

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
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Sunnie Burningham, Managing Editor

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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## NOTICES OF PROPOSED RULES

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A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between December 02, 2023, 12:00 a.m., and December 15, 2023, 11:59 p.m. are included in this, the January 01, 2024, 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 January 31, 2024. 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 April 30, 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.

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

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R58-7	Filing ID: 56244

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Animal Industry	
<b>Building:</b>	TSOB South Bldg, Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state, and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state, and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Amber Brown	385-245-5222	ambermbrown@utah.gov
Leann Hunting	385-977-2158	leannhunting@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

**General Information**

<b>2. Rule or section catchline:</b>
R58-7. Livestock Markets, Satellite Video Livestock Auction Market, Livestock Sales, Dealers, and Livestock Market Weighpersons
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being updated to include a late fee for livestock auctions that do not provide sufficient notice to the Department of Agriculture and Food (Department).
<b>4. Summary of the new rule or change:</b>
Subsection R58-7-4(3) clarifies that any person shall notify the Department within ten days of a livestock sale, or the Department will impose a late fee.  Currently, the Department fee schedule allows a \$25 late fee, and the Department will charge that fee within the requirements of this rule. In FY 2025 and FY 2026, the fee is anticipated to increase to \$100.  The rule was also revised to align with the Rulewriting Manual for Utah and reduce passive voice throughout. Updating this rule to align with the Rulewriting Manual for Utah required over 50% edits.

The Department found it was best to repeal and reenact this rule to ensure the accuracy of the changes.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The new late fee will have minimal impact on the state budget because this rule intends to encourage the notification of livestock sales greater than ten days before the sale.  The department intends that the Department will not need to impose the new fee regularly. The current late fee in the fee schedule is \$25, and the Department anticipates less than two occurrences in FY 2024.  In FY2025, the Department anticipates increasing the fee to \$100 for a total fiscal impact of \$200. The collected fee revenue will be used to cover the cost of an inspector who may be pulled away from their scheduled duties to accommodate a livestock auction with minimal notice. This cost is estimated at \$200 per year.
<b>B) Local governments:</b>
This rule change does not impact local governments because they do not administer the program or collect the fees from the livestock auctions.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This rule may affect a small business if they don't notify the Department at least ten days of a livestock sale. The late fee is \$25. The Department does not anticipate that small businesses will be charged a fee.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
Non-small businesses would be impacted only if a late fee is imposed. The Department does not anticipate non-small businesses will be charged a fee.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>
This rule change could impact other persons who hold livestock sales without properly informing the Department.  The Department anticipates that two individuals will be charged a late fee per year for a total cost of \$50 in FY 2024 and \$200 in FY 2025 and FY 2026 when the late fee increases.



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

This rule change could impact persons who hold livestock sales without properly informing the Department.

The Department anticipates that two individuals will be charged a late fee per year for a total cost of \$50 in FY 2024 and \$200 in FY 2025 and FY 2026 when the late fee increases.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$200	\$200	\$200
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$50	\$200	\$200
<b>Total Fiscal Cost</b>	<b>\$250</b>	<b>\$400</b>	<b>\$400</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$50	\$200	\$200
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$50</b>	<b>\$200</b>	<b>\$200</b>
<b>Net Fiscal Benefits</b>	<b>\$(200)</b>	<b>\$(200)</b>	<b>\$(200)</b>

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

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

**Citation Information**

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

Section 4-30-104	Section 4-2-103	
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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<b>9. This rule change MAY become effective on:</b>	02/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig W. Buttars, Commissioner	<b>Date:</b>	12/07/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R58-11</b>	<b>Filing ID:</b>	<b>56256</b>
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**Agency Information**

<b>1. Department:</b>	Agriculture and Food		
<b>Agency:</b>	Animal Industry		
<b>Building:</b>	TSOB South Bldg, Floor 2		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128		
<b>Mailing address:</b>	PO Box 146500		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov	
Amber Brown	385-245-5222	ambermbrown@utah.gov	
Leann Hunting	385-977-2158	leannhunting@utah.gov	

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

**General Information**

**2. Rule or section catchline:**

R58-11. Slaughter of Livestock and Poultry

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

Specific poultry producers are federally exempt from obtaining a farm custom slaughter license.

