this amendment updates the authorizing citations of this rule, this is due to the recodification and consolidation of the Department's statute.

Fiscal Information

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

A) State budget:

There is no impact to the state budget as there are only minor changes and technical updates.

B) Local governments:

There is no impact on local governments as they neither fund nor provide benefits under the Medicaid program.

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

There is no impact on small businesses as there are only minor changes and technical updates.

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

There is no impact on non-small businesses as there are only minor changes and technical updates.

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

There is no impact to other persons or entities as there are only minor changes and technical updates.

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 to a single person or entity as there are only minor changes and technical updates.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Health and Human Services, Tracy Gruber, 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 26B-1-213	Section 26B-3-108	
-------------------	-------------------	--

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:	07/31/2023
--	------------

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	06/15/2023
---	-------------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R432-35	Filing ID: 55494

Agency Information

1. Department:	Health and Human Services	
Agency:	Health Care Facility Licensing	
Room number:	1st Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R432-35. Background Screening -- Health Facilities
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual standards.
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 revisions include more specific language consistent with the Utah Rulewriting Manual.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This change will not impact the current process for licensure and re-licensure surveys. No change to the state budget is expected because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to state government as a result of this rule filing.

B) Local governments:

This rule amendment should not impact costs for local governments because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to local governments as a result of this rule filing.

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

This rule amendment should not impact costs for small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to small businesses as a result of this rule filing.

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

This rule amendment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to non-small businesses as a result of this rule filing.

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

This rule amendment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with current state rulewriting manual standards. There are no fiscal costs or savings to affected persons as a result of this rule filing.

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

This rule amendment will not result in a fiscal impact to compliance costs for affected persons because this amendment modifies and replaces outdated language with current state rulewriting manual standards. There are no added compliance costs for compliance with this rule.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Health and Human Services, Tracy Gruber, 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 26B-2-202		

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:	07/31/2023

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/25/2023
---	-------------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R432-500	Filing ID:	55434

Agency Information

1. Department:	Health and Human Services	
Agency:	Health Care Facility Licensing	
Room number:	1st Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R432-500. Freestanding Ambulatory Surgical Center Rules
3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual standards.
Statutory citations are updated in accordance with recodification following S.B.38 in the 2023 General Session and the rule title is updated to reflect the new division titles.

4. Summary of the new rule or change:
 The revisions include more specific language consistent with the Utah Rulewriting Manual.

Fiscal Information

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

A) State budget:
 State government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure surveys. No change to the state budget is expected because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.
 There are no fiscal costs or savings to state government as a result of this rule filing.

B) Local governments:
 After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for local governments because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.
 There are no fiscal costs or savings to local governments as a result of this rule filing.

C) Small businesses ("small business" means a business employing 1-49 persons):
 After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.
 There are no fiscal costs or savings to small businesses as a result of this rule filing.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.
 There are no fiscal costs or savings to non-small businesses as a result of this rule filing.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to affected persons as a result of this rule filing.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to compliance costs for affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no added compliance costs for compliance with this rule.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0

Net Benefits	Fiscal	\$0	\$0	\$0
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 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 26B-2-202

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: 08/14/2023

9. This rule change MAY become effective on: 08/21/2023
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

Agency head or designee and title: Tracy S. Gruber, Executive Director	Date: 05/22/2023
---	-------------------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R657-3	Filing ID: 55462

Agency Information

1. Department:	Natural Resources
Agency:	Wildlife Resources
Room number:	Suite 2110
Building:	Department of Natural Resources
Street address:	1594 W North Temple
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 146301
City, state and zip:	Salt Lake City, UT 84114-6301

Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-3. Collection, Importation, Transportation, and Possession of Animals

3. Purpose of the new rule or reason for the change:
The Division of Wildlife Resources (Division) is recommending to repeal Rule R657-3. Collection, Importation, Transportation, and Possession of Animals (the "CIP Rule"). The CIP rule regulates the collection, importation, transportation, and possession of animals in Utah. It covers issuance and renewal criteria for obtaining certificates of registration (CORs) authorizing the collection, importation, transportation, and possession of an animal or animals.

The rule also covers species classification by classifying species and subspecies as controlled, noncontrolled, and prohibited based on their potential for impact to wild populations, the environment, or human health or safety.

The current version of the CIP rule is difficult to read, navigate, and understand. The goal of repealing Rule R657-3 is to simplify the rule by making it easier for the public and Division staff to navigate and use, this will be accomplished by repealing the original rule and transferring the contents into three separate rules (subparts). Instead of one long Rule R657-3, the Division is proposing breaking it up into Rules R657-3a (General Subpart), R657-3b (Birds and Mammals Subpart), and R657-3c (Fish, Mollusks, and Crustaceans Subpart).

4. Summary of the new rule or change:
Rule R657-3 will be repealed in its entirety and then replaced by Rules R657-3a, R657-3b, and R657-3c. (EDITOR'S NOTE: The proposed new rules of R657-3a, ID 55463; R657-3b, ID 55464; and R657-3c, ID 55465, are in this issue, July 1, 2023, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The repeal of Rule R657-3 is administrative in nature. The Division determines that these changes can be initiated within the current workload and resources of the Division, therefore, the Division does not believe that this would create a cost or savings impact to the state budget or the

Division's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

The proposed repeal of this rule does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

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

The proposed repeal of the rule will not directly impact small businesses because a service is not required of them.

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

The proposed repeal of the rule will not directly impact non-small businesses because a service is not required of them.

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

The Division determines that this repeal will not create additional costs for those participating in Collection, Importation or Transportation of classified species because it is not establishing any new requirements.

The repeal of Rule R657-3 and the placement of Rule R657-3a, Rule R657-3b, and Rule R657-3c is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.

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

The Division determines that this repeal will not create additional costs for those participating in Collection, Importation or Transportation of classified species because it is not establishing any new requirements.

The repeal of Rule R657-3 and the placement of Rule R657-3a, Rule R657-3b, and Rule R657-3c is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-13-2		

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:	07/31/2023

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R657-3a	Filing ID: 55463

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-3a. Collection, Importation, Transportation, and Possession of Animals
3. Purpose of the new rule or reason for the change:
The new Rule R657-3a largely contains the same content as the repealed Rule R657-3. However, some differences include the separation of Birds and Mammals into new Rule R657-3b; and Fish, Mollusks, and Crustaceans into new Rule R657-3c. The new rules clarify that all species are prohibited unless already classified as controlled or noncontrolled and simplifies the reclassification process.

4. Summary of the new rule or change:
The filing of R657-3a covers the regulation of all animals classified as noncontrolled, controlled, and prohibited. (EDITOR'S NOTE: The proposed repeal of Rule R657-3, ID 55462, and the new proposed rules of R657-3b, ID 55464, and R657-3c, ID 55465, are in this issue, July 1, 2023, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The implementation of the new Rule R657-3a are administrative in nature, the Division of Wildlife Resources (DWR) determines that implementing this new rule can be initiated within the current workload and resources of DWR, therefore, DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
B) Local governments:
Since the proposed new rule simplifies an existing program this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
The proposed new rule will not directly impact small businesses because a service is not required of them.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed new rule will not directly impact non-small businesses because a service is not required of them.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
The DWR determines that the repeal of Rule R657-3 and the implementation of Rule R657-3a will not create additional costs for those participating in Collection, Importation or Transportation of classified species because it is not establishing any new requirements.
The repeal of Rule R657-3 and the placement of Rule R657-3a, Rule R657-3b, and Rule R657-3c is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.

