

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

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 August 02, 2023, 12:00 a.m., and August 15, 2023, 11:59 p.m. are included in this, the September 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 October 02, 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 January 02, 2024, 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: Amendment		
Rule or Section Number:	R35-1	Filing ID: 55612

Agency Information

1. Department:	Government Operations	
Agency:	Records Committee	
Street address:	346 S Rio Grande St	
City, state and zip:	Salt Lake City, UT 84101	
Contact persons:		
Name:	Phone:	Email:
Rebekkah Shaw	801-531-3851	rshaw@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R35-1. State Records Committee Appeal Hearing Procedures
3. Purpose of the new rule or reason for the change:
S.B. 231 from the 2023 General Session added Section 63G-2-209. This new section created an additional mandate for the State Records Committee. The bill also required rules to be created for these new hearings, what is generally referred to as "vexatious requester hearings". These changes are in anticipation of those hearings, along with some grammatical updates to be compliant with the Rulewriting Manual for Utah.
4. Summary of the new rule or change:
The catchline for Rule R35-1 is changed for both appeal and vexatious hearings. A specific change is that all parties at a hearing are sworn in, and the time to present at the hearing is set. What happens when the Records Committee (Committee) votes in a tie is explained. The Committee may vote to compel a third-party to attend a hearing. Various types of motions and orders the Committee may issue are added. Two new sections are added: R35-1-3, Burden of Proof, and R35-1-4, Vexatious Requester Hearing Procedures. This requires the rest of the sections in Rule R35-1 to be renumbered.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no substantive changes being made regarding the fiscal impact of this rule. The changes in this rule are created to come into compliance with Section 63G-2-209. All other changes are to clarify current practice.
B) Local governments:
There are no substantive changes being made regarding the fiscal impact of this rule. The changes in this rule are created to come into compliance with Section 63G-2-209. All other changes are to clarify current practice.
C) Small businesses ("small business" means a business employing 1-49 persons):
There are no substantive changes being made regarding the fiscal impact of this rule. The changes in this rule are created to come into compliance with Section 63G-2-209. All other changes are to clarify current practice.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no substantive changes being made regarding the fiscal impact of this rule. The changes in this rule are created to come into compliance with Section 63G-2-209. All other changes are to clarify current practice.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There are no substantive changes being made regarding the fiscal impact of this rule. The changes in this rule are created to come into compliance with Section 63G-2-209. All other changes are to clarify current practice.
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 substantive changes being made regarding the fiscal impact of this rule.

The changes in this rule are created to come into compliance with Section 63G-2-209.

All other changes are to clarify current practice.

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 Government Operations, Marvin Dodge, 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 63G-2-209(12)		
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Kenneth Williams, Director and State Archivist	Date:	05/08/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R68-25	Filing ID: 55653

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:
R68-25. Industrial Hemp Program - Cannabinoid Product Processors
3. Purpose of the new rule or reason for the change:
Changes are needed to clarify the allowances of a Tier Four processing licensee to ensure product safety.
4. Summary of the new rule or change:
Rule R68-25 is updated to clarify that a Tier Four licensee may only sell finished product to a retailer.

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 Department of Agriculture and Food (Department). The changes make this rule consistent with current Department practice and are clarifying only.
B) Local governments:
Local governments are not licensed under the industrial hemp program and will not be impacted by the changes.
C) Small businesses ("small business" means a business employing 1-49 persons):
Small businesses should not be impacted by this change because the changes are clarifying licensing requirements and the costs to participate in the program should not change.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Non-small businesses should not be impacted by this change because the changes are clarifying licensing requirements and the costs to participate in the program should not change.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
Other persons should not be impacted by this change because the changes are clarifying licensing requirements and the costs to participate in the program should not change.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

Compliance costs should not change. Fees charged by the Department and compliance requirements will not be impacted.

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 4-41-103(4)		
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
--	------------

9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Craig W Buttars, Commissioner	Date:	08/14/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R68-26	Filing ID:	55652
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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:
R68-26. Cannabinoid Product Registration and Labeling

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

Clarity is needed in labeling requirements for registered cannabinoid products due to feedback the Department of Agriculture and Food (Department) has received from licensees regarding difficulty of including all cannabinoids on the label and questions regarding the need for this information.

4. Summary of the new rule or change:

The changes add clarifying text to Section R68-26-5, requiring that products must only be labeled with the amounts of any advertised and primary cannabinoids and THC or THC analogs identified in the Certificate of Analysis.

A definition is also added to Section R68-26-2 for the term "primary cannabinoid", which is defined as the top three cannabinoids present in a product if the percentage of that cannabinoid is 0.5% or higher.

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 Department. This change clarifies labeling requirements but does not add any additional cost to the department to review labels or change the fee revenue that comes into the department.

B) Local governments:

This rule changes does not impact local governments because they are not licensed under the industrial hemp program or administer the program.

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

This rule change will not impact small businesses. The labeling changes are very small and will not lead to more expense. Label requirements should be less stringent overall.

The Department also allows flexibility to let licensees use existing labels if necessary.

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

This rule change will not impact non small businesses. The labeling changes are very small and will not lead to more expense.

Label requirements should be less stringent overall.

The Department also allows flexibility to let licensees use existing labels if necessary.

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 will not impact other persons. The labeling changes are very small and will not lead to more expense. Label requirements should be less stringent overall.

The Department also allows flexibility to let licensees use existing labels if necessary.

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

Compliance costs for affected persons will not change. Requirements for product labels will be less stringent and changes required will be small overall.

Fees charged by the Department will not change.

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
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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 Butters, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Subsection 4-41-103(4)	Subsection 4-41-403(1)	
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Public Notice Information

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

A) Comments will be accepted until: 10/02/2023

9. This rule change MAY become effective on: 10/10/2023

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 Butters, Commissioner	Date:	08/14/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R156-28	Filing ID:	55594
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Agency Information

1. Department:	Commerce
Agency:	Professional Licensing
Building:	Heber M Wells Building
Street address:	160 E 300 S
City, state and zip:	Salt Lake City, UT 84111-2316
Mailing address:	PO Box 146741
City, state and zip:	Salt Lake City, UT 84114-6741

Contact persons:		
Name:	Phone:	Email:
Lisa Martin	801-530-7632	lmartin@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R156-28. Veterinary Practice Act Rule
3. Purpose of the new rule or reason for the change:
The Division of Professional Licensing (Division) in collaboration with the Veterinary Licensing Board is filing these proposed amendments to update this rule and clarify existing continuing education requirements.
4. Summary of the new rule or change:
The proposed amendments to Section R156-28-304a clarify the continuing education requirements to obtain one hour of communication-specific continuing education.
The remaining amendments are clerical in nature to update this rule to conform to the Rulewriting Manual for Utah.
Public hearing Information The hearing will be 09/05/2023 at 9 AM at the Heber M Wells Bldg, 160 E 300 S, in Conference Room 474, Salt Lake City, UT, or Google Meet per the information below.
Google Meeting link: meet.google.com/ugu-zhub-wwy Or Join by phone: (US) +1 208-820-4330 PIN: 676547280

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 because the proposed amendments only update and clarify existing continuing education requirements and will not impact any state agency practices or procedures.
B) Local governments:
There is no anticipated cost or savings to local governments because the proposed amendments only clarify existing continuing education requirements and will not impact any local government practices or procedures.

C) Small businesses ("small business" means a business employing 1-49 persons):																								
There are approximately 231 small businesses in Utah owned by individuals in the veterinary industry (NAICS 541940). As described below for other persons, small businesses are not expected to be impacted by this filing because the proposed amendments only update and clarify existing continuing education requirements.																								
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																								
There are approximately five non-small businesses in Utah owned by individuals in the veterinary industry (NAICS 541940). As described below for other persons, non-small businesses are not expected to be impacted by this filing because the proposed amendments only update and clarify existing continuing education requirements.																								
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):																								
There are approximately 1,148 licensed veterinarians and 232 state certified veterinary technicians who will be impacted by these proposed amendments, but they are not expected to experience any cost or savings from the proposed amendments because the amendments only update and clarify existing continuing education requirements.																								
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):																								
As described above for other persons in Box 5E, no compliance costs are anticipated for any affected persons.																								
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																								
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> </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
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																					

NOTICES OF PROPOSED RULES

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 Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

Comments: The Division proposes amendments to update Rule R156-28. The proposed amendments are to clarify the continuing education requirements to obtain one hour of communication-specific continuing education. The remaining amendments are clerical. The Division has made formatting changes throughout this rule to conform this rule to the Rulewriting Manual for Utah in accordance with Executive Orders No. 2021-1 and 2021-12.

Small Businesses (less than 50 employees):
The Division does not foresee any foreseeable impact on small businesses since these amendments are made to make the rule comport to the Office of Administrative Rules Rule Writing Manual. There are approximately 231 small businesses in Utah performing veterinary services (NAICS 541940). There are no substantial changes to this rule beyond clarification to language.

Regulatory Impact to Non-Small Businesses (50 or more employees):
There are approximately five non-small businesses in Utah performing veterinary services (NAICS 541940). These amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses. These costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

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 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-28-101
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Public Notice Information

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

A) Comments will be accepted until: 10/02/2023

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

Date:	Time:	Place (physical address or URL):
09/05/2023	9:00 AM	See information in Box 4 above.

To the agency: If more space is needed for a physical address or URL, refer readers to Box 4 in General Information. If more than two hearings will take place, continue to add rows.

9. This rule change MAY become effective on: 10/10/2023

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:	Mark B. Steinagel, Division Director	Date:	08/08/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R251-107	Filing ID:	55547
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Agency Information

1. Department:	Corrections	
Agency:	Administration	
Street address:	14727 Minuteman Drive	
City, state and zip:	Draper, UT 84020	
Contact persons:		
Name:	Phone:	Email:
Matt Anderson	801-556-8199	mattanderson@utah.gov

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

General Information

2. Rule or section catchline:
R251-107. Executions
3. Purpose of the new rule or reason for the change:
The prison relocated to Salt Lake City from Draper. The Department of Corrections internally identified that rules would need to be changed to reflect this move.
4. Summary of the new rule or change:
This rule change corrects the previous naming of the prison, South Point, to the current naming, Utah State Correctional Facility.
Nonsubstantive style and formatting changes were also made to this rule to conform with the Rulewriting Manual for Utah per EO No. 2021-12.

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 change to the state budget, as this rule provides policy guidelines for the state facility vehicle direction stations and does not have a fiscal impact.
B) Local governments:
There is no anticipated cost or savings change to the local governments, as this rule does not apply to this group.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings change to small businesses, as this rule does not apply to this group.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings change to non-small businesses, as this rule does not apply to this group.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There is no anticipated cost or savings change to other persons, as this rule does not apply to this group.
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, as this does not apply to this group and this rule has no fiscal impact regardless.