The proposed changes remove that requirement in this rule to align with Subsections 4-32-109(11) and (12).

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

The proposed changes in Section R58-11-8 remove the licensing requirement for federally exempt poultry producers to obtain a farm custom slaughter license.

The changes also update this rule to be consistent with the Rulewriting Manual for Utah standards. The definitions have been alphabetized, subsections have been updated to the correct order, and most of the language has been updated to be in active voice rather than passive.

**Fiscal Information**

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

**A) State budget:**

The changes do not impact the state budget because they do not impact the administration of the program.

**B) Local governments:**

The proposed changes do not change the administration of the program.

Local governments will not be impacted by the changes.

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

Small businesses register for the custom slaughter exemption with the Department of Agriculture and Food (Department), but they do not apply for a license.

The requirement and language for the license are being removed from this rule since it was not part of the administration of the program.

The changes will not impact small businesses.

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

The changes would not affect a non-small business because they don't apply for a custom slaughter exemption.

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

Other persons may continue to register their custom slaughter facility with the Department and not apply for a license.

The language that mentions the license is being removed from this rule to provide clarity to the requirements.

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

Unnecessary language is being removed from this rule because the Department does not require a license for the custom slaughter exemption, and compliance costs will not be affected by this 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.)

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

Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Department of Agriculture and Food, Craig W Buttars, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Subsection		
4-32-109(1)		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	01/31/2023

<b>9. This rule change MAY become effective on:</b>	02/07/2023
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig Buttars, Commissioner	<b>Date:</b>	12/14/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R277-126</b>	<b>Filing ID:</b> <b>56254</b>

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R277-126. Utah Fits All Scholarship
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being created due to passage of H.B. 215 during the 2023 General Session, which required the Utah State Board of Education (USBE) to make rules to help implement the Utah Fits All Scholarship program.
<b>4. Summary of the new rule or change:</b>
This new rule is necessary to create an appeals process for administrative decisions of the contract program manager, specifically the appeals procedure for parents who apply for or are recipients of this scholarship.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures.
This rule does not add any measurable costs for the USBE or other agencies outside of the fiscal impacts for H.B. 215 (2023), already identified in the fiscal note to H.B. 215.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures.
This rule applies to individual parents and appeals to the Utah Fits All program which has a program manager but does not affect local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures.
This rule only impacts USBE, the program manager, and individual parents.

**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.

The program manager of the Utah Fits All program will not have any measurable costs added through the appeals process as outlined in this rule.

Any fiscal impacts were already captured in the fiscal note to H.B. 215.

**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 measurable costs for USBE, parents, or the program manager outside the fiscal note to H.B. 215.

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

**Regulatory Impact Table**

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

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

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

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

**Citation Information**

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

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53F-6-404(7)
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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**9. This rule change MAY become effective on:**

02/07/2024  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	12/15/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-925	Filing ID: 56255

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R277-925. Effective Teachers in High Poverty Schools Incentive Program
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being updated due to the passage of S.B. 222 in the 2023 General Session.
<b>4. Summary of the new rule or change:</b>
The amendment specifically updates the definition for "Benchmark assessment" and makes a couple of changes to help clarify the requirements pertaining to administration of the Effective Teachers in High Poverty Schools Incentive Program.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures.
This rule does not add any measurable costs for the Utah State Board of Education (USBE) outside the fiscal impacts captured in the fiscal note to S.B. 222 (2023).

<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures.
This does not create any measurable costs for Local Education Agencies (LEAs) outside the fiscal impacts captured in the fiscal note to S.B. 222 (2023).
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This rule change only affects USBE and educators.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities.
Educators are not affected outside the impacts already captured in the fiscal note to S.B. 222 (2023).
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for affected persons.
USBE and educators are not affected outside the impacts already captured in the fiscal note to S.B. 222 (2023)
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

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

**Citation Information**

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

Article X, Section 3	Subsection 53E-3-401(4)	Section 53F-2-513
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	12/15/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Repeal		
<b>Rule or Section Number:</b>	<b>R414-310</b>	<b>Filing ID:</b> <b>56259</b>

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R414-310. Medicaid Primary Care Network Demonstration Waiver
<b>3. Purpose of the new rule or reason for the change:</b>
The Department of Health and Human Services (Department) needs to repeal this rule as the Primary Care Network (PCN) no longer exists.
<b>4. Summary of the new rule or change:</b>
This rule governs PCN implementation. PCN, however, no longer exists, so the 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 Department will see neither costs nor revenue as this repeal simply removes a rule that no longer implements a non-existent program.