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 the repeal of Rule R657-3 and the implementation of Rule R657-3a will not create additional costs for those participating in Collection, Importation or Transportation of classified species because it is not establishing any new requirements.

The repeal of Rule R657-3 and the placement of Rule R657-3a, Rule R657-3b, and Rule R657-3c is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-13-2

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: New

Rule or Section Number:	R657-3b	Filing ID:	55464
--------------------------------	----------------	-------------------	--------------

Agency Information

1. Department:	Natural Resources
Agency:	Wildlife Resources
Room number:	Suite 2110
Building:	Department of Natural Resources
Street address:	1594 W North Temple
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 146301
City, state and zip:	Salt Lake City, UT 84114-6301

Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-3b. Certification of Registration – Birds and Mammals
3. Purpose of the new rule or reason for the change:
The new Rule R657-3b largely contains the same content as the repealed Rule R657-3. However, some differences include the separation of general requirements into new Rule R657-3a, and Fish, Mollusks, and Crustaceans into new Rule R657-3c. The new rules clarify that all species are prohibited unless already classified as controlled or noncontrolled and simplifies the reclassification process.
4. Summary of the new rule or change:
The filing of R657-3b covers the regulation of Birds and Mammals classified as noncontrolled, controlled, and prohibited. (EDITOR'S NOTE: The proposed repeal of Rule R657-3, ID 55462, and the new proposed rules of R657-3a, ID 55463, and R657-3c, ID 55465, are in this issue, July 1, 2023, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The implementation of the new Rule R657-3b are administrative in nature, the Division of Wildlife Resources (DWR) determines that implementing this new rule can be initiated within the current workload and resources of the DWR, therefore, DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
B) Local governments:
Since the proposed new rule simplifies an existing program this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):																				
The proposed new rule will not directly impact small businesses because a service is not required of them.																				
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																				
The proposed new rule will not directly impact non-small businesses because a service is not required of them.																				
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):																				
The DWR determines that the repeal of Rule R657-3 and the implementation of Rule R657-3b will not create additional costs for those participating in Collection, Importation or Transportation of classified species because it is not establishing any new requirements. The repeal of Rule R657-3 and the placement of Rule R657-3a, Rule R657-3b, and Rule R657-3c is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.																				
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 the repeal of Rule R657-3 and the implementation of Rule R657-3b will not create additional costs for those participating in Collection, Importation or Transportation of classified species because it is not establishing any new requirements. The repeal of Rule R657-3 and the placement of Rule R657-3a, Rule R657-3b, and Rule R657-3c is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.																				
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																				
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</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	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0
Fiscal Cost	FY2024	FY2025	FY2026																	
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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-13-2		
-----------------	--	--

Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Bird and Mammal Classification Table 3b
Publisher	Utah Division of Wildlife Resources
Issue Date	May 1, 2023
Issue or Version	3b-1

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: New			
Rule or Section Number:	R657-3c	Filing ID:	55465

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R657-3c. Certification of Registration – Fish, Mollusks, and Crustaceans

3. Purpose of the new rule or reason for the change:
The new Rule R657-3c largely contains the same content as the repealed Rule R657-3. However, some differences include the separation of general requirements into new Rule R657-3a, and Birds and Mammals into new Rule R657-3b. The new rules clarify that all species are prohibited unless already classified as controlled or noncontrolled and simplifies the reclassification process.

4. Summary of the new rule or change:
 The filing of Rule R657-3c covers the regulation of Fish, Mollusks, and Crustaceans classified as noncontrolled, controlled, and prohibited.
 (EDITOR'S NOTE: The proposed repeal of Rule R657-3, ID 55462, and the new proposed rules of R657-3a, ID 55463, and R657-3b, ID 55464, are in this issue, July 1, 2023, of the Bulletin.)

Fiscal Information

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

A) State budget:

The implementation of the new Rule R657-3c are administrative in nature, the Division of Wildlife Resources (DWR) determines that implementing this new rule can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed new rule simplifies an existing program this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

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

The proposed new rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed new rule amendments will not directly impact non-small businesses because a service is not required of them.

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

The DWR determines that the repeal of Rule R657-3 and the implementation of Rule R657-3c will not create additional costs for those participating in Collection, Importation or Transportation of classified species because it is not establishing any new requirements.

The repeal of Rule R657-3 and the placement of Rule R657-3a, Rule R657-3b, and Rule R657-3c is an

administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.

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 the repeal of Rule R657-3 and the implementation of Rule R657-3c will not create additional costs for those participating in Collection, Importation or Transportation of classified species because it is not establishing any new requirements.

The repeal of Rule R657-3 and the placement of Rule R657-3a, Rule R657-3b, and Rule R657-3c is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-13-2		
-----------------	--	--

Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	Aquatics Species Classification Table 3c
Publisher	Utah Division of Wildlife Resources
Issue Date	May 1, 2023
Issue or Version	3c-1

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
---	------------

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R657-5	Filing ID: 55467

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R657-5. Taking Big Game

3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to taking Big Game.

4. Summary of the new rule or change:
The proposed amendments to this rule: 1) places the rule in line with H.B. 469, Wildlife Amendments, 2023 General Session which restricts the use of Trail Cameras.

Fiscal Information

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

A) State budget:
The amendments to Rule R657-5 are administrative in nature, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:
Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

The proposed rule amendments do not have the potential to impact other persons that hunt big game in Utah, nor is a service required of 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 may not create additional costs for those individuals wishing to hunt big game in Utah because it regulates the use of Trail Cameras during specified months of the year and does not require an increased service for those wishing to participate.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0

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

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

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	
------------------	------------------	--

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Justin Shirley, Division Director	Date:	06/14/2023
---	-----------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R657-6	Filing ID: 55468

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-6. Taking Upland Game
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' rule pursuant to the take of Upland Game.
4. Summary of the new rule or change:
The proposed amendments to this rule: 1) authorizes airguns as a legal weapon; 2) prohibits dog training near sage-grouse and sharp-tailed grouse lek; 3) prohibits night vision devices, drones and robotic decoys; 4) clarifies language outlining the purchasing or selling of wild turkey parts; and 5) makes technical corrections.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendments to Rule R657-6 allow for additional types of legal weapons to be used for the taking of Upland Game and do not restrict currently allowed weapons or require the use of additional equipment the remaining amendments are administrative in nature, and as such, the DWR determines that these changes can be initiated within the current workload and resources of the DWR; therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments allow for additional types of legal weapons to be used for the taking of Upland Game and do not restrict currently allowed weapons or require the use of additional equipment this filing does not create any direct cost or savings impact to local governments.

Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting of Upland Game in Utah.

These amendments allow for additional opportunity for those wishing to hunt with air rifles but do not limit that as the only weapon allowed.

The prohibition of night vision devices, drones and robotic decoys place this rule in line with other species rules and creates consistency, this will not have a cost impact on those wishing to participate in hunting Upland Game.

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 participating in the upland game hunts because there are no mandatory cost increases to participate.

The use of air rifles is an additional opportunity but not the only authorized weapon.