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 Corrections, Brian Redd, 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 63G-3-201	Section 64-13-10	Section 77-19-10
Section 77-19-11		

Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Brian Redd, Executive Director	Date:	07/05/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R251-108	Filing ID:	55546
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Agency Information

1. Department:	Corrections	
Agency:	Administration	
Street address:	14727 Minuteman Drive	
City, state and zip:	Draper, UT 84020	
Contact persons:		
Name:	Phone:	Email:
Matt Anderson	801-556-8199	mattanderson@utah.gov

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

General Information

2. Rule or section catchline:
R251-108. Adjudicative Proceedings

3. Purpose of the new rule or reason for the change:
The purpose of this filing is to establish a procedure by which informal adjudicative proceedings shall be conducted.

Changes to this rule were made to accommodate the prison relocation from Draper to Salt Lake City and to identify the new prison name.

4. Summary of the new rule or change:

The Department of Corrections made nonsubstantive style and formatting changes to this rule to conform with the Rulewriting Manual for Utah per EO No. 2021-12.

Changes to this rule will not cause any negative impacts.

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 change to the state budget, as this rule provides policy guidelines for the procedure of holding informal adjudicative proceedings.

B) Local governments:

There is no anticipated cost or savings change to the local governments, as this rule does not apply to this group.

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

There is no anticipated cost or savings change to small businesses, as this rule does not apply to this group.

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

There is no anticipated cost or savings change to non-small businesses, as this rule does not apply to this group.

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

There is no anticipated cost or savings change to other persons, as this rule does not apply to this group.

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, as this does not apply to this group and this rule has no fiscal impact regardless.

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 Corrections, Brian Redd, 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 63G-3-201	Section 63G-4-202	Section 63G-4-203
Section 64-13-10		

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:	10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Brian Redd, Executive Director	Date:	08/01/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R251-705	Filing ID:	55544

Agency Information

1. Department:	Corrections	
Agency:	Administration	
Street address:	14727 Minuteman Drive	
City, state and zip:	Draper, UT 84020	
Contact persons:		
Name:	Phone:	Email:
Matt Anderson	801-556-8199	mattanderson@utah.gov

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

General Information

2. Rule or section catchline:
R251-705. Inmate Mail Procedures
3. Purpose of the new rule or reason for the change:
The purpose for making changes to this rule are to provide updated building names following the prison move from Draper to Salt Lake City.
Topics were changed to sentence form and many semicolons were changed to periods.
4. Summary of the new rule or change:
The Department of Corrections made nonsubstantive style and formatting changes to this rule to conform with the Rulewriting Manual for Utah per EO No. 2021-12.
Changes include building name changes to accommodate the prison move from Draper to Salt Lake City.

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 change to the state budget, as this rule provides policy guidelines for the procedure handling inmate mail.			
B) Local governments:			
There is no anticipated cost or savings change to the local governments, as this rule does not apply to this group.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
There is no anticipated cost or savings change to small businesses, as this rule does not apply to this group.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
There is no anticipated cost or savings change to non-small businesses, as this rule does not apply to this group.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
There is no anticipated cost or savings change to other persons, as this rule does not apply to this group.			
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, as this does not apply to this group and this rule has no fiscal impact regardless.			
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 Corrections, Brian Redd, 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 63G-3-201	Subsection 64-13-17(4)	Section 64-13-10

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:	10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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:	Brian Redd, Executive Director	Date:	08/01/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R251-707	Filing ID: 55549

Agency Information

1. Department:	Corrections	
Agency:	Administration	
Street address:	14727 Minuteman Drive	
City, state and zip:	Draper, UT 84020	
Contact persons:		
Name:	Phone:	Email:
Matt Anderson	801-556-8199	mattanderson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R251-707. Legal Access
3. Purpose of the new rule or reason for the change:
Since the prison relocated to Salt Lake City from Draper, the agency internally identified that rules would need to be changed to reflect this move.
4. Summary of the new rule or change:
This rule change corrects the previous naming of the prison buildings to the current naming, Utah State Correctional Facility. Nonsubstantive style and formatting changes were also made to this rule to conform with the Rulewriting Manual for Utah per EO No. 2021-12.

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 change to the state budget, as this rule provides policy guidelines legal access and does not have a fiscal impact.
B) Local governments:
There is no anticipated cost or savings change to the local governments, as this rule does not apply to this group.
C) Small businesses ("small business" means a business employing 1-49 persons):

There is no anticipated cost or savings change to small businesses, as this rule does not apply to this group.

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

There is no anticipated cost or savings change to non-small businesses, as this rule does not apply to this group.

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

There is no anticipated cost or savings change to other persons, as this rule does not apply to this group.

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, as this does not apply to this group and this rule has no fiscal impact regardless.

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

NOTICES OF PROPOSED RULES

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 Corrections, Brian Redd, 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 63G-3-201	Section 64-13-10	Section 64-13-17	

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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:	Brian Redd, Executive Director	Date:	06/05/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R251-708	Filing ID: 55545

Agency Information

1. Department:	Corrections
Agency:	Administration
Street address:	14727 Minuteman Drive
City, state and zip:	Draper, UT 84020

Contact persons:		
Name:	Phone:	Email:
Matt Anderson	801-556-8199	mattanderson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R251-708. Perimeter Patrol
3. Purpose of the new rule or reason for the change:
The purpose of this filing is to establish a procedure for perimeter patrol of the prison facilities.
The changes are to facilitate the Draper prison move to Salt Lake and identify it by its new name.
4. Summary of the new rule or change:
The Department of Corrections made nonsubstantive style and formatting changes to this rule to conform with the Rulewriting Manual for Utah per EO No. 2021-12.
The changes are to facilitate the Draper prison move to Salt Lake and identify it by its new name..

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 change to the state budget, as this rule provides policy guidelines for the procedure for perimeter patrol of the prison facilities.
B) Local governments:
There is no anticipated cost or savings change to the local governments, as this rule does not apply to this group.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings change to small businesses, as this rule does not apply to this group.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings change to non-small businesses, as this rule does not apply to this group.

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

There is no anticipated cost or savings change to other persons, as this rule does not apply to this group.

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, as this does not apply to this group and this rule has no fiscal impact regardless.

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 Corrections, Brian Redd, 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 63G-3-201	Section 64-13-10	Section 64-13-14
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Brian Redd, Executive Director	Date:	08/01/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R251-711	Filing ID: 55597

Agency Information

1. Department:	Corrections	
Agency:	Administration	
Street address:	14727 Minuteman Drive	
City, state and zip:	Draper, UT 84020	
Contact persons:		
Name:	Phone:	Email:
Matt Anderson	801-556-8199	mattanderson@utah.gov

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

General Information

2. Rule or section catchline:
R251-711. Admission and Intake
3. Purpose of the new rule or reason for the change:
The prison relocated to Salt Lake City from Draper. The Department of Corrections internally identified that rules would need to be changed to reflect this move.
4. Summary of the new rule or change:
This rule change corrects the previous naming of the prison, South Point, to the current naming, Utah State Correctional Facility. The Department of Corrections also made nonsubstantive style and formatting changes to this rule to conform with the Rulewriting Manual for Utah per EO No. 2021-12.

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 change to the state budget, as this rule provides policy guidelines for the state facility inmate admissions and intake and does not have a fiscal impact.
B) Local governments:
There is no anticipated cost or savings change to the local governments, as this rule does not apply to this group.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings change to small businesses, as this rule does not apply to this group.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings change to non-small businesses, as this rule does not apply to this group.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There is no anticipated cost or savings change to other persons, as this rule does not apply to this group.
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, as this does not apply to this group and this rule has no fiscal impact regardless.

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 Corrections, Brian Redd, 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 63G-3-201	Section 64-13-10	Section 64-13-15

Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Brian Redd, Executive Director	Date:	07/05/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R277-303	Filing ID:	55654
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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:
R277-303. Educator Preparation Programs
3. Purpose of the new rule or reason for the change:
This rule is being amended to incorporate new educator preparation program standards and related definitions.

4. Summary of the new rule or change:
These amendments add definitions and the new Educator Preparation Program standards.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
This rule change is not expected to have fiscal impact on state government revenues or expenditures.

The changes to incorporate new educator preparation program standards do not add staff time or costs for the Utah State Board of Education (USBE). Higher education institutions may need to make adjustments to meet the educator preparation standards; however, USBE estimates that the institutions can implement changes with existing resources and is unable to quantify any additional costs for higher education institutions.

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. Local Education Agencies (LEAs) will not be impacted by changes to standards for higher education educator preparation programs.

C) Small businesses ("small business" means a business employing 1-49 persons):
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This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects USBE and higher education institutions.

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

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 in educator preparation programs are not likely to see increased costs due to the rule change. This affects the educator preparation programs themselves.

The USBE is unaware of any further impacts to individuals or other entities.

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

There are no compliance costs for affected persons. The changes affect higher education educator preparation programs.

The USBE is unable to quantify any additional costs for the programs or educators due to the 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 Benefits	Fiscal \$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 53E-6-201(3)(a)
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	08/15/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R277-330	Filing ID: 55655

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:
R277-330. Utah Effective Educator Standards
3. Purpose of the new rule or reason for the change:
This rule is being created to replace Rule R277-530, which is being repealed. (EDITOR'S NOTE: The proposed repeal of Rule R277-530 is under ID 55660 in this issue, September 1, 2023, of the Bulletin.)
4. Summary of the new rule or change:
This new rule updates standards for teachers and administrators and incorporate relevant standards for other license areas.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed rule is not expected to have fiscal impact on state government revenues or expenditures. This proposed rule updates standards for teachers and administrators. It does not add any costs to the Utah State Board of Education (USBE) or other state entities as it generally affects Local Education Agencies (LEAs) and educators.
B) Local governments:
This proposed rule is not expected to have fiscal impact on local governments' revenues or expenditures. Some LEAs may need to update their policies; however, this is within the scope of their budgets and will not necessarily add costs to the LEA.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed rule is not expected to have fiscal impact on small businesses' revenues or expenditures. The educator standards only affect the USBE, LEAs, and educators.