**B) Local governments:**

Local governments will see neither costs nor revenue as they neither fund nor provide services under Medicaid.

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

Small businesses will see neither costs nor revenue as this repeal simply removes a rule that no longer implements a non-existent program.

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

Non-small businesses will see neither costs nor revenue as this repeal simply removes a rule that no longer implements a non-existent program.

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

Other persons will see neither costs nor revenue as this repeal simply removes a rule that no longer implements a non-existent program.

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

There are no compliance costs as this repeal simply removes a rule that no longer implements a non-existent program.

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

**Regulatory Impact Table**

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

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

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

The Executive Director of the Department of Health and Human Services, Tracy S. Gruber, has reviewed and approved this fiscal analysis.

Businesses will see neither costs nor revenue as this repeal simply removes a rule that no longer implements a non-existent program.

**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:** 01/31/2024

**9. This rule change MAY become effective on:** 02/07/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	12/13/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R414-504</b>	<b>Filing ID:</b> <b>56260</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Integrated Healthcare	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 143102	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-3102	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R414-504. Nursing Facility Payments
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this change is to include provisions, under a moratorium exception, for major renovation in nursing care facilities.
<b>4. Summary of the new rule or change:</b>
This amendment includes an additional definition for major renovation and specifies payment methodology and procedures under a moratorium exception.
It also restructures and renumbers the definitions in Section R414-504-2 to be in alphabetical order.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no impact to the state budget as these changes are covered under previous allocations by the Legislature.

<b>B) Local governments:</b>
There is no impact on local governments as they neither fund nor administer nursing facilities under the Medicaid program.

<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no impact on small businesses as these changes are covered under previous allocations by the Legislature.

<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There is no impact on non-small businesses as these changes are covered under previous allocations by the Legislature.

<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
There is no impact to other persons or entities as these changes are covered under previous allocations by the Legislature.

<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs to a single person or entity as these changes are covered under previous allocations by the Legislature.

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

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



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

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

The Executive Director of the Department of Health and Human Services, Tracy S. Gruber, has reviewed and approved this regulatory impact analysis.

Businesses will see neither costs nor revenue as these changes are covered under previous allocations by the Legislature.

**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	Title 26B, Chapter 3	
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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**9. This rule change MAY become effective on:**

02/07/2024  
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	12/13/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> Repeal		
<b>Rule or Section Number:</b>	<b>R429-3</b>	<b>Filing ID:</b> <b>56263</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Patient Safety Program	
<b>Building:</b>	MASOB	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Srimoyee Bose	385-332-1720	sbose@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
R429-3. Adverse Events from the Administration of Sedation or Anesthesia; Recording and Reporting

**3. Purpose of the new rule or reason for the change:**  
Following the recodification and consolidation of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department identified this rule as no longer necessary, and is proceeding with a repeal.

**4. Summary of the new rule or change:**  
This filing repeals Rule R429-3 Adverse Events from the Administration of Sedation or Anesthesia; Recording and Reporting.

**Fiscal Information**

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

**A) State budget:**  
This repeal will not fiscally impact the state budget.  
  
This filing is to update this rule with current and existing processes.

**B) Local governments:**  
This repeal will not fiscally impact local governments.  
  
This filing is to update this rule with current and existing processes.

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

This repeal will not impact small businesses.

This filing is to update this rule with current and existing processes.

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

This repeal will not impact non-small businesses.

This filing is to update this rule with current and existing processes.

**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 repeal will not fiscally impact the persons other than small businesses, non-small businesses, state, or local government entities.

This filing is to update this rule with current and existing processes.