The prohibition of night vision devices, drones and robotic decoys place this rule in line with other species rules and creates consistency, it does not increase 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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	
------------------	------------------	--

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R657-9	Filing ID: 55469

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R657-9. Taking Waterfowl, Snipe and Coot

3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule regulating the take of Waterfowl.

4. Summary of the new rule or change:
The proposed amendments to this rule: 1) allows electronic duck stamps; 2) clarifies the stipulations for

dogs allowed at Farmington Bay; 3) clarifies swan permits as tundra swan only; and 4) makes technical corrections.

Fiscal Information

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

A) State budget:

The amendments to Rule R657-9 are administrative in nature, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

The issuance of an electronic duck stamp does not increase the fee, nor create a cost impact to the DWR.

The requirement to leash dogs while at the Hasenyager Nature Center will result in a cost to post signage but can be carried out with existing budget.

B) Local governments:

Local governments are not directly nor indirectly impacted by these amendments because this rule does not create a situation requiring services from them.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting of Waterfowl in Utah, the issuance of an electronic duck stamp does not increase the fee, nor create a cost impact to the hunter.

The requirement to leash dogs while at the Hasenyager Nature Center will also have no additional cost to those wishing to take their dog on the trails.

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 participating in the waterfowl hunts. The issuance of an electronic duck stamp does not increase the fee, nor create a cost impact to the hunter.

The requirement to leash dogs while at the Hasenyager Nature Center will also have no additional cost to those wishing to take their dog on the trails.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0

Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	Section 23-32-101 et seq.

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:	07/31/2023

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R657-10	Filing ID: 55470

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-10. Taking Cougar
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule regulating the take of cougar in Utah.
4. Summary of the new rule or change:
The proposed amendments to this rule places the rule in line with H.B. 469, Wildlife Amendments, 2023 General Session, which restrict the use of Trail Cameras and removes the requirement to have a permit for the take of Cougar.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendments to Rule R657-10 are administrative in nature and any costs involved were offset in a fiscal note attached to the bill, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR believes that these amendments can be enacted without a cost or savings impact to the state budget or the DWR's budget.
B) Local governments:
Since the proposed amendments do not require a service from local governments this filing does not create any direct or indirect cost or savings impact to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting of cougar in Utah because the loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.

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 participating in the take of cougar.

The loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	
------------------	------------------	--

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R657-11	Filing ID: 55471

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:

R657-11. Taking Furbearers and Trapping

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

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

4. Summary of the new rule or change:

The proposed amendments to this rule places the rule in line with H.B. 469, Wildlife Amendments, 2023 General Session, which removes the requirement to have a permit for the taking of cougar.

Fiscal Information

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

A) State budget:

The amendments to Rule R657-11 are administrative in nature and any costs involved were offset in a fiscal note attached to the bill, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR believes that these amendments can be enacted without a cost or savings impact to the state budget or the DWR's budget.

B) Local governments:

Since the proposed amendments do not require a service from local governments this filing does not create any direct or indirect cost or savings impact to local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the trapping of furbearer in Utah because the loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.

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 participating in the trapping of furbearer, the loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

NOTICES OF PROPOSED RULES

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	
------------------	------------------	--

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
---	------------

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R657-13	Filing ID: 55472

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:

R657-13. Taking Fish and Crayfish

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

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

4. Summary of the new rule or change:

This rule is being amended to add four species to the list of dead fish that may be used as bait where permitted.

Fiscal Information

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

A) State budget:

This amendment adds additional opportunities for fishermen to use harvested fish as bait, therefore the DWR determines that these amendments do not create a cost or savings impact to the state budget or the DWR's budget, since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since this amendment only adds opportunities for fishermen, 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 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 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 rule does not impose any additional financial requirements on other persons, nor generate a cost or saving impact to other persons because this rule does not create a situation requiring services from them.

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 wishing to participate in fishing in Utah because there is no cost associated with using dead fish as bait.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	
------------------	------------------	--

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Justin Shirley, Division Director	Date:	06/14/2023
---	--------------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R657-14	Filing ID:	55473
--------------------------------	----------------	-------------------	--------------

Agency Information

1. Department:	Natural Resources
Agency:	Wildlife Resources
Room number:	Suite 2110
Building:	Department of Natural Resources
Street address:	1594 W North Temple
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 146301
City, state and zip:	Salt Lake City, UT 84114-6301

Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-14. Commercial Harvesting of Protected Aquatic Wildlife
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) commercial harvesting of protected aquatic wildlife management program.
4. Summary of the new rule or change:
This rule is being amended to add eight species to the list of protected aquatic wildlife that may be legally harvested.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This amendment adds additional opportunities for fishermen to harvest protected aquatic wildlife, therefore, the DWR determines that these amendments do not create a cost or savings impact to the state budget or the DWR's budget, since the changes will not increase workload and can be carried out with existing budget.
B) Local governments:
Since this amendment only adds opportunities for fishermen, this should have little to no effect on the 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 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 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 rule does not impose any additional financial requirements on other persons, nor generate a cost or saving impact to other persons because this rule does not create a situation requiring services from them.

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 wishing to participate in fishing in Utah because there is no associated fee with adding opportunity to the species of fish that can be harvested.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	Section 23-13-13
Section 23-15-7	Section 23-15-8	Section 23-15-9
Section 23-14-3		

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:	07/31/2023

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Justin Shirley, Division Director	Date:	06/14/2023
---	-----------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R657-20	Filing ID: 55474

Agency Information

1. Department:	Natural Resources
Agency:	Wildlife Resources
Room number:	Suite 2110

Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-20. Falconry
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule regulating the sport of Falconry.
4. Summary of the new rule or change:
The proposed amendments to this rule remove Section R657-20-26 and places it in Rule R657-4, Possession and Release of Pen-reared Gamebirds, to aid in simplification by condensing the requirements for pen-reared gamebirds into one rule.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendments to Rule R657-20 are administrative in nature, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
B) Local governments:
Since the proposed amendments only move the requirements from one rule to another this filing does not create any direct cost or savings impact to local governments.

Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the sport of Falconry in Utah because they are not new requirements, they are simply being moved to a different rule.

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 participating in the sport of Falconry because they are not requirements, they are simply being moved to a different rule.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0

Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-17-7	16 U.S.C. 703-12	16 U.S.C. 668-668d
50 CFR 21	50 CFR 22	50 CFR 10.13
Section 23-19-9		

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R657-22	Filing ID: 55475

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-22. Commercial Hunting Areas
3. Purpose of the new rule or reason for the change:
Commercial Hunting Areas will now be regulated by Rule R657-4, Possession and Release of Pen-reared Gamebirds, the provisions are generally unchanged.
4. Summary of the new rule or change:
Rule R657-22 is no longer necessary and is being repealed in its entirety.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The repeal of Rule R657-22 will have no impact on the Division of Wildlife Resources (DWR) since the rule language is being moved to Rule R657-4 and the program will continue as it currently is. The program has been managed within the current workload and resources of the DWR, therefore, the DWR does not believe that the repeal of this rule would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:			
The repeal of Rule R657-22 and placement in Rule R657-4 is an administrative adjustment and does not require the services directly or indirectly from the local governments, therefore, it will not cause a cost impact to the local governments.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
The proposed rule amendments will not directly impact small businesses because a service is not required of them.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):			
This rule does not have the potential to create a cost impact to those individuals wishing to participate in a commercial hunting area because it is not establishing any new requirements.			
The repeal of Rule R657-22 and the placement in Rule R657-4 is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.			
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 participating in Commercial Hunting Areas because it is not establishing any new requirements.			
The repeal of Rule R657-22 and the placement in Rule R657-4 is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.			
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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-17-6		

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:	07/31/2023

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R657-33	Filing ID:	55476

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R657-33. Taking Bear
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule regulating the taking of bear in Utah.
4. Summary of the new rule or change:
The proposed amendments to this rule place the rule in line with H.B. 469, Wildlife Amendments, 2023 General Session, which restricts the use of Trail Cameras.