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 new rule is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.																								
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):																								
This proposed rule is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. Teachers and administrators may wish to review the updated standards, but there are no additional costs for USBE, LEAs, or educators. The standards outline expected behavior and performance. The USBE is unaware of any impacts to other individuals or entities.																								
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. Affected educators have no quantifiable costs associated with complying with the updated standards for conduct.																								
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> </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
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																					

NOTICES OF PROPOSED RULES

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 53E-3-501(1)(a)
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Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	NASW Standards for School Social Work Services
Publisher	National Association of Social Workers
Issue Date	2012

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

Official Title of Materials Incorporated (from title page)	ASCA School Counselor Professional Standards & Competencies
Publisher	American School Counselor Association
Issue Date	2019

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

Official Title of Materials Incorporated (from title page)	Standards and Implementation Procedures for the Certificate of Clinical Competence in Audiology
Publisher	American Speech-Language-Hearing Association
Issue Date	2020

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

Official Title of Materials Incorporated (from title page)	The Professional Standards of the National Association of School Psychologists
Publisher	National Association of School Psychologists
Issue Date	2020

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

Official Title of Materials Incorporated (from title page)	Standards and Implementation Procedures for the Certificate of Clinical Competence in Speech-Language Pathology
Publisher	American Speech-Language-Hearing Association
Issue Date	2020

Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on: 10/10/2023

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:	08/15/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R277-433	Filing ID: 55656

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:
R277-433. Disposal of Textbooks in the Public Schools
3. Purpose of the new rule or reason for the change:
This rule is being repealed due to the passage of H.B. 494 in the 2023 General Session, which removed the requirement that Local Education Agencies (LEAs) notify all other local education agencies before disposing of undamaged textbooks.
4. Summary of the new rule or change:
This rule is 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 proposed repeal is not expected to have fiscal impact on state government revenues or expenditures.
There are no further impacts outside what was captured in the fiscal note to H.B. 494 (2023).
B) Local governments:
This proposed repeal is not expected to have fiscal impact on local governments' revenues or expenditures. There

are no further impacts outside what was captured in the fiscal note to H.B. 494 (2023).

LEAs can continue to notify other LEAs of textbook disposal but are not required to do so.

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

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

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

This proposed repeal 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 LEAs.

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

There are no compliance costs for affected persons. This only impacts 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

NOTICES OF PROPOSED RULES

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-7-606

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/02/2023
9. This rule change MAY become effective on:	10/10/2023
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:	08/15/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R277-465	Filing ID:	55657

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:
R277-465. CPR in Schools
3. Purpose of the new rule or reason for the change:
This rule is being amended to allow schools to have more flexibility when they apply and then reimburse through the Utah State Board of Education's Utah Grants Management system, beginning in September 2023.
4. Summary of the new rule or change:
These amendments make specific updates to the requirements that allow schools to use funds to pay an existing teacher or staff a stipend for ongoing training.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
This rule change is not expected to have fiscal impact on state government revenues or expenditures. Local Education Agencies (LEAs) are given additional flexibility to use the CPR Training Grants funds.
There are no changes to the Utah State Board of Education (USBE) budgets for staff or other costs.
B) Local governments:
This rule change is not expected to have major fiscal impact on local governments' revenues or expenditures. LEAs are afforded to additional flexibility to compensate staff for training students outside their normal duties with the CPR Training grant funds.
There are no changes to the amounts for student.
Some LEAs may now qualify for additional funds. The exact amount is not known at this time.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects LEAs and USBE.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects LEAs and USBE.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for affected persons. This only affects LEAs and USBE.

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 53G-10-408(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

NOTICES OF PROPOSED RULES

agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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:	08/15/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-469	Filing ID: 55658

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:
R277-469. Instructional Materials Commission Operating Procedures
3. Purpose of the new rule or reason for the change:
This rule is being amended due to the passage of H.B. 427 in the 2023 General Session.
4. Summary of the new rule or change:

These amendments include a reference to Section 53G-10-206 and update terms used that pertain to digital resources.

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 additional costs beyond what was captured in the fiscal note to H.B. 427 (2023).
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. There are no additional costs beyond what was captured in the fiscal note to H.B. 427 (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. There are no additional costs beyond what was captured in the fiscal note to H.B. 427 (2023).
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. There are no additional costs beyond what was captured in the fiscal note to H.B. 427 (2023).
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 additional costs beyond what was captured in the fiscal note to H.B. 427 (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	Section 53E-4-402	Section 53E-4-408
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Subsection 53E-3-401(4)		
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	08/15/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R277-494	Filing ID:	55659
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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:
R277-494. Charter, Online, Home, and Private School Student Participation in Extracurricular and Co-curricular School Activities

3. Purpose of the new rule or reason for the change:
This rule is being amended due to the passage of H.B. 209 in the 2023 General Session.
4. Summary of the new rule or change:
These amendments make updates so that this rule is consistent with changes adopted by the Legislature in H.B. 209 (2023), specifically regarding where students can participate in extracurricular activities.

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 changes to the Utah State Board of Education (USBE) budgets due to the changes required by H.B. 209 (2023).
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. There are no further impacts to Local Education Agencies (LEAs) from the rule change outside the fiscal note to H.B. 209 (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. This rule change only affects LEAs and the USBE.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

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

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for affected persons. This rule change only affects the USBE and LEAs.

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

Regulatory Impact Table			
Fiscal Cost	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 53G-6-704(5)
Subsection 53G-6-705(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:	10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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:	08/15/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R277-530	Filing ID: 55660

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:
R277-530. Utah Effective Educator Standards
3. Purpose of the new rule or reason for the change:
This rule is being repealed because it will be superseded by Rule R277-330, the updated Effective Educator Standards rule. (EDITOR'S NOTE: The proposed new Rule R277-330 is under ID 55655 in this issue, September 1, 2023, of the Bulletin.)
4. Summary of the new rule or change:
This rule is 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 changes to the Utah State Board of Education (USBE) budgets associated with the repeal of Rule R277-530 and change to Rule R277-330.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. There are no changes to Local Education Agency (LEA) budgets associated with the update of educator standards.
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 the USBE, LEAs, and educators.
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 repeal is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation,

NOTICES OF PROPOSED RULES

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, LEAs, and educators.

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 educators or LEAs associated with Rule R277-530 being superseded by Rule R277-330. The educator standards outline acceptable conduct by teachers and administrators.

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 53E-3-501(1)(a)(i)
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Public Notice Information

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

A) Comments will be accepted until: 10/02/2023

9. This rule change MAY become effective on: 10/10/2023

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:	08/15/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R277-550	Filing ID:	55661
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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:
R277-550. Charter Schools - Definitions
3. Purpose of the new rule or reason for the change:
This rule is being amended due to recent amendments to related charter school rules.
4. Summary of the new rule or change:
These rule amendments add definitions for large and small expansions.

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 rule change differentiates charter school expansions as "small" and "large" and may save a small amount of administrative time for the Utah State Board of Education (USBE) and the State Charter School Board. The USBE is unable to quantify the administrative savings at this time.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. Expanding charter schools may see a small savings in administrative time.
There are no added costs for expanding charter schools or other Local Education Agencies (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 and expanding charter schools.
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 expanding charter schools.

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

There are no compliance costs for affected persons. This only affects USBE and expanding charter schools.

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

NOTICES OF PROPOSED RULES

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 53G-5-205

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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:	08/15/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-554	Filing ID: 55662

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:
R277-554. State Charter School Board Grants and Mentoring Program
3. Purpose of the new rule or reason for the change:
This rule is being amended due to recent amendments to related charter school rules.
4. Summary of the new rule or change:
The amendments update language for the Start-up grant and broadens the allowable uses of charter school start-up and implementation grant funds.

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 rule change broadens uses for the charter school start-up and implementation grant funds.
It does not add any costs for the Utah State Board of Education (USBE) or other state entities.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. Small and large expanding charter schools can now qualify for charter school startup and implementation grants.
Previously, expanding charter schools would need to use fund balances or other financing to fund expansions. There may be a savings to expanding charter schools, but USBE is unable to quantify the savings as it occurs on a case-by-case basis.
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 Local Education Agencies (LEAs) and USBE.

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

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

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

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

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

There are no compliance costs for affected persons. This only affects LEAs and USBE.

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 53G-5-205
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Public Notice Information

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

A) Comments will be accepted until: 10/02/2023

9. This rule change MAY become effective on: 10/10/2023

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:	08/15/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R381-60	Filing ID:	55615
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Agency Information

1. Department:	Health and Human Services	
Agency:	Child Care Center Licensing	
Building:	Multi-Agency State Office 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
Simon Bolivar	801-803-4618	sbolivar@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R381-60. Hourly Child Care Centers
3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to update language, clarify processes, and update citations following the consolidation and recodification of the Department of Health and Human Services' statute in 2023 General Session. Additionally, this amendment incorporates changes based on the input and approval of the Child Care Licensing Committee.
4. Summary of the new rule or change:
The amendment adds clarifying language compliant with the Rulewriting Manual for Utah. Additionally, this aligns terminology and processes with current enforcement standards. It also updates citations following the recodification and consolidation of the Department of Health and Human Services' statute. Substantive changes include new language to comply with S.B. 123 retitling "Childcare Licensing Committee" to "Childcare Licensing Provider Committee".

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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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 Rulewriting Manual for Utah standards. Substantive changes add clarification with no fiscal impact to enforcement or state government.
B) Local governments:
The Child Care Center Licensing (Agency) does not expect any costs or savings to the local governments caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.
C) Small businesses ("small business" means a business employing 1-49 persons):
The Agency does not expect any costs or savings to small businesses caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The Agency does not expect any costs or savings to non-small businesses caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
The Agency does not expect any costs or savings to other persons caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There will be no costs generated by the proposed rule changes because they are mostly changes that will facilitate and clarify the current process.
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	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-2-402		

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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:	08/09/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R381-100	Filing ID:	55614

Agency Information

1. Department:	Health and Human Services		
Agency:	Child Care Center Licensing		
Building:	Multi-Agency State Office 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	
Simon Bolivar	801-803-4618	sbolivar@utah.gov	

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

General Information

2. Rule or section catchline:
R381-100. Child Care Centers
3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to update language, clarify processes, and update citations following the consolidation and recodification of the Department of Health and Human Services' statute in 2023 General Session.
Additionally, this amendment incorporates changes based on the input and approval of the Child Care Licensing Committee

4. Summary of the new rule or change:

The amendment adds clarifying language compliant with the Rulewriting Manual for Utah.

Additionally, this aligns terminology and processes with current enforcement standards. It also updates citations following the recodification and consolidation of the Department of Health and Human Services' statute.

Substantive changes include new language to comply with S.B. 123 from the 2023 General Session retitling "Childcare Licensing Committee" to "Childcare Provider Licensing Committee".

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 Rulewriting Manual for Utah standards.

Substantive changes add clarification with no fiscal impact to enforcement or state government.

B) Local governments:

The Child Care Licensing Committee (Agency) does not expect any costs or savings to the local governments caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

The Agency does not expect any costs or savings caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

The Agency does not expect any costs or savings to non-small businesses caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

The Agency does not expect any costs or savings to other persons caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

There will be no costs generated by the proposed rule changes because they are mostly changes that will facilitate and clarify the current process.