**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 associated with this repeal.

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

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

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

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

The Executive Director of the Department of Health and Human Services, Tracy S. Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 26B-1-202		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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**9. This rule change MAY become effective on:** 02/07/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	12/13/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R457-1</b>	<b>Filing ID:</b> <b>56203</b>

**Agency Information**

<b>1. Department:</b>	Cultural and Community Engagement
<b>Agency:</b>	Pete Suazo Utah Athletic Commission

<b>Building:</b>	Highland Office	
<b>Street address:</b>	3760 S Highland Drive	
<b>City, state and zip:</b>	Millcreek, UT 84106	
<b>Contact persons:</b>		
	<b>Phone:</b>	<b>Email:</b>
Kristin Mead	218-393-2995	kristinmead@utah.gov
Sophia Riggs	801-874-7205	sophiariggs@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R457-1. Pete Suazo Utah Athletic Commission Act Rule
<b>3. Purpose of the new rule or reason for the change:</b>
Event Officials, such as referees, timekeepers and judges, have not received a compensation increase for several years, and their compensation is out of pace with comparable market rates in other states.  The rule amendments will increase the compensation fees paid to referees, timekeepers and judges. *Note: The compensation fees for Event Officials are paid by Event Promoters, and not paid by the Commission. The amendments update the compensation fees, and increase costs to Event Promoters (small businesses).  In the summer of 2023, the national Association of Boxing Commissions (ABC) approved unified model rules for the sport of bare knuckle fighting. The amendments incorporate the ABC model rules adding some customized Utah rules for the sport.  Other licensing fees for contestants and for drug tests were increased by \$10 to account or adjust for inflation and the associated operation costs of the Commission.  Pregnancy test requirements are eliminated by the amendments, so the costs of such tests are also eliminated.  Other typos and formatting errors needed correction.
<b>4. Summary of the new rule or change:</b>
The amendments: 1) correct errors; 2) update and increase compensation for commission officials; 3) increase drug testing fees from \$10 to \$20 each; 4) eliminate pregnancy tests for female athletes; and 5) incorporate Unified rules for Bare Knuckle Fighting.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The state budget for the Pete Suazo Utah Athletic Commission (PSUAC) program is \$271,200 for FY24.  The fiscal impact of the amendments will increase revenue to the Commission/State by approximately \$2,340 per year going forward. This increased revenue will come from the \$10 increase to the fees charged by the Commission for drug tests (increase from \$10 to \$20).  Drug test costs are paid to the Commission by Event Promoters. On average, 9 athletes are tested at each event. \$10 cost increase x 9 athletes x 26 events = \$2,340. Thus, there will be an additional \$2,340 revenue to the Commission/State, generated each year from the increased drug test fee.
<b>B) Local governments:</b>
There is no new aggregate anticipated cost or savings to local governments because local governments are not required to comply with or enforce this rule.  Consequently, there is no fiscal impact from these amendments to affect local governments expenditures or revenues.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The amendments will have a fiscal impact on the Event Promoters, who are small businesses. The total cost increases over one year are estimated as shown below.  <b>Increased costs for Event Officials</b> The Event Promoters for fights or bouts incur and pay the costs for the compensation fees of Event Officials: timekeepers, judges and referees. The cost breakdown is listed below, with the pre and post amendment cost effect shown. The Commission conducts approximately 26 events per year. Timekeeper compensation fee increase from \$100 to \$125 per event. \$25 cost increase x 26 events = \$650 Referee compensation fee increase from \$250 to \$325 per event. \$75 cost increase x 26 events = \$1,950 Judges compensation fee increase from \$150 to \$250, with 3 average of judges per event. \$100 cost increase x 3 judges x 26 events = \$7,800 *Note: Event promoters pay the compensation fees to Event Officials.  <b>Increased costs for Drug Tests:</b> Cost per drug test increase from \$10 to \$20. On average, 9 athletes are tested at each event. \$10 cost increase x 9 athletes x 26 events = \$2,340 *Note: Drug test costs are paid to the Commission by Event Promoters, so \$2,340 will be additional revenue paid to the State.

**Elimination of costs for Pregnancy Tests, Cost Savings:**

Tests cost \$1.25 each, approximately 60 tests conducted per year. \$1.25 x 60 = \$75 cost savings.