Fiscal Information

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

A) State budget:			
The amendments to Rule R657-33 are administrative in nature and any costs involved were offset in a fiscal note attached to the bill, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR believes that these amendments can be enacted without a cost or savings impact to the state budget or the DWR's budget.			
B) Local governments:			
Since the proposed amendments do not require a service from local governments this filing does not create any direct or indirect cost or savings impact to local governments.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
The proposed rule amendments will not directly impact small businesses because a service is not required of them.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting of bear in Utah because the loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.			
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 participating in the taking of bear.			
The loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.			
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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	

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:	07/31/2023

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R657-37	Filing ID: 55477

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-37. Cooperative Wildlife Management Units for Big Game or Turkey
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule regulating the operations of Cooperative Wildlife Management Units (CWMUs).
4. Summary of the new rule or change:
The proposed amendments to this rule place the rule in line with H.B. 469, Wildlife Amendments, 2023 General Session, which sets season dates for CWMUs, as well as permit quotas based on acreage and number of companion hunters per permit.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendments to Rule R657-37 are administrative in nature and any costs involved were offset in a fiscal note attached to the bill, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR believes that these amendments can be enacted without a cost or savings impact to the state budget or the DWR's budget.
B) Local governments:
Since the proposed amendments do not require a service from local governments, this filing does not create any direct or indirect cost or savings impact to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
These amendments do not have the potential to create a cost impact to those individuals wishing to participate in hunting in Utah on a CWMU because the rule amendments allow for set season dates and set permit quotas neither of which will have an impact on the hunters pursuing big game with a CWMU permit.
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 participating in hunting in Utah on a CWMU because the rule amendments allow for set season dates and set permit quotas neither of which will have an impact on the hunters pursuing big game with a CWMU permit.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-23-3		
-----------------	--	--

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R657-42	Filing ID: 55478

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R657-42. Fees, Exchanges, Surrenders, Refunds and Reallocation of Wildlife Documents
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule regulating the fees, exchanges, surrenders, refunds, and reallocations of Wildlife Documents.

4. Summary of the new rule or change:
 The proposed amendments to this rule place the rule in line with H.B. 469, Wildlife Amendments, 2023 General Session.

Fiscal Information

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

A) State budget:
 The amendments to Rule R657-42 are administrative in nature and any costs involved were offset in a fiscal note attached to the bill, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR believes that these amendments can be enacted without a cost or savings impact to the state budget or the DWR's budget.

B) Local governments:
 Since the proposed amendments do not require a service from local governments, this filing does not create any direct or indirect cost or savings impact to local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
 The proposed rule amendments will not directly impact small businesses because a service is not required of them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
 These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting of cougar in Utah because the loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.

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 participating in the taking of cougar, the loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-19-1	Section 23-19-38	
-----------------	------------------	--

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
---	------------

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R657-46	Filing ID: 55479

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-46. The Use of Game Birds in Dog Field Trials and Training
3. Purpose of the new rule or reason for the change:
Use of Game Birds in Dog Field Trials and Training will now be regulated by Rule R657-4, Possession and Release of Pen-reared Gamebirds, and Rule R657-6, Taking Upland Game, the provisions are generally unchanged.

4. Summary of the new rule or change:
Rule R657-46 is no longer necessary and is being repealed in its entirety.

Fiscal Information

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

A) State budget:
The repeal of Rule R657-46 will have no impact on the Division of Wildlife Resources (DWR) since this rule language is being moved to Rules R657-4 and R657-6 and the program will continue as it currently is. The program has been managed within the current workload and resources of the DWR, therefore, the DWR does not believe that the repeal of this rule would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:
The repeal of Rule R657-46 and placement in Rule R657-4 and Rule R657-6 is an administrative adjustment and does not require the services directly or indirectly from the local governments, therefore, it will not cause a cost impact to the local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
This rule does not have the potential to create a cost impact to those individuals wishing to participate in dog training or trials because it is not establishing any new requirements. The repeal of Rule R657-46 and the placement in Rule R657-4 and Rule R657-6 is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.

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 participating in dog training or trials because it is not establishing any new requirements.

The repeal of Rule R657-46 and the placement in Rule R657-4 and Rule R657-6 is an administrative adjustment and does not require additional costs or savings to those wishing to participate in the program.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-17-6		
-----------------	--	--

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
---	------------

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R657-54	Filing ID:	55480
--------------------------------	----------------	-------------------	--------------

Agency Information

1. Department:	Natural Resources		
Agency:	Wildlife Resources		
Room number:	Suite 2110		
Building:	Department of Natural Resources		
Street address:	1594 W North Temple		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 146301		
City, state and zip:	Salt Lake City, UT 84114-6301		
Contact persons:			
Name:	Phone:	Email:	
Staci Coons	801-450-3093	stacicoons@utah.gov	

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R657-54. Taking Wild Turkey
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to the taking of wild turkey.
4. Summary of the new rule or change:
The proposed amendments to this rule: 1) allows the use of airguns for the take of turkeys in the fall; 2) prohibits robotic decoys, night vision devices, and drones; 3) includes power poles and elevated structures as prohibited for the take of sitting or roosting turkeys; 4) clarifies language outlining the purchasing or selling of wild turkey parts; 5) sets a three permit limit for the fall turkey hunts; and 6) makes technical corrections.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendments to Rule R657-54 allow for additional types of legal weapons to be used for the taking of Wild Turkey and do not restrict currently allowed weapons or require the use of additional equipment the remaining amendments are administrative in nature, and as such, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
B) Local governments:
Since the proposed amendments allow for additional types of legal weapons to be used for the taking of Wild Turkey and do not restrict currently allowed weapons or require the use of additional equipment this filing does not create any direct cost or savings impact to local governments.
Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																												
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.																												
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):																												
These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting of Wild Turkey in Utah.																												
These amendments allow for additional opportunity for those wishing to hunt with air rifles but do not limit that as the only weapon allowed.																												
The prohibition of night vision devices, drones, and robotic decoys place this rule in line with other species rules and creates consistency, this will not have a cost impact on those wishing to participate in hunting Wild Turkey.																												
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 participating in the wild turkey hunts because there are no mandatory cost increases to participate.																												
The use of air rifles is an additional opportunity but not the only authorized weapon. The prohibition of night vision devices, drones, and robotic decoys place this rule in line with other species rules and creates consistency, it does not increase 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																												
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</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> <tr> <td>Other Persons</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Total Fiscal Cost</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table>	Fiscal Cost	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0	Other Persons	\$0	\$0	\$0	Total Fiscal Cost	\$0	\$0	\$0
Fiscal Cost	FY2024	FY2025	FY2026																									
State Government	\$0	\$0	\$0																									
Local Governments	\$0	\$0	\$0																									
Small Businesses	\$0	\$0	\$0																									
Non-Small Businesses	\$0	\$0	\$0																									
Other Persons	\$0	\$0	\$0																									
Total Fiscal Cost	\$0	\$0	\$0																									

Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	
------------------	------------------	--

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R657-59	Filing ID: 55481

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R657-59. Private Fish Ponds, Short Term Fishing Events, Private Fish Stocking, and Institutional Aquaculture

3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) private pond program.