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

Regulatory Impact Table			
Fiscal Cost	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-2-402		
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	08/10/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R414-522	Filing ID:	55616
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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:

R414-522. Electronic Visit Verification Requirements for Personal Care and Home Health Care Services

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

The purpose of this change is to correct the effective date of the electronic visit verification (EVV) requirement.

4. Summary of the new rule or change:

This amendment updates the effective date of the EVV requirement and clarifies when providers must submit EVV records.

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 this amendment only clarifies current EVV requirements, and is covered under previous appropriations for EVV compliance.

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 this amendment only clarifies current EVV requirements, and is covered under previous appropriations for EVV compliance.

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

There is no impact on non-small businesses as this amendment only clarifies current EVV requirements, and is covered under previous appropriations for EVV compliance.

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 this amendment only clarifies current EVV requirements, and is covered under previous appropriations for EVV compliance.

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 this amendment only clarifies current EVV requirements, and is covered under previous appropriations for EVV compliance.

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 S. Gruber, has reviewed and approved this fiscal analysis.

Businesses will see neither costs nor revenue as this amendment only clarifies current EVV requirements, and is covered under previous appropriations for EVV compliance.

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	
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	08/09/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R430-8	Filing ID:	55617
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Agency Information

1. Department:	Health and Human Services		
Agency:	Residential Child Care Licensing		
Building:	Multi-Agency State Office 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	
Simon Bolivar	801-803-4618	sbolivar@utah.gov	

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

General Information

2. Rule or section catchline:

R430-8. Exemptions from Child Care Licensing

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

The purpose of this amendment is to update language, clarify processes, and update citations following the consolidation and recodification of the Department of Health and Human Services' statute in 2023 General Session.

4. Summary of the new rule or change:

The amendment adds clarifying language compliant with the Rulewriting Manual for Utah.

Additionally, this aligns terminology and processes with current enforcement standards.

It also updates citations following the recodification and consolidation of the Department of Health and Human Services' statute.

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 Rulewriting Manual for Utah standards.

Substantive changes add clarification with no fiscal impact to enforcement or state government.

B) Local governments:

The Residential Child Care Licensing (Agency) does not expect any costs or savings to the local governments caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

The Agency does not expect any costs or savings caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

The Agency does not expect any costs or savings to non-small businesses caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

The Agency does not expect any costs or savings to other persons caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

There will be no costs generated by the proposed rule changes because they are mostly changes that will facilitate and clarify the current process.

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

Regulatory Impact Table

Fiscal Cost	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

NOTICES OF PROPOSED RULES

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-2-402		

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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:	08/10/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R430-50	Filing ID: 55618

Agency Information

1. Department:	Health and Human Services
Agency:	Residential Child Care Licensing
Building:	Multi-Agency State Office 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
Simon Bolivar	801-803-4618	sbolivar@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R430-50. Residential Certificate Child Care
3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to update language, clarify processes, updates terms and requirements as required by H.B. 15 from the 2022 General Session and updates citations following the consolidation and recodification of the Department of Health and Human Services' statute introduced in S.B. 38 in the 2023 General Session.
This amendment incorporates changes based on the input and approval of the Child Care Provider Licensing Committee.
4. Summary of the new rule or change:
The amendment adds clarifying language compliant with the Rulewriting Manual for Utah.
Additionally, this aligns terminology and processes with current enforcement standards.
It also updates citations following the recodification and consolidation of the Department of Health and Human Services' (Department) statute.
Substantive changes to comply with H.B. 15 (2022) include:
1) the definition of child care;
2) the Department's authority over municipalities and counties related to requirements for child care providers;
3) allowing additional school-age children without requesting an increase in capacity;
4) an increase in the number of children an individual can care for without a license;
5) removing the limitations on the number children under age two for certified providers; and
6) establishing a limit on the total number of children that a person may care for in the person's home without a license or certificate.

Fiscal Information

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

A) State budget:

Increasing the minimum number of children required for a provider to for a residential certificate may result in a fiscal impact for the Department.

Some providers who are currently required to be certified for a lower number of children may decide to relinquish their residential certificate and operate without one. However, there is no way for the Department to calculate the fiscal impact of these changes because there is not a requirement for providers to report, and implementation of these changes is optional for providers.

B) Local governments:

The Residential Child Care Licensing (Agency) does not expect any costs or savings to the local governments caused by the proposed rule amendments because there is no oversight of local governments in these programs.

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

Giving providers the option to add school-age children without requesting a capacity change and increasing the number of children under age two will potentially impact these providers' income. This would be a benefit based on the number of children they add and would not result in a cost to them.

In addition, changing the language for the number of children under age two will give residential certificate providers more options to address the demand of care for infants and toddlers. The benefit amounts are inestimable due to the individualized capacities and preferences of each provider.

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

The Agency does not expect any costs or savings to non-small businesses caused by the proposed rule amendments because residential care providers do not exceed 50 employees in any setting.

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**):

Giving providers the option to add school-age children without requesting a capacity change and increasing the number of children under age two will potentially impact these providers' income. This would be a benefit based on the number of children they add and would not result in a cost to them.

In addition, changing the language for the number of

children under age two will give residential certificate providers more options to address the demand of care for infants and toddlers. The benefit amounts are inestimable due to the individualized capacities and preferences of each provider.

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

There will be no costs generated by the proposed rule changes because they are mostly changes that will facilitate and clarify the current process and do not require action.

The changes do not require action unless the provider chooses to relinquish and provide care without a residential certificate due to no longer meeting the minimum threshold for licensure.

They additionally could add children under age two under the new capacity allowance, but are not required to do so.

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

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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 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-2-402

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)
A) Comments will be accepted until: 10/02/2023

9. This rule change MAY become effective on: 10/10/2023
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: 08/09/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R430-90	Filing ID: 55619

Agency Information

1. Department:	Health and Human Services
Agency:	Residential Child Care Licensing
Building:	Multi-Agency State Office 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
Simon Bolivar	801-803-4618	sbolivar@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline: R430-90. Licensed Family Child Care
3. Purpose of the new rule or reason for the change: The purpose of this amendment is to update language, clarify processes, updates terms and requirements as required by H.B. 15 from the 2022 General Session and updates citations following the consolidation and recodification of the Department of Health and Human Services' (Department) statute in 2023 General Session. This amendment incorporates changes based on the input and approval of the Residential Child Care Licensing (Agency).
4. Summary of the new rule or change: The amendment adds clarifying language compliant with the Rulewriting Manual for Utah. Additionally, this aligns terminology and processes with current enforcement standards. It also updates citations following the recodification and consolidation of the Department of Health and Human Services' statute. Substantive changes to comply with H.B. 15 (2022) include: 1) the definition of child care; 2) the Department's authority over municipalities and counties related to requirements for child care providers; 3) allowing additional school-age children without requesting an increase in capacity; 4) an increase in the number of children an individual can care for without a license; 5) removing the limitations on the number children under age two for certified providers; and 6) establishing a limit on the total number of children that a person may care for in the person's home without a license or certificate.

Fiscal Information

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

A) State budget:

Increasing the minimum number of children required for a provider to become licensed may result in a fiscal impact for the Department.

Some providers who are currently required to be licensed for a lower number of children may decide to relinquish their license and operate without one. However, there is no way for the Department to calculate the fiscal impact of these changes because there is not a requirement for providers to report, and implementation of these changes is optional for providers.

B) Local governments:

The Agency does not expect any costs or savings to local governments caused by the proposed rule amendments because there is no oversight of local governments in these programs.

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

Giving providers, small businesses, the option to add school-age children without requesting a capacity change will potentially impact these providers' income.

This would be a benefit based on the number of children they add and would not result in a cost to them. The benefit amounts are inestimable due to the individualized capacities and preferences of each provider.

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

The Agency does not expect any costs or savings to non-small businesses caused by the proposed rule amendments because residential care providers do not exceed 50 employees in any setting.

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**):

Giving providers, other persons, the option to add school-age children without requesting a capacity change will potentially impact these providers' income.

This would be a benefit based on the number of children they add and would not result in a cost to them. The benefit amounts are inestimable due to the individualized capacities and preferences of each provider.

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

There will be no costs generated by the proposed rule changes because they are mostly changes that will facilitate and clarify the current process and do not require action unless the provider wishes to relinquish and provide care without a license due to no longer meeting the minimum threshold for licensure.

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-2-402

Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	08/09/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R432-150	Filing ID:	55595
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Agency Information

1. Department:	Health and Human Services		
Agency:	Health Care Facility Licensing		
Room number:	1st Floor		
Building:	Multi-Agency State Office Bldg		
Street address:	195 N 1950 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 144103		
City, state and zip:	Salt Lake City, UT 84114-4103		
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:
R432-150. Nursing Care Facility

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

The purpose of this amendment is to modify and replace outdated language with Rulewriting Manual for Utah standards, update citations in response to S.B.38 in the 2023 General Session for statute recodification, and re-title rules to the new Division of Health Care Facility, Licensing titles that are consistent with Rulewriting standards.

4. Summary of the new rule or change:

The revisions include more specific language consistent with the Rulewriting Manual for Utah.

Additionally, this amendment updates titles and citations due to the recodification of the Department of Health and Human Services' (Department) statute.

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 Rulewriting Manual for Utah standards.

B) Local governments:

This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Rulewriting Manual for Utah standards.

Nursing Care Facilities are regulated by the Department and not local governments. There will be no change in local business licensing or any other item(s) with which local government is involved.

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 Rulewriting Manual for Utah standards.

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 Rulewriting Manual for Utah standards.

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 the Rulewriting Manual for Utah standards.

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 the Rulewriting Manual for Utah standards.

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: 10/02/2023

9. This rule change MAY become effective on: 10/10/2023

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

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R432-270	Filing ID: 55593
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Agency Information

1. Department:	Health and Human Services	
Agency:	Health Care Facility Licensing	
Room number:	1st Floor	
Building:	Multi-Agency State Office Bldg	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144103	
City, state and zip:	Salt Lake City, UT 84114-4103	
Contact persons:		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov

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

General Information

2. Rule or section catchline:
R432-270. Assisted Living Facility
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 Rulewriting Manual for Utah standards, update citations in response to S.B. 38 in the 2023 General Session for statute recodification, and re-title rules to the new Division titles that are consistent with Rulewriting standards.
4. Summary of the new rule or change:
The revisions include more specific language consistent with the Rulewriting Manual for Utah. Additionally, this amendment updates titles and citations due to the recodification of the Department of Health and Human Services' (Department) statute. Only one substantive change clarifies the administrator training requirements. The change was approved by the Health Facility Committee on 11/05/2022. If facilities are members of any association, there is no charge for any of the trainings offered. If not members of an association, free trainings can be found.