**Total Cost Increase for Small Business per event:**

- \$ 25 = 1 Timekeeper cost increase
- \$ 75 = 1 Referee cost increase
- \$300 = 3 Judges cost increase
- \$ 90 = 9 Drug test cost increase

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\$490 Total

**Annual Total of Fiscal Impact for Small Businesses (Event Promoters)**

- \$ 650 -- Timekeeper cost increase
- \$1,950 -- Referee cost increase
- \$7,800 -- Judges cost increase
- \$2,340 -- Drug test cost increase
- (\$ 75) -- Pregnancy cost decrease/elimination

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\$10,815 Total

For events with more than 11 bouts or fights, the number of judges increases from 3 to 4, and the number of referees increases from 1 to 2. Most events have less than 11 bouts or fights.

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

Almost all events are held by small business Event Promoters. Any non-small business or Event Promoter holding an event would incur the same cost increases and savings as shown in the analysis above for Small Businesses.

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

There is no estimated fiscal impact to other persons. The persons affected by costs increases from the amendments have been identified above in box 5C Small Businesses.

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

The compliance costs or fiscal impact for affected persons, per event, is show above in box 5C Small Businesses

**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	\$10,815	\$10,815	\$10,815
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$10,815</b>	<b>\$10,815</b>	<b>\$10,815</b>

Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$2,340	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$2,340</b>	<b>\$2,340</b>	<b>\$2,340</b>

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

The Executive Director of Community and Cultural Engagement, Jill Love, 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:**

Sections 9-23-101 through 9-23-301		
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

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

<b>Official Title of Materials Incorporated (from title page)</b>	Bare Knuckle Fighting Unified Rules
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<b>Publisher</b>	Association of Boxing Commission and Combative Sports
<b>Issue Date</b>	July 3, 2023
<b>Issue or Version</b>	August 2, 2023 (adopted)

<b>B) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Pete Suazo Utah Athletic Commission Fee Schedule
<b>Publisher</b>	Pete Suazo Utah Athletic Commission
<b>Issue Date</b>	August 18, 2023

**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2023
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<b>9. This rule change MAY become effective on:</b>	02/10/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jill Love, Executive Director	<b>Date:</b>	11/22/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> Repeal		
<b>Rule or Section Number:</b>	<b>R495-890</b>	<b>Filing ID:</b> <b>56261</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services
<b>Agency:</b>	Administration (Human Services)
<b>Room number:</b>	Fourth Floor
<b>Building:</b>	Multi-agency State Office Building
<b>Street address:</b>	195 W 1950 N
<b>City, state and zip:</b>	Salt Lake City, UT 84111

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Shannon Thoman-Black	385-223-2941	Sthomanblack@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R495-890. Department of Human Services Conflict Investigation Procedure

<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being repealed as the process is internal and appropriately handled through internal procedures

<b>4. Summary of the new rule or change:</b>
This filing repeals Rule R495-890 in its entirety.
It does not change internal conflict investigation procedures.

**Fiscal Information**

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

<b>A) State budget:</b>
There is no anticipated cost or savings with this repeal as it does not impact any existing procedures.

<b>B) Local governments:</b>
This rule repeal does not have any impact on local governments.

<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule repeal will not have any fiscal impact on small businesses.
It only involves the Department of Health and Human Services (DHHS).

<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
This rule repeal will not have any fiscal impact on non-small businesses or require anything from them upon repeal.

**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 repeal will not have any fiscal impact on any entity or require anything from them upon repeal.

**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 the repeal. No entity will be impacted by its repeal.

Internal processes to DHHS will not significantly 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.)

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

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

The Executive Director of the Department of 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 62A-1-110	Section 62A-1-111	Subsection 62A-202-6(4)
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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<b>9. This rule change MAY become effective on:</b>	02/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	12/13/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R523-14</b>	<b>Filing ID:</b>	<b>56215</b>
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**Agency Information**