4. Summary of the new rule or change:
This rule is being amended to: 1) reference new Rules R657-3a and R657-3c; 2) adds exclusions to the definition of "ornamental aquatic animal species" for clarification; and 3) makes technical corrections.

Fiscal Information

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

A) State budget:
This amendment adds clarification for those owning ornamental aquatic species and references new rules, therefore, the DWR determines that these amendments do not create a cost or savings impact to the state budget or the DWR's budget, since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:
Since this amendment only adds clarification and technical corrections, this should have little to no effect on the 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 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 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 rule does not impose any additional financial requirements on other persons, nor generate a cost or saving impact to other persons because this rule does not create a situation requiring services from them.

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 wishing to participate in the private pond program as it clarifies the exclusions from ornamental aquatic species and references newly established rules for consistency.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-15-9	Section 23-15-10	
-----------------	------------------	--

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:

08/07/2023
 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

Agency head or designee and title:	Justin Shirley, Division Director	Date:	06/14/2023
---	-----------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R657-62	Filing ID: 55482

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-62. Drawing Application Procedures
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to application procedures.
4. Summary of the new rule or change:
The proposed amendments to this rule: 1) makes technical corrections to specie names; 2) clarifies swan species as tundra; and 3) removes cougar hunting requirements in order to comply with H.B. 469, Wildlife Amendments, 2023 General Session.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendments to Rule R657-62 are administrative in nature and any costs involved were offset in a fiscal note attached to the bill, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR believes that

these amendments can be enacted without a cost or savings impact to the state budget or the DWR's budget.

B) Local governments:

Since the proposed amendments do not require a service from local governments this filing does not create any direct or indirect cost or savings impact to local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in hunting in Utah because the loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.

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 participating in hunting in Utah, the loss of revenue for cougar permits was incorporated into the fee of hunting and combination licenses.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	

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:	07/31/2023
9. This rule change MAY become effective on:	08/07/2023
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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R657-67	Filing ID: 55483

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-67. Utah Hunter Mentoring Program
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule regulating the Hunter Mentoring Program.
4. Summary of the new rule or change:
The proposed amendments to this rule 1) place this rule in line with H.B. 237 Hunting Mentor Program, 2023 General Session, which allows nonresidents qualifying minors to participate in the Mentoring Program, as well as allowing the qualifying minor to use the permit if the Mentor passes away before the hunt.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendments to Rule R657-67 are administrative in nature, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the

state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments clarify requirements and restrictions this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the hunting of hunter mentoring program in Utah because it does not alter the price of the permit.

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 participating in the hunter mentoring program because it does not alter the price of the permit.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-1	Section 23-14-3	Section 23-14-18
Section 23-14-19	Section 23-19-1	Section 23-19-50

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R657-69	Filing ID:	55484
--------------------------------	----------------	-------------------	--------------

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R657-69. Turkey Depredation
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to the turkey depredation program.
4. Summary of the new rule or change:
The proposed amendments to this rule: 1) allow for three turkey vouchers per individual; 2) allow owners and operators of commercial facilities to apply for a Certificate of Registration to remove wild turkeys; 3) place the rule in line with H.B. 447, Transplant of Wildlife Amendments, 2023 General Session, which clarifies the mitigation plan process for reintroducing Wild Turkey into a new area; and 4) makes technical corrections.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendments to Rule R657-69 are administrative in nature, the additional allowance of a turkey voucher pre individual is a programming change, as well as the allowance of Commercial Facilities to apply for a COR.
The amendment outlining the process for specie mitigation plans can be handled internally and does not require outside support, therefore, the DWR determines that these changes can be initiated within the current workload and resources of the DWR. The DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
B) Local governments:
Since the proposed amendments do not require a service or action from local governments this filing does not create any direct or indirect cost or savings impact to them.
C) Small businesses ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
The DWR determines that this amendment will not create additional costs for those other persons participating in the removal of depredating turkeys.
These amendments outline mitigation plan processes, as well as add methods for the removal of depredating turkeys from commercial facilities making the process more concise and straightforward.
There is not a fiscal impact directly or indirectly on those wishing to participate.
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 participating in the removal of depredated turkeys.

These amendments outline mitigation plan processes, as well as add methods for the removal of depredated turkeys from commercial facilities making the process more concise and straightforward.

There is not a fiscal impact directly or indirectly on those wishing to participate.

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23-14-18	Section 23-14-19	Section 23-17-9
------------------	------------------	-----------------

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: 07/31/2023

9. This rule change MAY become effective on: 08/07/2023

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

Agency head or designee and title:	Justin Shirley, DWR Director	Date:	06/14/2023
---	---------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R990-300	Filing ID:	55499
--------------------------------	-----------------	-------------------	--------------

Agency Information

1. Department:	Workforce Services	
Agency:	Housing and Community Development	
Building:	Olene Walker Building	
Street address:	140 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 45244	
City, state and zip:	Salt Lake City, UT 84145-0244	
Contact persons:		
Name:	Phone:	Email:
Amanda B. McPeck	801-526-9653	ampeck@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R990-300. Review Process for Plan for Moderate Income Housing Reports
3. Purpose of the new rule or reason for the change:
The passage of H.B. 364, Housing Affordability Amendments; S.B. 174, Local Land Use and Development Revisions; and S.B. 260, Transportation Funding Requirements, during the 2023 General Session modified the requirements for political subdivisions' moderate income housing reports to the Housing and Community Development Division within the Department of Workforce Services and required the Department to modify its rules concerning the review process for the reports.
4. Summary of the new rule or change:
This rule change describes the revised rule process for moderate income housing reports and makes other changes in conformance with H.B. 364, S.B. 174, and S.B. 260 (2023).

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The rule change is not expected to have any fiscal impact on state government revenues or expenditures beyond any fiscal impact addressed in the fiscal notes of H.B. 364, S.B. 174, and S.B. 260 (2023).
B) Local governments:
The rule change is not expected to have any fiscal impact on local government revenues or expenditures beyond any fiscal impact addressed in the fiscal notes of H.B. 364, S.B. 174, and S.B. 260 (2023).
C) Small businesses ("small business" means a business employing 1-49 persons):
The rule change is not expected to have any fiscal impact on small business revenues or expenditures beyond any fiscal impact addressed in the fiscal notes of H.B. 364, S.B. 174, and S.B. 260 (2023).
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The rule change is not expected to have any fiscal impact on non-small business revenues or expenditures beyond any fiscal impact addressed in the fiscal notes of H.B. 364, S.B. 174, and S.B. 260 (2023).
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation,

association, governmental entity, or public or private organization of any character other than an **agency**):

The rule change is not expected to have any fiscal impact on other persons' revenues or expenditures beyond any fiscal impact addressed in the fiscal notes of H.B. 364, S.B. 174, and S.B. 260 (2023).

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

The rule change requires no action or compliance by any persons beyond that required in H.B. 364, S.B. 174, and S.B. 260 (2023).