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 Rulewriting Manual for Utah standards which will not impact the state's oversight of these facilities.
B) Local governments:
This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Rulewriting Manual for Utah standards. The Assisted Living Standards are regulated by the Department, and not local governments. There will be no change in local business licensing or any other item(s) with which local government is involved.
C) Small businesses ("small business" means a business employing 1-49 persons):

Most Assisted Living Facilities are already participating in Association Membership. It is impossible to estimate a fixed cost to the affected businesses because the membership is per bed per facility, which varies greatly across the state. If a facility is not a member of an association, membership in Utah Assisted Living Association (UALA) is \$15 per bed per year. Training is free to members. Training is \$35 per hour for non members, but the facilities are at liberty to locate other cheaper (or free) trainings to satisfy the requirement. Beehive Association charges \$35 per year, but only accept their own franchise members at \$32.50 per bed. The maximum a small business would pay would be \$735 per year for a UALA membership for a facility with 49 beds. The minimum a small business would pay would be \$0 if they find a free training that the association approves. The maximum a small business would pay would be \$210 to attend UALA training without membership (this is the fixed estimated cost for all affected parties in the table below).
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The costs for non-small businesses are the same for as small business, however \$750 per year would be the minimum a non-small business would pay for a membership at \$15 per bed and the per-hour maximum cost would remain \$210 per year. Minimums could be \$0 if the facility can locate a free training that's approved. It is impossible to estimate a fixed cost to the affected businesses because the membership is per bed per facility, which varies greatly across the state.
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>):
No persons other than small businesses, non-small businesses, state or local government entities should be impacted by the substantive or nonsubstantive changes introduced in this amendment.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
The minimum to an affected administrator would be \$0 if their facility pays for either their membership or per class. If the facility does not pay for the training or membership, the maximum per-training cost to an administrator would be \$210 or a minimum of \$0 if they can locate an approved free trainings.

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: 10/02/2023

9. This rule change MAY become effective on: 10/10/2023

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:	08/07/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New

Rule or Section Number:	R501-3	Filing ID:	55600
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Agency Information

1. Department:	Health and Human Services		
Agency:	Human Services Program Licensing		
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:
R501-3. Inspection and Enforcement

3. Purpose of the new rule or reason for the change:
This new rule is for the Department of Health and Human Services (Department) to outline a balanced process for the Office of Human Services Program Licensing (Office) to initiate immediate protections for clients while preserving the human services program's rights.

4. Summary of the new rule or change:
This rule establishes the standard for emergency agency actions taken by the Department following a serious injury or death in a human services program.

Fiscal Information

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

A) State budget:

The Office already issues and monitors conditional licenses under notices of agency actions, the addition of an emergency agency action allows staff to take these measures with more immediacy for the protection of clients.

It is not anticipated that there will be any cost benefit or loss to state budget as a result of this rule filing.

B) Local governments:

Human services programs are regulated by the Department and not local governments. There will be no change in local business licensing or any other item(s) with which local government is involved.

There are no fiscal impact to local governments resulting from the changes in this rule content.

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

Fiscal impact to small business is immeasurable, as this rule requires a significant critical incident to occur before it can be initiated.

A chronically noncompliant human services program could be subject to license sanctions or civil money penalties of up to \$10,000.00 (as authorized by Section 26B-2-113) and a compliant human services program may appeal the action and have it reversed with no civil money penalties or license sanctions.

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

Fiscal impact to non-small business is immeasurable, as this rule requires a significant critical incident to occur before it can be initiated.

A chronically noncompliant human services program could be subject to license sanctions or civil money penalties up to \$10,000.00 (as authorized by Section 26B-2-113) and a compliant human services program may appeal the action and have it reversed with no civil money penalties or license sanctions.

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**):

Fiscal impact to other persons (for example foster parents) is immeasurable, as this rule requires a significant critical incident to occur before it can be initiated

It is not the Office's practice to issue civil money penalties to foster parents and their cost could amount to revocation of license as a most stringent penalty.

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

It is impossible to determine what the fiscal impact on affected persons might be due to the variables contributing to each specific incident.

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-2-104		
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	08/03/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R501-20	Filing ID:	55611
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Agency Information

1. Department:	Health and Human Services		
Agency:	Human Services Program Licensing		
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:
R501-20. Day Treatment Programs

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 Rulewriting Manual for Utah standards.

4. Summary of the new rule or change:

The revision includes more specific language and formatting consistent with the Rulewriting Manual for Utah.

Additionally, it removes outdated citations and aligns with current industry standards. Most of the stricken content is now located in Rule R501-1. New content for clubhouses (a program accredited by Clubhouse International), Applied Behavioral Analysis (ABA), and the Division of Services for People with Disabilities (DSPD) providers is added upon collaboration with representatives of each of those groups to better outline regulations and industry standards pertaining specifically to them.

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.

No change to the state budget is expected because this amendment modifies and replaces outdated language and citations.

New content aligns with federal and industry standards already in practice.

B) Local governments:

Local government city business licensing requirements were considered. This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Rulewriting Manual for Utah standards.

The Day Treatment Programs are regulated by the Department of Health and Human Services and not local governments.

There will be no change in local business licensing or any other item(s) with which local government is involved.

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

Small businesses impacted will be insignificant, as the new rule content was specifically tailored to address small businesses who operate distinct versions of Day Treatment.

These entities have always fit into the statutory definition requiring licensure, so the new content just better addresses their services and clarifies and guides them toward compliance. Stakeholders were involved in the creation of this rule.

There are no fiscal impacts to small businesses resulting from the substantive or nonsubstantive changes in this rule.

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

Non-small businesses impacted will be insignificant, as the new rule content was specifically tailored to address non-small businesses who operate distinct versions of Day Treatment.

These entities have always fit into the statutory definition requiring licensure, so the new content just better addresses their services and clarifies and guides them toward compliance.

There are no fiscal impacts to small businesses resulting from the substantive or nonsubstantive changes in this rule content.

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 any affected persons because this amendment modifies and replaces outdated language with Rulewriting Manual for Utah standards.

The substantive and nonsubstantive changes being made clarify and outline existing industry standards and requirements for the protection of clients in day treatment programs.

There will be no fiscal impacts on any affected persons as a result of this rule.

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 does not introduce any new processes that will incur a cost for affected persons.

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

Regulatory Impact Table			
Fiscal Cost	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-2-104

Public Notice Information

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

A) Comments will be accepted until: 10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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:	08/06/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R623-9	Filing ID: 55535

Agency Information

1. Department:	Lieutenant Governor	
Agency:	Elections	
Room number:	220	
Building:	Capitol	
Street address:	350 N State Street	
City, state and zip:	Salt Lake City, UT 84114	
Mailing address:	PO Box 142325	
City, state and zip:	Salt Lake City, UT 84114-2325	
Contact persons:		
Name:	Phone:	Email:
Ryan Cowley	801-538-1041	elections@utah.gov
Shelly Jackson	801-538-1041	elections@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R623-9. Ballot Printing, Handling, and Envelope Standards
3. Purpose of the new rule or reason for the change:
Sections 20A-6-108 and 20A-3a-106 require the director of elections within the Office of the Lieutenant Governor to establish requirements for ballot printing, handling, and ballot envelopes.

4. Summary of the new rule or change:
Rule R623-9 establishes minimum requirements a vendor must meet and follow to be eligible to print ballots to be used in elections in Utah.
This rule also establishes standards for what is printed on ballot envelopes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule simply provides requirements and guidelines for ballot printing, handling, and envelope standards and does not include any direct fiscal cost or savings to the state budget.
The state has a supervisory role in these functions but does not perform them.
B) Local governments:
Since this rule proposes guidelines and has a future effective date and provides the opportunity for counties to use existing envelope stock prior to complying with this rule, it is not believed there is an addition burden or cost savings for local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule does not apply to small businesses and as such has no fiscal cost or savings to small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule does not apply to non-small businesses and as such has no fiscal cost or savings to non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
This rule does not apply to other persons and as such has no fiscal cost or savings to other persons.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There is no anticipated cost or savings to affected persons as none apply to this rule.

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

Regulatory Impact Table			
Fiscal Cost	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 Lieutenant Governor of the Office of the Lieutenant Governor, Deidre M. Henderson, 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 20A-6-108	Section 20A-3a-106	
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on: 10/10/2023

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:	Ryan Cowley, Director	Date:	07/17/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R623-10	Filing ID: 55536

Agency Information

1. Department:	Lieutenant Governor	
Agency:	Elections	
Room number:	220	
Building:	Capitol	
Street address:	350 N State Street	
City, state and zip:	Salt Lake City, UT 84114	
Mailing address:	PO Box 142325	
City, state and zip:	Salt Lake City, UT 84114-2325	
Contact persons:		
Name:	Phone:	Email:
Ryan Cowley	801-538-1041	elections@utah.gov
Shelly Jackson	801-538-1041	elections@utah.gov

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

General Information

2. Rule or section catchline:
R623-10. Voter Registration Database Security and Voter List Maintenance
3. Purpose of the new rule or reason for the change:
Section 20A-2-507 requires the director of elections within the Office of the Lieutenant Governor to make rules regulating the use, security, maintenance, data entry, and updates to the voter registration system. Section 20A-2-507 also requires the rule to establish requirements to maintain the registration system by identifying tools and utilities for county clerks to run, as well as documenting and reporting compliance.
4. Summary of the new rule or change:
Rule R623-10 establishes requirements for users, training, and access to the voter registration system for both county and state users.
This rule outlines the Division of Technology Services (DTS) policies that are used for system hosting and maintenance.
This rule identifies the voter list maintenance utilities used but the Lieutenant Governor and county clerks that exist within the voter registration system and outlines a monthly compliance certification process for the clerks.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule adds additional staffing needs to monitor the requirements and oversee compliance.
Funding was provided in H.B. 448, passed in the 2023 General Session, for the additional staffing needs.
This rule does not add any additional fiscal impact, nor does it provide any cost savings.
B) Local governments:
It is estimated that this can impact county governments with an additional hour of labor per month for compliance certification.
The utilities identified in this rule are already required in the state code.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule does not apply to small businesses and as such has no fiscal cost or savings to small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This rule does not apply to non-small businesses and as such has no fiscal cost or savings to non-small businesses.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
This rule does not apply to other persons and as such has no fiscal cost or savings to other persons.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There is no anticipated cost or savings to affected persons as none apply to this rule.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	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	\$600	\$600	\$600
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Net Benefits	Fiscal \$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Lieutenant Governor of the Office of the Lieutenant Governor, Deidre M. Henderson, 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 20A-2-507

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)
A) Comments will be accepted until: 10/02/2023

9. This rule change MAY become effective on: 10/10/2023
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: Ryan Cowley, Director	Date: 07/17/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R650-302	Filing ID: 55589

Agency Information

1. Department:	Natural Resources
Agency:	Outdoor Recreation
Room number:	100
Building:	Department of Natural Resources Building
Street address:	1594 W North Temple
City, state and zip:	Salt Lake City, UT 84116