<b>1. Department:</b>	Health and Human Services		
<b>Agency:</b>	Substance Use and Mental Health		
<b>Building:</b>	Cannon Health Building		
<b>Street address:</b>	288 N 1460 W		
<b>City, state and zip:</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Thomas Dunford	801-538-4181	tdunford@utah.gov	
Jonah Shaw	801-538-4219	jshaw@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>
R523-14. Suicide Prevention
<b>3. Purpose of the new rule or reason for the change:</b>
The Office of Substance Use and Mental Health is required to amend this rule because of statutory changes made in the creation of the new Department of Health and Human Services.  Also, this rule has not met all the requirements stated in Subsection 26B-5-611(8) and Section 26B-5-110, so those items have been added.
<b>4. Summary of the new rule or change:</b>
This rule updates statutory citations, clarifies input requirements to the statewide suicide prevention plan, and clarifies eligibility requirements for the suicide prevention grant.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
These amendments to this rule clarify input requirements from non-state entities to the statewide suicide prevention plan, which is a cost neutral process that already exists in the office's normal functions and activities, and add eligibility requirements that require no action by the office unless funds are provided by the legislature to distribute for the suicide prevention grant.  Therefore, these amendments do not increase or decrease financial costs or savings on state budgets beyond those that existed prior to this filing.
<b>B) Local governments:</b>
These amendments to this rule clarify input requirements from non-state entities to the statewide suicide prevention plan, which is a cost neutral process, and add eligibility requirements that require no fees for the suicide prevention grant.  Therefore, these amendments do not increase or decrease financial costs or savings on local governments beyond those that existed prior to this filing.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
These amendments to this rule clarify input requirements from non-state entities to the statewide suicide prevention plan, which is a cost neutral process, and add eligibility requirements that require no fees for the suicide prevention grant.

Therefore, these amendments do not increase or decrease financial costs or savings on small-businesses beyond those that existed prior to this filing.

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

These amendments to this rule clarify input requirements from non-state entities to the statewide suicide prevention plan, which is a cost neutral process, and add eligibility requirements that require no fees for the suicide prevention grant.

Therefore, these amendments do not increase or decrease financial costs or savings on non-small-businesses beyond those that exist prior to this filing.

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

These amendments to this rule clarify input requirements from non-state entities to the statewide suicide prevention plan, which is a cost neutral process, and add eligibility requirements that require no fees for the suicide prevention grant.

Therefore, these amendments do not increase or decrease financial costs or savings on persons other than small businesses, non-small businesses, state, or local government entities budgets beyond those that existed prior to this filing.

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

No compliance costs are associated with this rule amendment, because no fees or charges are required to provide input on the statewide suicide prevention plan, or on the eligibility requirements for an entity to qualify for a suicide prevention grant.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Subsection 26B-5-611(8)	Section 26B-5-110	

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	01/31/2024

<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy Gruber, Executive Director	<b>Date:</b>	11/19/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R623-11</b>	<b>Filing ID:</b> 56238

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R623-11. Signature Verification Standards
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is authorized by Subsection 20A-3a-401(9) and enacted under the authority of Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
This rule is required by H.B. 448 passed in the 2023 General Session.
<b>4. Summary of the new rule or change:</b>
This rule establishes minimum standards for county clerks to verify signatures on ballot envelopes and to comply with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Secs. 12131.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated impact to state government for this rule as it is purely administrative.



**B) Local governments:**

This rule will have minor costs for election officials to contact voters with a disability and to track who those voters are.

It is estimated that the combined cost to counties would be less than \$500 per election.

**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	\$500	\$500	\$500
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>(\$500)</b>	<b>(\$500)</b>	<b>(\$500)</b>

**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:**

Subsection		
20A-3a-401(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.)

<b>A) Comments will be accepted until:</b>	01/31/2024
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<b>9. This rule change MAY become effective on:</b>	02/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Ryan Cowley, Director of Elections	<b>Date:</b>	12/01/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R651-633</b>	<b>Filing ID:</b> <b>56188</b>

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R651-633. Special Closures or Restrictions
<b>3. Purpose of the new rule or reason for the change:</b>
The change in this rule is to allow dogs on the Interpid Mountain Bike Trail System at Dead Horse Point State Park.
<b>4. Summary of the new rule or change:</b>
This rule filing removes the sentence that prohibits dogs on the Interpid Mountain Bike Train System.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This proposed rule amendment is not expected to have a fiscal impact on the state budget.
This rule change only clarifies dogs will be allowed on a trail.
<b>B) Local governments:</b>
This proposed rule amendment is not expected to have a fiscal impact on local governments.
This rule change only clarifies dogs will be allowed on a trail.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This proposed rule amendment is not expected to have a fiscal impact on small businesses.