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	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

After conducting a thorough analysis, it was determined that this amendments rule will not result in a fiscal impact

NOTICES OF PROPOSED RULES

beyond what was addressed in the fiscal notes of H.B. 364, S.B. 174, and S.B. 260 (2023).

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-8-803	Section 10-9a-408	Section 17-27a-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.)

A) Comments will be accepted until:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
---	------------

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

Agency head or designee and title:	Casey Cameron, Executive Director	Date:	06/15/2023
---	-----------------------------------	--------------	------------

End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends July 31, 2023.

From the end of the 30-day waiting period through October 30, 2023, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF CHANGE IN PROPOSED RULE		
Rule or Section Number:	R68-29	Filing ID: 55345
Date of Previous Publication:	05/15/2023	

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Cody James	385-515-1485	codyjames@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-29. Quality Assurance Testing on Cannabis
3. Reason for this change:
A change in the proposed rule is needed to remove the text in the definition of "THC analog" and refer to the statutory definition instead. A typo in the definition was pointed out in a public comment and the Department of Agriculture and Food would prefer to refer to the statute to ensure consistency going forward.
4. Summary of this change:
In Subsection R68-29-2(30), the definition text for "THC analog" has been removed and replaced with a reference to the statutory definition in Subsection 4-41-103(23). (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the May 15, 2023, issue of the Utah State Bulletin, on page 38. Underlining in the rule below

indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. This change is needed to correct a typo in this rule and make this rule consistent with statute.
B) Local government:
There is no anticipated cost or savings to local governments. This change is needed to correct a typo in this rule and make this rule consistent with statute.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. This change is needed to correct a typo in this rule and make this rule consistent with statute.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. This change is needed to correct a typo in this rule and make this rule consistent with statute.
E) Persons other than small businesses, non-small businesses, or state or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
There is no anticipated cost or savings to other persons. This change is needed to correct a typo in this rule and make this rule consistent with statute.
F) Compliance costs for affected persons:
Compliance costs for affected persons will not change because the change is just correcting a typo in this rule.
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			

The Commissioner of the Utah 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 4-41a-701(3)		
----------------------------	--	--

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:	07/31/2023
--	------------

9. This rule change MAY become effective on:	08/07/2023
---	------------

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

Agency head or designee and title:	Craig W Buttars, Commissioner	Date:	06/13/2023
---	----------------------------------	--------------	------------

End of the Notices of Changes in Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at 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

Rule Number:	R277-461	Filing ID: 53322
Effective Date:	06/13/2023	

Agency Information

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

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:
R277-461. Elementary School Counselor Grant Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

This rule is authorized pursuant to 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 53F-5-209, which directs the Board to make rules to administer the Elementary School Counselor Grant Program.

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 it provides an application procedure; criteria and procedures for awarding grants; and requirements for grant recipients. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/13/2023
---	--	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-613	Filing ID: 54657
Effective Date:	06/13/2023	

Agency Information

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

General Information

2. Rule catchline:
R277-613. LEA Policies and Training Regarding Bullying, Cyber-bullying, Hazing, Retaliation, and Abusive Conduct
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized pursuant to Section 53G-9-606, which directs the board to monitor LEA development and implementation of bullying and hazing policies; Section 53G-9-607, which directs the board to make rules that establish standards for high quality training related to bullying, cyber-bullying, hazing, and abusive conduct, and retaliation; Section 53E-3-501, which directs the Board to establish rules and minimum standards for the public schools governing discipline and control; Section 53G-8-209, which requires the Board, when making rules regarding student participation in co-curricular or extracurricular activities; the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; and Subsection 53E-3-401(4)(a), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
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 it specifies the requirements LEAs use to develop, update, and implement bullying, cyber-bullying, hazing, retaliation, and abusive conduct

policies at the school district and school level. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/13/2023
---	--	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-619	Filing ID:	50516
Effective Date:	06/13/2023		

Agency Information

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

General Information

2. Rule catchline:
R277-619. Student Leadership Skills Development
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized pursuant to 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 execute rules to carry out its duties and responsibilities under the Utah Constitution and state law; and Subsection 53F-2-508(4), which directs the Board to make rules for elementary school participation in this pilot grant program.
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 it provides criteria, procedures and timelines for the Board to designate schools and grant awards to facilitate elementary school participation in the pilot Student Leadership Skills Development program. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	06/13/2023
---	--	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R384-201	Filing ID:	52772
Effective Date:	06/06/2023		

Agency Information

c	Health and Human Services		
Agency:	Disease Control and Prevention, Health Promotion		
Building:	Martha Hughes Cannon Building		
Street address:	288 N 1460 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 142107		
City, state and zip:	Salt Lake City, UT 84114-2107		
Contact persons:			
Name:	Phone:	Email:	
BettySue Hinkson	801-419-1078	bhinkson@utah.gov	

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:
R384-201. School-Based Vision Screening for Students in Public Schools

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

Rule R384-201 is authorized under Sections 26B-1-202, 26B-4-402, and 53G-9-404. Section 26B-1-202 gives the Department of Health and Human Services (Department) rulemaking authority to carry out the provisions of Title 26B, and Section 26B-4-402 charges the Department to

develop a plan for school health services, and to cooperate with the State Board of Education in developing the plan to coordinate activities between these agencies. The plan provides for delivery of health services in schools.

Subsection 53G-9-404 (7)(a) specifically charges the Department with creating rules, standards and procedures for vision screening in schools.

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:

In July 2020, there was a revision that was passed to clarify Section R384-201-5. Since then, no comments have been received either in favor or in opposition to Rule R384-201.

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

Rule R384-201 is necessary as it is required by statute and creates a uniform standard for vision screening students in Utah public schools. . Therefore, this rule should be continued.

Additionally, the Department anticipates amending this rule following the consolidation and recodification of the Department's statute.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	06/06/2023
---	-------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R384-210	Filing ID:	50910
Effective Date:	06/06/2023		

Agency Information

1. Department:	Health and Human Services		
Agency:	Disease Control and Prevention, Health Promotion		
Building:	Martha Cannon Building		
Street address:	288 N 1460 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 142106		
City, state and zip:	Salt Lake City, UT 84114-2106		

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Contact persons:		
Name:	Phone:	Email:
Teresa Brechlin	801-814-5857	tbrechlin@utah.gov
Anna Fondario	385-258-8537	afondario@utah.gov
Janae Duncan	801-360-8536	janaeduncan@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:
R384-210. Co-prescription Guidelines -- Reporting
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule establishes scientifically based guidelines for controlled substance prescribers to co-prescribe an opiate antagonist to a patient pursuant to Section 26B-4-513.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Co-prescribing an opiate antagonist with an opioid has been shown to decrease opioid related deaths. When in rule, these evidence based guidelines may increase the number of prescribers who co-prescribe an opioid antagonist when prescribing an opioid. . Therefore, this rule should be continued.
The Department of Health and Human Services (Department) anticipates amending this filing in the near future due to the consolidation and recodification of the Department's statute.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	06/06/2023
---	-------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R398-2	Filing ID: 54203
Effective Date:	06/15/2023	

Agency Information

1. Department:	Health and Human Services	
Agency:	Family Health and Preparedness, Children with Special Health Care Needs	
Room number:	3032	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144610	
City, state and zip:	Salt Lake City, UT 84114-4610	
Contact persons:		
Name:	Phone:	Email:
Alexis Weight	801-273-2956	abweight@utah.gov
Stephanie McVicar	801-273-6600	smcvicar@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:
R398-2. Newborn Hearing Screening: Early Hearing Detection and Intervention (EHDI) Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is enacted in accordance with Section 26B-4-319 and is authorized by Section 26B-1-202 to ensure all infants receive timely hearing screening, diagnoses, and interventions.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule is essential as it defines the stakeholder requirements that are essential for carrying out the statute and to ensure that all infants receive timely hearing screenings, diagnoses, and interventions. . Therefore, this rule should be continued.