Contact persons:		
Name:	Phone:	Email:
Tara McKee	801-538-5500	tmckee@utah.gov
Patrick Morrison	801-538-5500	patrickmorrison@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R650-302. Utah Outdoor Recreation Infrastructure Grant
3. Purpose of the new rule or reason for the change:
This is to promulgate what has been an emergency rule (R650-302) as a permanent rule. This has been an emergency rule because the Division of Outdoor Recreation (Division) has been working to finalize the Utah Outdoor Recreation Infrastructure Grant rule pursuant to this statutory mandate but was unable to finalize the rule prior to the 2023 grant cycle. The Division believes the emergency rule was necessary given the Utah Code provides the Division shall make rules to establish the eligibility and reporting criteria for this cycle's grants. (EDITOR'S NOTE: The 120-day (emergency) rule of R650-302 is under ID 55407 and was published in the June 1, 2023, issue of the Bulletin.)
4. Summary of the new rule or change:
This rule establishes eligibility and reporting criteria for an entity to receive a Utah Outdoor Recreation Infrastructure Grant, including: 1) the form and process of submitting an application to the Division for an infrastructure grant; 2) which entities are eligible to apply for an infrastructure grant; 3) specific categories of recreational infrastructure projects that are eligible for an infrastructure grant; 4) the method and formula for determining grant amounts; and 5) the reporting requirements of grant recipients.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no anticipated costs or savings to the state budget associated with this rule because this rule had existed under the Office of Outdoor Recreation (under the Governor's Office of Economic Opportunity) prior to merging the Office of Outdoor Recreation (from the Governor's Office) into the Division of Outdoor Recreation

(under the Department of Natural Resources) and the content of this rule is the same/what entities have been functioning under.

B) Local governments:

There are no anticipated costs or savings to local governments associated with this rule because this rule had existed under the Office of Outdoor Recreation (under the Governor's Office of Economic Opportunity) prior to merging the Office of Outdoor Recreation into the Division of Outdoor Recreation and the content of this rule is the same/what entities have been functioning under.

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

There are no anticipated costs or savings to the small businesses associated with this rule because this rule had existed under the Office of Outdoor Recreation (under the Governor's Office of Economic Opportunity) prior to merging the Office of Outdoor Recreation into the Division of Outdoor Recreation and the content of this rule is the same/what entities have been functioning under.

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

The proposed rule does not have a fiscal impact on non-small businesses nor will a service be required of them to implement the grants.

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

There are no anticipated costs or savings to persons other than small businesses, state, or local government entities associated with this emergency rule because this rule had existed under the Office of Outdoor Recreation (under the Governor's Office of Economic Opportunity) prior to merging the Office of Outdoor Recreation into the Division of Outdoor Recreation and the content of this rule is the same/what entities have been functioning under.

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 anticipated compliance costs associated with this rule because this rule had existed under the Office of Outdoor Recreation (under the Governor's Office of Economic Opportunity) prior to merging the Office of Outdoor Recreation into the Division of Outdoor Recreation and the content of this rule is the same/what entities have been functioning under.

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:

Subsection 79-8-402(1)		
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Public Notice Information

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

NOTICES OF PROPOSED RULES

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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:	Jason Curry, Director	Date:	08/02/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R651-102	Filing ID: 55650

Agency Information

1. Department:	Natural Resources	
Agency:	State Parks	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146001	
City, state and zip:	Salt Lake City, UT 84114-6001	
Contact persons:		
Name:	Phone:	Email:
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R651-102. Government Records Access Management Act
3. Purpose of the new rule or reason for the change:
This rule is covered in the statute, therefore, there is no need for this rule.
4. Summary of the new rule or change:
This rule is repealed in its entirety.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
The repeal of this rule does not affect the state budget. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

B) Local governments:
The repeal of this rule does not affect the local governments. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

C) Small businesses ("small business" means a business employing 1-49 persons):
The repeal of this rule does not affect the small businesses. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The repeal of this rule does not affect the non-small businesses. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
The repeal of this rule does not affect the persons other than small businesses, non-small businesses, state, or local government entities. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
The repeal of this rule does not affect the compliance costs for affected persons. This rule is covered in statute and will have no fiscal affect with the repeal of 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 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 63G-2-204		
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Jeff Rasmussen, Director	Date:	08/10/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R651-103	Filing ID: 55649

Agency Information

1. Department:	Natural Resources	
Agency:	State Parks	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146001	
City, state and zip:	Salt Lake City, UT 84114-6001	
Contact persons:		
Name:	Phone:	Email:
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R651-103. Electronic Meetings
3. Purpose of the new rule or reason for the change:
This rule is covered in the statute, therefore, there is no need for this rule.
4. Summary of the new rule or change:
This rule is 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 this rule does not affect the state budget. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.
B) Local governments:
The repeal of this rule does not affect the local governments. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.
C) Small businesses ("small business" means a business employing 1-49 persons):
The repeal of this rule does not affect the small businesses. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

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

The repeal of this rule does not affect the non-small businesses. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

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

The repeal of this rule does not affect the persons other than small businesses, non-small businesses, state, or local government entities. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

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

The repeal of this rule does not affect the compliance costs for affected persons. This rule is covered in statute and will have no fiscal affect with the repeal of 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
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Net Fiscal Benefits	\$0	\$0	\$0
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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 52-4-207		
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Jeff Rasmussen, Director	Date:	08/10/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal

Rule or Section Number:	R651-607	Filing ID:	55651
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Agency Information

1. Department:	Natural Resources
Agency:	State Parks
Street address:	1594 W North Temple
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 146001
City, state and zip:	Salt Lake City, UT 84114-6001

Contact persons:		
Name:	Phone:	Email:
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R651-607. Disorderly Conduct
3. Purpose of the new rule or reason for the change:
This rule is covered in the statute, therefore, there is no need for this rule. Section R651-607-2 is duplicative and covered in Section R651-633-1. (EDITOR'S NOTE: The proposed amendment to Rule R651-633 is under ID 55646 in this issue, September 1, 2023, of the Bulletin.)
4. Summary of the new rule or change:
This rule is 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 this rule does not affect the state budget. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.
B) Local governments:
The repeal of this rule does not affect the local governments. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.
C) Small businesses ("small business" means a business employing 1-49 persons):
The repeal of this rule does not affect the small businesses. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The repeal of this rule does not affect the non-small businesses. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

The repeal of this rule does not affect the persons other than small businesses, non-small businesses, state, or local government entities. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

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

The repeal of this rule does not affect the compliance costs for affected persons. This rule is covered in statute and will have no fiscal affect with the repeal of 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 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 79-4-501		
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Public Notice Information

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

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Jeff Rasmussen, Director	Date:	08/10/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal

Rule or Section Number:	R651-632	Filing ID:	55648
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Agency Information

1. Department:	Natural Resources	
Agency:	State Parks	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146001	
City, state and zip:	Salt Lake City, UT 84114	
Contact persons:		
Name:	Phone:	Email:
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R651-632. Enforcement

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

This rule is covered in the statute, therefore, there is no need for this rule.

4. Summary of the new rule or change:

This rule is 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 this rule does not affect the state budget. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

B) Local governments:

The repeal of this rule does not affect the local governments. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

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

The repeal of this rule does not affect the small businesses. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

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

The repeal of this rule does not affect the non-small businesses. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

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

The repeal of this rule does not affect the persons other than small businesses, non-small businesses, state, or local government entities. This rule is covered in statute and will have no fiscal affect with the repeal of this rule.

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

The repeal of this rule does not affect the compliance costs for affected persons. This rule is covered in statute and will have no fiscal affect with the repeal of 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 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 79-4-501	Section 53-13-103	

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/02/2023

9. This rule change MAY become effective on:	10/10/2023
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:	Jeff Rasmussen, Director	Date:	08/10/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R651-633	Filing ID: 55646

Agency Information

1. Department:	Natural Resources	
Agency:	State Parks	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146001	
City, state and zip:	Salt Lake City, UT 84114-6001	
Contact persons:		
Name:	Phone:	Email:
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R651-633. Special Closures or Restrictions
3. Purpose of the new rule or reason for the change:
The addition to this rule is needed for the protection of the Bighorn Sheep population at Antelope Island State Park. Additionally, the change adds additional protection for visitors and animals that use the park to train pack animals.
4. Summary of the new rule or change:
This rule filing restricts trail use in sensitive locations during peak sheep lambing, prohibits domestic sheep, pack goats, and camelids from the island to prevent transmittable pathogens (<i>Pasteurella</i> spp.) from domestic livestock and pneumonia from infecting the Bighorn Sheep population.

During the fall of 2018, an outbreak of *Pasteurella* spp. decimated the population of Bighorn on Antelope Island. Domestic sheep, goats, and camelids are known carriers of this disease. With the recent explosion of visitation at Antelope Island the trails are becoming more and more crowded.

Recently there have been incidents of horse trainers bringing out horses or mules untethered to try and "train" them to pack. On several occasions these animals have run away and injured other horses or riders. The current park code says to keep "pets" on a leash. The argument is being made that these horses and mules are not "pets". This rule would make it mandatory to keep them on a lead line or tethered.

Fiscal Information

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

A) State budget:

With the proposed rule amendment, there is no to little anticipated cost to the state budget.

Grazing is not allowed on Antelope Island State Park and there are no concession activities on the park related to domestic sheep, pack goats, or camelids.

Some additional signage may be required and an update to the park's printed materials. Closing sections of the trail from March 15 to May 15 will not dramatically impact park visitation or revenue as there are many alternate trails available to the public.

There could be cost savings in the future as this rule could help ensure there is not a recurrence of the 2018 incident where the entire Bighorn Sheep population was decimated and was replaced the following years by the Division of Wildlife Resources (DWR). The herd at Antelope Island State Park is a nursery herd for DWR and used to repopulate other areas of the state.

This rule amendment does not change legislation accounting for any agency as nothing is changed related to that.

B) Local governments:

With the proposed rule amendment, there is no to little anticipated cost to local governments.

Grazing is not allowed on Antelope Island State Park and there are no concession activities on the park related to domestic sheep, pack goats, or camelids.

Some additional signage may be required and an update to the park's printed materials. Closing sections of the trail from March 15 to May 15 will not dramatically impact park visitation or revenue as there are many alternate trails available to the public.

There could be cost savings in the future as this rule could help ensure there is not a recurrence of the 2018 incident where the entire Bighorn Sheep population was decimated and was replaced the following years by the DWR. The herd at Antelope Island State Park is a nursery herd for DWR and used to repopulate other areas of the state.

This rule amendment does not change legislation accounting for any agency as nothing is changed related to that.

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

With the proposed rule amendment, there is no to little anticipated cost to small businesses.

Grazing is not allowed on Antelope Island State Park and there are no concession activities on the park related to domestic sheep, pack goats, or camelids.