This rule change only clarifies dogs will be allowed on a trail.

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

This proposed rule amendment is not expected to have a fiscal impact on non-small businesses.

This rule change only clarifies dogs will be allowed on a trail.

**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 amendment is not expected to have a fiscal impact on persons other than small businesses, non-small businesses, state or local government entities.

This rule change only clarifies dogs will be allowed on a trail.

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

This proposed rule amendment is not expected to have a fiscal impact on affected persons.

This rule change only clarifies dogs will be allowed on a trail.

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

**Regulatory Impact Table**

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

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

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

The Executive Director of the Department of 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.)

<b>A) Comments will be accepted until:</b>	01/31/2024
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**9. This rule change MAY become effective on:** 02/07/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	11/02/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-5</b>	<b>Filing ID:</b> <b>56245</b>

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Wildlife Resources

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

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov

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

**General Information**

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

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

**4. Summary of the new rule or change:**  
The proposed amendments to this rule:  
1) restrict the use of magnified scopes on muzzleloaders during the muzzleloader season; and  
2) implement the mandatory harvest reporting requirement for all big game species.

**Fiscal Information**

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

**A) State budget:**  
With the rule amendment, approximately 130,000 mandatory harvest surveys will be added, which in turn would affect approximately 130,000 hunters.

The administrative cost for the contracting company to make these required changes, which includes emails, programming needs, customer service and being the point of contact, will cost the Division approximately \$50,000 to implement.

The Division has determined that these changes can be initiated within the current workload and resources of the Division.

Therefore, the Division believes that these amendments can be enacted without a cost or savings impact to the state budget or the Division's budget.

<b>B) Local governments:</b>
Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
These amendments do have the potential to create a cost impact to those individuals wishing to participate in the hunting of big game in Utah, however, because the Division will be waiving the late fee for the 2024 season, there will be no immediate additional cost to the public.
Moving forward, about 9% of the public does not report so in 2025 it could cost the public up to \$585,000 in late fees. That could change with the potential of E-tagging going into effect in 2025 which could lower the cost the public since the compliance rate should be higher.
The restriction of magnified scopes on muzzleloaders during the muzzleloader season will not create a cost impact or savings, as the scopes would still be legal for use on a muzzleloader during the Any-Legal Weapon seasons.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
The Division has determined that this amendment will not create additional costs for those participating in the taking of big game for the 2024 season but could result in a \$50 per late survey beginning with the 2025 season.
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$50,000	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$585,000	\$0
<b>Total Fiscal Cost</b>	<b>\$50,000</b>	<b>\$585,000</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$585,000	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$585,000</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$(50,000)</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.			
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses.			

<b>Citation Information</b>		
<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 23A-2-304	Section 23A-2-305	

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Justin Shirley, Division Director	<b>Date:</b>	12/11/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-38</b>	<b>Filing ID:</b> <b>56246</b>

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R657-38. Dedicated Hunter Program
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (Division) rule pursuant to the Dedicated Hunter Program.

<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule: 1) add "Enrollment" into definitions; 2) modify the definition of "Program Harvest" to accommodate reporting process changes; 3) clarify that a Dedicated Hunter may not switch hunting areas during the 3-year program; 4) clarify that changes or special regulations occurring on general season hunting areas will also apply to Dedicated Hunters; 5) redistribute minimum service hour requirements, allowing 6 hour minimum for year one and an additional 16 hours for year two with an additional 10 hours in year three; the total number of hours remains unchanged; 6) revise the procedure for 1-year extensions given to Dedicated Hunters who draw a limited entry buck deer permit from the Utah Big Game drawing, this amendment automatically applies a 1-year extension; 7) remove the requirement for returning paper permits in order to report a non-harvest; and 8) allow for online harvest reporting.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amendments to Rule R657-38 are program changes that are administrative in nature for the Division, the Division determines that these changes can be initiated within the current workload and resources of the Division, therefore, the Division does not believe that these amendments would create a cost or savings impact to the state budget or the Division's budget since the changes will not increase workload and can be carried out with existing budget.
<b>B) Local governments:</b>
Since the proposed amendments clarify existing program requirements and restrictions this filing does not create any direct cost or savings impact to local governments.  Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
Since the proposed amendments clarify existing program requirements and restrictions this filing does not create any direct cost or savings impact to small businesses.  Nor are small businesses indirectly impacted because this rule does not create a situation requiring services from them.