The Department of Health and Human Services (Department) anticipates amending this rule to update citations and outdated language following the consolidation and recodification of the Department's statute.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	06/15/2023
---	---	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-42	Filing ID:	52990
Effective Date:	06/14/2023		

Agency Information

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

General Information

2. Rule catchline:	R414-42. Telehealth
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	

Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement the Medicaid program through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or repeal these rules.

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

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 sets forth coverage, limitations, and reimbursement for telehealth services. . Therefore, this rule should be continued.

The Department will file an amendment to update citations for recodification purposes.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	06/12/2023
---	---	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R590-247	Filing ID:	54696
Effective Date:	06/09/2023		

Agency Information

1. Department:	Insurance		
Agency:	Administration		
Room number:	Suite 2300		
Building:	Taylorsville State Office Building		
Street address:	4315 S 2700 W		
City, state and zip:	Taylorsville, UT 84129		
Mailing address:	PO Box 146901		
City, state and zip:	Salt Lake City, UT 84114-6901		
Contact persons:			
Name:	Phone:	Email:	
Steve Gooch	801-957-9322	sgooch@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R590-247. Universal Health Insurance Application Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
Section 31A-2-212 requires the insurance commissioner to require a health insurer to comply with PPACA.
Section 31A-22-635 requires the insurance commissioner to adopt a uniform application and uniform waiver form by rule.
Section 31A-30-102 authorizes the insurance commissioner to write rules regarding a universal individual and small group health insurance application.
Section 31A-30-117 authorizes the insurance commissioner to write rules to regulate a health benefit plan described in Section 31A-2-212.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department of Insurance has received no written comments regarding this rule during the past five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule allows an individual to complete and submit a single application for individual health insurance to multiple health insurance companies, instead of completing an application for each company. It saves time and effort for insurers and insureds alike. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	06/09/2023
---	--	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R657-51	Filing ID:	51775
Effective Date:	06/15/2023		

Agency Information

1. Department:	Natural Resources
-----------------------	-------------------

Agency:	Wildlife Resources	
Room number:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R657-51. Poaching-Reported Reward Permits
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule describing procedures the Division of Wildlife Resources may use in issuing permits to individuals who report unlawful taking of protected wildlife in Utah.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments supporting or opposing Rule R657-51 were received since June 2018, when this rule was first enacted.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R657-51 is necessary to provide permits to individuals who report unlawful take of protected wildlife in Utah. The provisions adopted in this rule are effective. This rule is necessary in order to provide the public with permits for their assistance in stopping illegal take of wildlife. . Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Justin Shirley, Division Director	Date:	06/14/2023
---	--------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R746-344	Filing ID: 51961
Effective Date:	06/02/2023	

Agency Information

1. Department:	Public Service Commission	
Agency:	Administration	
Building:	Heber M Wells Building	
Street address:	160 E 300 S, 4th Floor	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144558	
City, state and zip:	Salt Lake City, UT 84114-4558	
Contact persons:		
Name:	Phone:	Email:
John Delaney	801-530-6724	jdelaney@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R746-344. Filing Requirements for Telephone Corporations with Less Than 5,000 Access Line Subscribers
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 54-7-12 governs rate changes of public utilities, including the information and schedules they submit to the Public Service Commission (PSC) justifying and showing their proposed rate changes.
This rule provides direction on what type of information may be submitted by small telephone corporations in order to simplify the submission of necessary information supporting proposed rate changes for the PSC's consideration.
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 PSC has received no written comments from any interested person supporting or opposing this rule since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule is necessary because it provides small telephone corporations a way to submit the required information in a general rate case, which simplifies the proceedings, eliminates some expenses, and enhances the fact-finding process in general rate cases for small telephone corporations. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Thad LeVar, PSC Chair	Date:	06/02/2023
---	-----------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R746-500	Filing ID: 51987
Effective Date:	06/02/2023	

Agency Information

1. Department:	Public Service Commission	
Agency:	Administration	
Building:	Heber M Wells Building	
Street address:	160 E 300 S, 4th Floor	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144558	
City, state and zip:	Salt Lake City, UT 84114-4558	
Contact persons:		
Name:	Phone:	Email:
John Delaney	801-530-6724	jdelaney@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R746-500. Americans With Disabilities Act Complaint Procedure
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 required and authorized by 42 USC 12201, Section 54-1-1, and Subsection 63G-3-201(2), and provides a mechanism for prompt and equitable resolution of complaints filed in accordance with Title II of the Americans with Disabilities Act of 1990.
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:

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

The Public Service Commission (PSC) has received no written comments from any interested person supporting or opposing this rule since the last five-year review.

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

This rule is necessary so that an individual with a disability may know the complaint process if they believe they have been subjected to discrimination by the PSC, including being excluded from participation in, or being denied the benefits of, the services, programs, or activities of the PSC. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Thad LeVar, PSC Chair	Date:	06/02/2023
---	-----------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R746-600	Filing ID:	51992
Effective Date:	06/02/2023		

Agency Information

1. Department:	Public Service Commission
Agency:	Administration
Building:	Heber M Wells Building
Street address:	160 E 300 S, 4th Floor
City, state and zip:	Salt Lake City, UT 84111
Mailing address:	PO Box 144558
City, state and zip:	Salt Lake City, UT 84114-4558
Contact persons:	

Name:	Phone:	Email:
John Delaney	801-530-6724	jdelaney@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:
R746-600. Postretirement Benefits other than Pensions

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

This rule is enacted under Section 54-4-1 and addresses the requirements of a public utility in their financial reporting of certain postretirement benefits, including how to account for, and when to make deposits for funding of, these benefits for current and future retirees.

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 Public Service Commission (PSC) has received no written comments from any interested person supporting or opposing this rule since the last five-year review.

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

This rule is necessary because it provides appropriate financial reporting, accounting, and funding timing guidance to public utilities in Utah with certain postretirement benefit obligations to current and future retirees. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Thad LeVar, PSC Chair	Date:	06/02/2023
---	-----------------------	--------------	------------

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		
Rule Number:	R23-30	Filing ID: 55148
New Deadline Date:	11/08/2023	

Agency Information

1. Department:	Government Operations	
Agency:	Facilities Construction and Management	
Room number:	3626	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W, 3rd Floor	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
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 persons listed above.

General Information

2. Rule catchline:
R23-30. State Facility Energy Efficiency Fund
3. Reason for requesting the extension:
The Division of Facilities Construction and Management is filing this extension to keep the rule in place until the rule finishes the repeal process.