Some additional signage may be required and an update to the park's printed materials. Closing sections of the trail from March 15 to May 15 will not dramatically impact park visitation or revenue as there are many alternate trails available to the public.

There could be cost savings in the future as this rule could help ensure there is not a recurrence of the 2018 incident where the entire Bighorn Sheep population was decimated and was replaced the following years by the DWR. The herd at Antelope Island State Park is a nursery herd for DWR and used to repopulate other areas of the state.

This rule amendment does not change legislation accounting for any agency as nothing is changed related to that.

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

With the proposed rule amendment, there is no to little anticipated cost to non-small businesses.

Grazing is not allowed on Antelope Island State Park and there are no concession activities on the park related to domestic sheep, pack goats, or camelids.

Some additional signage may be required and an update to the park's printed materials. Closing sections of the trail from March 15 to May 15 will not dramatically impact park visitation or revenue as there are many alternate trails available to the public.

There could be cost savings in the future as this rule could help ensure there is not a recurrence of the 2018 incident where the entire Bighorn Sheep population was decimated and was replaced the following years by the DWR. The herd at Antelope Island State Park is a nursery herd for DWR and used to repopulate other areas of the state.

This rule amendment does not change legislation accounting for any agency as nothing is changed related to that.

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

With the proposed rule amendment, there is no to little anticipated cost to persons other than small businesses, non-small business, state, or local government entities.

Grazing is not allowed on Antelope Island State Park and there are no concession activities on the park related to domestic sheep, pack goats, or camelids.

Some additional signage may be required and an update to the park's printed materials. Closing sections of the trail from March 15 to May 15 will not dramatically impact park visitation or revenue as there are many alternate trails available to the public.

There could be cost savings in the future as this rule could help ensure there is not a recurrence of the 2018 incident where the entire Bighorn Sheep population was decimated and was replaced the following years by the DWR. The herd at Antelope Island State Park is a nursery herd for DWR and used to repopulate other areas of the state.

This rule amendment does not change legislation accounting for any agency as nothing is changed related to that.

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

With the proposed rule amendment, there is no to little anticipated compliance costs for affected persons.

Grazing is not allowed on Antelope Island State Park and there are no concession activities on the park related to domestic sheep, pack goats, or camelids.

Some additional signage may be required and an update to the park's printed materials. Closing sections of the trail from March 15 to May 15 will not dramatically impact park visitation or revenue as there are many alternate trails available to the public.

There could be cost savings in the future as this rule could help ensure there is not a recurrence of the 2018 incident where the entire Bighorn Sheep population was decimated and was replaced the following years by the DWR. The herd at Antelope Island State Park is a nursery herd for DWR and used to repopulate other areas of the state.

This rule amendment does not change legislation accounting for any agency as nothing is changed related to that.

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 79-4-203	Section 79-4-304	Section 79-4-501
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Public Notice Information

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

NOTICES OF PROPOSED RULES

A) Comments will be accepted until:	10/02/2023
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9. This rule change MAY become effective on:	10/10/2023
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Jeff Rasmussen, Director	Date:	08/10/2023
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End of the Notices of Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at adminrules.utah.gov. 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:	R68-25	Filing ID: 55439
Effective Date:	08/08/2023	

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 catchline:
R68-25. Industrial Hemp Program-Cannabinoid Product Processors
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 under Subsection 4-41-103.1(1)(a) that requires that the Department of Agriculture and Food (Department) makes rules establishing the requirement for a cannabinoid processor license to process cannabinoid products.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any written comments on this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary because it is statutorily required and because it provides guidance to prospective cannabinoid product processors regarding the requirements to get and maintain a license to process products in Utah. It helps to ensure that products on the market are safe and honestly presented by ensuring accountability for processors. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Craig W Buttars, Commissioner	Date:	08/08/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R68-26	Filing ID:	55411
Effective Date:	08/08/2023		

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 catchline:
R68-26. Cannabinoid Product Registration and Labeling
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 under Subsection 4-41-103.1(1)(a) that requires that the Department of Agriculture and Food (Department) makes rules establishing the requirement for a cannabinoid processor license to process cannabinoid products, as well as Subsection 4-41-103.1(1)(b) that requires the Department to make rules establishing requirements for a permit to market or sell industrial hemp products.

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:

During the prior five years, the Department has received comments expressing concerns regarding the frequency of rule changes and cost of product registration.

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 by requiring that all cannabinoid products be registered with the department and adhere to minimum labeling requirements the department is able to track products in the event of potential health and safety concerns as well as help ensure products are safe and honestly presented. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Craig W Buttars, Commissioner	Date:	08/08/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R154-100	Filing ID:	54777
Effective Date:	08/10/2023		

Agency Information

1. Department:	Commerce	
Agency:	Corporations and Commercial Code	
Room number:	Second Floor	
Building:	Heber M Wells Building	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146705	
City, state and zip:	Salt Lake City, UT 84114-6705	
Contact persons:		
Name:	Phone:	Email:
Leigh Veillette	801-530-6162	lveillette@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R154-100. Administrative Procedures Act 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 13-1a-5 states the director of the Division of Corporations and Commercial Code (Division) "has authority: to make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the responsibilities of the division".

Section 63G-4-202 permits an agency, by rule, to "designate categories of adjudicative proceedings to be conducted informally". The Division has made this rule pursuant to the authorization in these statutory provisions.

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 about Rule R154-100 have been received by the agency.

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 procedural clarity for adjudicative proceedings. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Leigh Veillette, Division Director	Date:	08/10/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R156-44a	Filing ID:	52254
Effective Date:	08/08/2023		

Agency Information

1. Department:	Commerce		
Agency:	Professional Licensing		
Building:	Heber M Wells Building		
Street address:	160 E 300 S		
City, state and zip:	Salt Lake City, UT 84111-2316		
Mailing address:	PO Box 146741		
City, state and zip:	Salt Lake City, UT 84114-6741		
Contact persons:			
Name:	Phone:	Email:	
Jeff Busjahn	801-530-6628	jbusjahn@utah.gov	

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

General Information

2. Rule catchline:
R156-44a. Nurse Midwife Practice Act 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:

Title 58, Chapter 44a, provides for the licensure and regulation of certified nurse midwives.

Subsection 58-1-106(1) provides that the Division of Professional Licensing (Division) may adopt and enforce rules to administer Title 58.

Subsection 58-1-202(1)(a) provides that the Certified Nurse Midwife Board's duties, functions, and responsibilities includes recommending to the director appropriate rules.

This rule was enacted to clarify the provisions of Title 58, Chapter 44a, with respect to certified nurse midwives.

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:

Since this rule was last reviewed in August 2018, this rule has been amended one time in November/December 2019. The Division did receive a December 1, 2019, email inquiry from Angela Anderson relating to the proposed fine schedule for certified nurse midwives as it pertained to opioid prescriptions. Division Bureau Manager Jeff Busjahn responded to Ms. Anderson's questions raised in the email on December 2, 2019.

The Division then made the proposed rule amendments in OAR File No. 44117 effective on December 9, 2019 with no further amendments/changes being filed. The Division has received no other written comments relating to this rule since the December 1, 2019 email from Angela Anderson.

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 as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 44a.

This rule is also necessary as it provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Mark B. Steinagel, Division Director	Date:	08/08/2023
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Agency Authorization Information

Agency head or designee and title:	Brian Redd, Executive Director	Date:	08/09/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R251-105	Filing ID:	50347
Effective Date:	08/14/2023		

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-550	Filing ID:	53247
Effective Date:	08/15/2023		

Agency Information

1. Department:	Corrections	
Agency:	Administration	
Street address:	14727 Minuteman Drive	
City, state and zip:	Draper, UT 84020	
Contact persons:		
Name:	Phone:	Email:
Wendy Horlacher-Aldrich	435-590-2048	wendyha@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

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:
R251-105. Applicant Qualifications for Employment with Department of Corrections
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Section 63G-3-201, 64-13-10, and 64-13-25.
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:
Corrections has not received any written comments in the past five years pertaining to this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
The purpose of this rule is to provide policies and procedures for the screening, testing, interviewing, and selecting of applicants for Department of Corrections employment. Therefore, this rule should be continued.

General Information

2. Rule catchline:
R277-550. Charter Schools - Definitions
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
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 Title 53G, Chapter 5, Charter Schools, which allows the Board to make rules governing aspects of operations of charter 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:
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 establishes definitions for Rules R277-550 through R277-555 that govern charter schools. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	08/15/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-554	Filing ID:	50498
Effective Date:	08/15/2023		

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

General Information

2. Rule catchline:
R277-554. State Charter School Board Grants and Mentoring 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 execute rules to carry out its duties and responsibilities under the Utah Constitution and state law; Title 53G, Chapter 5, Charter Schools, which allows the Board to make rules governing aspects of operations of charter schools; and Section 53F-2-

705, which requires the Board to make rules regarding start-up and implementation grants and a mentoring 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 establishes rules for the State Charter School Board to operate a start-up and implementation grant for charter schools, and a mentoring program for charter schools. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	08/15/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R602-7	Filing ID:	51487
Effective Date:	08/15/2023		

Agency Information

1. Department:	Labor Commission		
Agency:	Adjudication		
Room number:	3rd Floor		
Building:	Heber M. Wells Bldg		
Street address:	160 E 300 S		
City, state and zip:	Salt Lake City, UT 84111		
Mailing address:	PO Box 146600		
City, state and zip:	Salt Lake City, UT 84114-6600		
Contact persons:			
Name:	Phone:	Email:	
Aurora Holley	801-530-6865	auroraholley@utah.gov	
Chris Hill	801-530-6113	chill@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

General Information

2. Rule catchline:
R602-7 Adjudication of Discrimination Claims
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 34A-5-107 authorizes the Labor Commission to conduct adjudicative proceedings to resolve claims of discrimination.
Section 34A-5-107 also authorized the Labor Commission to adopt rules to carry out those adjudicative functions.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received during or since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
As part of the Labor Commission's continuing responsibility to administer a system for adjudication of discrimination claims, it is necessary for the Labor Commission to establish procedures for handling these claims. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Jaceson R. Maughan, Commissioner	Date:	08/15/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R602-8	Filing ID:	51489
Effective Date:	08/15/2023		

Agency Information

1. Department:	Labor Commission
Agency:	Adjudication
Room number:	3rd Floor
Building:	Heber M Wells Bldg
Street address:	160 E 300 S
City, state and zip:	Salt Lake City, UT 84111

Mailing address:	PO Box 146600	
City, state and zip:	Salt Lake City, UT 84114-6600	
Contact persons:		
Name:	Phone:	Email:
Aurora Holley	801-530-6865	Auroraholley@utah.gov
Chris Hill	801-530-6113	chill@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R602-8 Adjudication of Utah Occupational Safety and Health Citation Claims
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Sections 34A-6-105, 34A-6-303, and 34A-6-304 authorize the Labor Commission to conduct adjudicative proceedings to resolve contests of Utah Occupational Safety and Health Citation. These sections also authorize the Labor Commission to adopt rules to carry out those adjudicative functions.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received during or since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
As part of the Labor Commission's continuing responsibility to administer a system for adjudication of contests of Utah Occupational Safety and Health citations, it is necessary for the Labor Commission to establish procedures for handling these claims. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Jaceson R. Maughan, Commissioner	Date:	08/15/2023
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

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

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

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

NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Rule Number:	R945-1	Filing ID: 52603
New Deadline Date:	01/05/2024	

Agency Information

1. Department:	Higher Education (Utah Board of)	
Agency:	Administration	
Room number:	5th Floor	
Building:	Board of Regents Building, The Gateway	
Street address:	60 S 400 W	
City, state and zip:	Salt Lake City, UT 84101	
Contact persons:		
Name:	Phone:	Email:
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu

Alison Adams	801-643-5535	Alison.Adams@ushe.edu
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Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:
R945-1. UTech Technical College Scholarship
3. Reason for requesting the extension:
The Utah Board of Higher Education is considering the repeal of Rule R945-1 and an extension will allow the board time to make the repeal effective before this rule expires.

Agency Authorization Information

Agency head or designee and title:	Kevin V. Olsen, Assistant Attorney General and Designee	Date:	08/11/2023
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End of the Notices of Five-Year Review Extensions Section

NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **PROPOSED RULES** or **CHANGES IN PROPOSED RULES** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** or a related **CHANGE IN PROPOSED RULE** the rule lapses.

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

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

Agriculture and Food

Plant Industry

No. 55345 (Amendment) R68-29: Quality Assurance Testing on Cannabis
Published: 05/15/2023
Effective: 08/01/2023

No. 55345 (Change in Proposed Rule) R68-29: Quality Assurance Testing on Cannabis
Published: 07/01/2023
Effective: 08/01/2023

No. 55442 (New Rule) R68-39: Industrial Hemp Producer Registration
Published: 06/15/2023
Effective: 08/01/2023

Regulatory Services

No. 55403 (Amendment) R70-330: Raw Milk for Retail
Published: 06/01/2023
Effective: 08/01/2023

Commerce

Real Estate

No. 55495 (Amendment) R162-2c: Utah Residential Mortgage Practices and Licensing Rules
Published: 07/01/2023
Effective: 08/08/2023

No. 55454 (Amendment) R162-2f: Real Estate Licensing and Practices Rules
Published: 07/01/2023
Effective: 08/16/2023

Cultural and Community Engagement

Pete Suazo Utah Athletic Commission

No. 55449 (New Rule) R457-1: Pete Suazo Utah Athletic Commission Act Rule
Published: 06/15/2023
Effective: 08/18/2023

Education

Administration

No. 55486 (Amendment) R277-110: Educator Salary Adjustment
Published: 07/01/2023
Effective: 08/08/2023

No. 55515 (New Rule) R277-314: Provider-Specific Licenses
Published: 07/15/2023
Effective: 08/22/2023

No. 55516 (Amendment) R277-461: Elementary School Counselor Grant Program
Published: 07/15/2023
Effective: 08/22/2023

No. 55487 (Amendment) R277-496: K-3 Reading Software Licenses
Published: 07/01/2023
Effective: 08/08/2023

No. 55488 (Amendment) R277-497: School Accountability System
Published: 07/01/2023
Effective: 08/08/2023

No. 55517 (Repeal) R277-522: Entry Years Enhancements (EYE) for Quality Teaching - Level 1 Teachers
Published: 07/15/2023
Effective: 08/22/2023

No. 55489 (Amendment) R277-607: Absenteeism and Truancy Prevention
Published: 07/01/2023
Effective: 08/08/2023

NOTICES OF RULE EFFECTIVE DATES

No. 55490 (Amendment) R277-613: LEA Policies and Training Regarding Bullying, cyber-bullying, Hazing, Retaliation, and Abusive Conduct
Published: 07/01/2023
Effective: 08/08/2023

No. 55518 (Amendment) R277-618: Homeless Teen Center Grant Program
Published: 07/15/2023
Effective: 08/22/2023

No. 55491 (Repeal) R277-619: Student Leadership Skills Development
Published: 07/01/2023
Effective: 08/08/2023

No. 55519 (Amendment) R277-721: PRIME Pilot Program
Published: 07/15/2023
Effective: 08/22/2023

No. 55492 (Amendment) R277-726: Statewide Online Education Program
Published: 07/01/2023
Effective: 08/08/2023

No. 55520 (Amendment) R277-750: Education Programs for Students with Disabilities
Published: 07/15/2023
Effective: 08/22/2023

Government Operations

Finance

No. 55521 (Amendment) R25-7: Travel-Related Reimbursements for State Travelers
Published: 07/15/2023
Effective: 08/22/2023

Records Committee

No. 55398 (Amendment) R35-1a: State Records Committee Definitions
Published: 06/15/2023
Effective: 08/23/2023

No. 55399 (Amendment) R35-2: Scheduling and Declining Hearings
Published: 06/15/2023
Effective: 08/23/2023

No. 55400 (Amendment) R35-4: Compliance with State Records Committee Decisions and Orders
Published: 06/15/2023
Effective: 08/23/2023

No. 55401 (Amendment) R35-5: Subpoenas Issued by the Records Committee
Published: 06/15/2023
Effective: 08/23/2023

No. 55402 (Amendment) R35-6: Expedited Hearing
Published: 06/15/2023
Effective: 08/23/2023

Health and Human Services

Population Health, Environmental Health

No. 55392 (Repeal and Reenact) R392-302: Design, Construction and Operation of Public Pools
Published: 06/01/2023
Effective: 08/21/2023

Health Care Facility Licensing

No. 55415 (Amendment) R432-13: Freestanding Ambulatory Surgical Center Construction Rule
Published: 06/01/2023
Effective: 08/10/2023

No. 55494 (Amendment) R432-35: Background Screening -- Health Facilities

Published: 07/01/2023
Effective: 08/22/2023

No. 55434 (Amendment) R432-500: Freestanding Ambulatory Surgical Center Rules

Published: 07/01/2023
Effective: 08/10/2023

Human Services Program Licensing

No. 55380 (Amendment) R501-11: Social Detoxification Programs

Published: 05/15/2023
Effective: 08/02/2023

No. 55383 (Amendment) R501-18: Recovery Residence Services

Published: 05/15/2023
Effective: 08/02/2023

Insurance

Administration

No. 55511 (Repeal and Reenact) R590-191: Unfair Life Insurance Claims Settlement Practices Rule

Published: 07/15/2023
Effective: 08/22/2023

No. 55512 (Repeal and Reenact) R590-192: Unfair Accident and Health Claims Settlement Practices

Published: 07/15/2023
Effective: 08/22/2023

No. 55513 (Repeal) R590-248: Mandatory Fraud Reporting Rule

Published: 07/15/2023
Effective: 08/22/2023

Title and Escrow Commission

No. 55514 (Repeal) R592-15: Schedule of Minimum Charges for Escrow Services

Published: 07/15/2023
Effective: 08/21/2023

Natural Resources

Outdoor Recreation

No. 55500 (New Rule) R650-101: Procedures for Applications to Receive Funds from the Zion National Park Support Programs Restricted Account
Published: 07/15/2023
Effective: 08/21/2023

No. 55445 (New Rule) R650-301: Off Highway Vehicle Recreation Grant Program
Published: 06/15/2023
Effective: 08/10/2023

Wildlife Resources

No. 55462 (Repeal) R657-3: Collection, Importation, Transportation, and Possession of Animals
Published: 07/01/2023
Effective: 08/10/2023

No. 55463 (New Rule) R657-3a: Collection, Importation, Transportation, and Possession of Animals
Published: 07/01/2023
Effective: 08/10/2023

No. 55464 (New Rule) R657-3b: Certification of Registration – Birds and Mammals
Published: 07/01/2023
Effective: 08/10/2023

No. 55465 (New Rule) R657-3c: Certification of Registration – Fish, Mollusks, and Crustaceans
Published: 07/01/2023
Effective: 08/10/2023

No. 55467 (Amendment) R657-5: Taking Big Game
Published: 07/01/2023
Effective: 08/10/2023

No. 55468 (Amendment) R657-6: Taking Upland Game
Published: 07/01/2023
Effective: 08/10/2023

No. 55469 (Amendment) R657-9: Taking Waterfowl, Snipe and Coot
Published: 07/01/2023
Effective: 08/10/2023

No. 55470 (Amendment) R657-10: Taking Cougar
Published: 07/01/2023
Effective: 08/10/2023

No. 55471 (Amendment) R657-11: Taking Furbearers and Trapping
Published: 07/01/2023
Effective: 08/10/2023

No. 55472 (Amendment) R657-13: Taking Fish and Crayfish
Published: 07/01/2023
Effective: 08/10/2023

No. 55473 (Amendment) R657-14: Commercial Harvesting of Protected Aquatic Wildlife
Published: 07/01/2023
Effective: 08/10/2023

No. 55476 (Amendment) R657-33: Taking Bear
Published: 07/01/2023
Effective: 08/10/2023

No. 55477 (Amendment) R657-37: Cooperative Wildlife Management Units for Big Game or Turkey
Published: 07/01/2023
Effective: 08/10/2023

No. 55478 (Amendment) R657-42: Fees, Exchanges, Surrenders, Refunds and Reallocation of Wildlife Documents
Published: 07/01/2023
Effective: 08/10/2023

No. 55480 (Amendment) R657-54: Taking Wild Turkey
Published: 07/01/2023
Effective: 08/10/2023

No. 55481 (Amendment) R657-59: Private Fish Ponds, Short Term Fishing Events, Private Fish Stocking, and Institutional Aquaculture
Published: 07/01/2023
Effective: 08/10/2023

No. 55482 (Amendment) R657-62: Drawing Application Procedures
Published: 07/01/2023
Effective: 08/10/2023

No. 55483 (Amendment) R657-67: Utah Hunter Mentoring Program
Published: 07/01/2023
Effective: 08/10/2023

No. 55484 (Amendment) R657-69: Turkey Depredation
Published: 07/01/2023
Effective: 08/10/2023

Transportation

Administration

No. 55508 (Amendment) R907-67: Debarment of Contractors from Work on Department Projects -- Reasons
Published: 07/15/2023
Effective: 08/23/2023

Workforce Services

Housing and Community Development

No. 55499 (Amendment) R990-300: Review Process for Plan for Moderate Income Housing Reports
Published: 07/01/2023
Effective: 08/24/2023

End of the Notices of Rule Effective Dates Section