Agency Authorization Information

Agency head or designee and title:	James Russell, Director	Date:	06/13/2023
---	-------------------------	--------------	------------

End of the Notices of Five-Year Review Extensions Section

NOTICES OF RULE EFFECTIVE DATES

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

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

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

Agriculture and Food

Animal Industry

No. 55320 (Amendment) R58-18: Elk Farming
Published: 05/01/2023
Effective: 06/13/2023

No. 55321 (Amendment) R58-20: Domesticated Elk
Hunting Parks
Published: 05/01/2023
Effective: 06/13/2023

No. 55375 (New Rule) R58-28: Veterinarian Education
Loan Repayment Program
Published: 05/15/2023
Effective: 06/22/2023

Marketing and Development

No. 55342 (Amendment) R65-11: Utah Sheep Marketing
Order
Published: 05/15/2023
Effective: 06/22/2023

Plant Industry

No. 55315 (Amendment) R68-8: Utah Seed Law
Published: 05/15/2023
Effective: 06/22/2023

No. 55325 (Amendment) R68-27: Cannabis Cultivation
Published: 05/01/2023
Effective: 06/13/2023

No. 55343 (Amendment) R68-28: Cannabis Processing
Published: 05/15/2023
Effective: 06/22/2023

No. 55344 (Amendment) R68-30: Independent Cannabis
Testing Laboratory
Published: 05/15/2023
Effective: 06/22/2023

Commerce

Professional Licensing

No. 55326 (Amendment) R156-55c: Plumber Licensing Act
Rule
Published: 05/01/2023
Effective: 06/20/2023

Education

Administration

No. 55328 (Amendment) R277-301: Educator Licensing
Published: 05/01/2023
Effective: 06/07/2023

No. 55329 (Amendment) R277-312: Online Educator
Licensure
Published: 05/01/2023
Effective: 06/07/2023

No. 55294 (Amendment) R277-419: Pupil Accounting
Published: 04/15/2023
Effective: 07/01/2023

No. 55330 (Repeal) R277-492: Math and Science
Opportunities for Students and Teachers (MOST) Program
Published: 05/01/2023
Effective: 06/07/2023

No. 55331 (Amendment) R277-609: Standards for LEA
Discipline Plans and Emergency Safety Interventions
Published: 05/01/2023
Effective: 06/13/2023

No. 55332 (Amendment) R277-800: Utah Schools for the
Deaf and the Blind
Published: 05/01/2023
Effective: 06/07/2023

NOTICES OF RULE EFFECTIVE DATES

No. 55333 (Amendment) R277-926: Certification of Residential Treatment Center Special Education Program
Published: 05/01/2023
Effective: 06/07/2023

Government Operations

Human Resource Management
No. 55359 (Amendment) R477-1: Definitions
Published: 05/15/2023
Effective: 07/01/2023

No. 55372 (Amendment) R477-2: Administration
Published: 05/15/2023
Effective: 07/01/2023

No. 55362 (Amendment) R477-4: Filling Positions
Published: 05/15/2023
Effective: 07/01/2023

No. 55363 (Amendment) R477-5: Probationary Period
Published: 05/15/2023
Effective: 07/01/2023

No. 55364 (Amendment) R477-6: Compensation
Published: 05/15/2023
Effective: 07/01/2023

No. 55365 (Amendment) R477-7: Leave
Published: 05/15/2023
Effective: 07/01/2023

No. 55366 (Amendment) R477-8: Working Conditions
Published: 05/15/2023
Effective: 07/01/2023

No. 55367 (Amendment) R477-10: Employee Development
Published: 05/15/2023
Effective: 07/01/2023

No. 55368 (Amendment) R477-12: Separations
Published: 05/15/2023
Effective: 07/01/2023

No. 55369 (Amendment) R477-13: Volunteer Programs
Published: 05/15/2023
Effective: 07/01/2023

No. 55370 (Amendment) R477-15: Workplace Harassment Prevention
Published: 05/15/2023
Effective: 07/01/2023

No. 55371 (Amendment) R477-16: Abusive Conduct Prevention
Published: 05/15/2023
Effective: 07/01/2023

Health and Human Services

Population Health, Environmental Health
No. 55300 (Amendment) R392-200: Sanitation and Safety of Schools
Published: 04/15/2023
Effective: 06/14/2023

Health Care Financing, Coverage and Reimbursement Policy
No. 55340 (Amendment) R414-9: Federally Qualified Health Centers and Rural Health Clinics
Published: 05/01/2023
Effective: 06/12/2023

No. 55298 (Repeal) R414-100: Medicaid Primary Care Network Services
Published: 04/15/2023
Effective: 06/14/2023

Health Care Facility Licensing
No. 55310 (Amendment) R432-31: Life with Dignity Order
Published: 05/01/2023
Effective: 06/12/2023

Disease Control and Prevention, Laboratory Services
No. 55266 (Amendment) R438-15: Newborn Screening
Published: 03/15/2023
Effective: 07/10/2023

Higher Education (Utah Board of)

Administration
No. 55255 (Repeal) R765-605: Higher Education Success Stipend Program
Published: 03/15/2023
Effective: 06/23/2023

Insurance

Administration
No. 55334 (Repeal and Reenact) R590-67: Proxy Solicitations and Consent and Authorization of Stockholders of Domestic Stock Insurers
Published: 05/01/2023
Effective: 06/09/2023

No. 55335 (Repeal and Reenact) R590-68: Insider Trading of Equity Securities of Domestic Stock Insurance Companies
Published: 05/01/2023
Effective: 06/09/2023

No. 55180 (Amendment) R590-102: Insurance Department Fee Payment Rule
Published: 01/15/2023
Effective: 06/21/2023

No. 55180 (Change in Proposed Rule) R590-102: Insurance Department Fee Payment Rule
Published: 05/15/2023
Effective: 06/21/2023

NOTICES OF RULE EFFECTIVE DATES

No. 55336 (Amendment) R590-216: Standards for Safeguarding Customer Information
Published: 05/01/2023
Effective: 06/09/2023

No. 55341 (Repeal and Reenact) R590-220: Submission of Accident and Health Insurance Filings
Published: 05/01/2023
Effective: 06/09/2023

No. 55387 (Amendment) R590-237: Access to Health Care Providers in Rural Counties
Published: 05/15/2023
Effective: 06/21/2023

No. 55389 (Amendment) R590-262: Health Data Authority Health Insurance Claims Reporting
Published: 05/15/2023
Effective: 06/21/2023

No. 55337 (Amendment) R590-264: Property and Casualty Actuarial Opinion Rule
Published: 05/01/2023
Effective: 06/09/2023

No. 55338 (Amendment) R590-266: Utah Essential Health Benefits Package
Published: 05/01/2023
Effective: 06/09/2023

No. 55256 (Amendment) R590-283-6: Reporting
Published: 03/15/2023
Effective: 06/09/2023

No. 55256 (Change in Proposed Rule) R590-283-6: Reporting
Published: 05/01/2023
Effective: 06/09/2023

Public Safety

Driver License

No. 55317 (New Rule) R708-55: Foreign Driver License Reciprocity
Published: 05/01/2023
Effective: 06/07/2023

Transportation

Operations, Traffic and Safety

No. 55374 (Amendment) R920-50-3: Governing Standards
Published: 05/15/2023
Effective: 06/21/2023

Workforce Services

Housing and Community Development

No. 55322 (Amendment) R990-200-3: Definitions
Published: 05/01/2023
Effective: 06/07/2023

End of the Notices of Rule Effective Dates Section