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

Since the proposed amendments clarify existing program requirements and restrictions this filing does not create any direct cost or savings impact to non-small businesses.

Nor are non-small businesses indirectly impacted because this rule does not create a situation requiring services from them.

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

The rule amendments do not have the potential to create a cost impact or savings to those participating in the Dedicated Hunter program as they are administrative in nature and only clarify requirements already in place.

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

The Division has determined that there will be no change in cost for those wishing to participate in the Dedicated Hunter program.

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

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

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

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

The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

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

**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 23A-2-305		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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**9. This rule change MAY become effective on:**

02/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Justin Shirley, Division Director	<b>Date:</b>	12/11/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-42</b>	<b>Filing ID:</b> <b>56247</b>

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Wildlife Resources

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

**General Information**

<b>2. Rule or section catchline:</b>
R657-42. Fees, Exchanges, Surrenders, Refunds and Reallocation of Wildlife Documents
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (Division) rule regulating the fees, exchanges, surrenders, refunds and reallocations of Wildlife Documents.
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule set the requirement for late fee payments incurred with the required mandatory reporting for all big game species.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amendments to Rule R657-42 are required due to the proposed changes in Rule R657-5, Taking Big Game. With this rule amendment, approximately 130,000 mandatory harvest surveys will be added, which in turn would affect approximately 130,000 hunters.
The administrative cost for the contracting company to make these required changes, which includes emails, programming needs, customer service and being the point of contact, will cost the division approximately \$50,000 to implement.
The Division has determined that these changes can be initiated within the current workload and resources of the Division.

Therefore, the Division believes that these amendments can be enacted without a cost or savings impact to the state budget or the Division's budget.

(EDITOR'S NOTE: The proposed amendment to Rule R657-5 is under ID 56243 in this issue, January 1, 2024, of the Bulletin.)

**B) Local governments:**

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

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

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

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

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

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

These amendments do have the potential to create a cost impact to those individuals wishing to participate in the hunting of big game in Utah, however, because the Division will be waiving the late fee for the 2024 season there will be no immediate additional cost to the public.

Moving forward, about 9% of the public does not report so in 2025 it could cost the public up to \$585,000 in late fees. That could change with the potential of E-tagging going into effect in 2025 which could lower the cost the public since the compliance rate should be higher.

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

The Division has determined that this amendment will not create additional costs for those participating in the taking of big game for the 2024 season but could result in a \$50 per late survey beginning with the 2025 season.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$50,000	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$585,000	\$0
<b>Total Fiscal Cost</b>	<b>\$50,000</b>	<b>\$585,000</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$585,000	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$585,000</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$(50,000)</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 23A-4-201	Section 23A-4-207	

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	01/31/2024

<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Justin Shirley, DWR Director	<b>Date:</b>	12/11/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment			
<b>Rule or Section Number:</b>	<b>R657-43</b>	<b>Filing ID:</b>	<b>56248</b>

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R657-43. Landowner Permits
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (Division) rule pursuant to Landowner Association Program.
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule: 1) allow a landowner association (LOA) to hunt only the private property participating in the program and removes the public access requirement;



- 2) create a special drawing for landowners on limited-entry units that are not enrolled in an LOA and have the minimum 640 acres of habitat;
- 3) establish up to 5% above the total number of unit permits be available in the drawing and restricts the permits from being sold or a trespass fee being charged;
- 4) create a general-season landowner permit that is only valid on private property; and
- 5) establish up to 10% above the total unit permits can be issued over the counter and allows for the sale of these permits.

**Fiscal Information**

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

**A) State budget:**

The amendments to Rule R657-43 are program changes that are administrative in nature for the Division, the Division determines that these changes can be initiated within the current workload and resources of the Division, therefore, the Division does not believe that these amendments would create a cost or savings impact to the state budget or the Division's budget since the changes will not increase workload and can be carried out with existing budget.

**B) Local governments:**

Since the proposed amendments clarify an existing program requirements and restrictions, this filing does not create any direct cost or savings impact to local governments.

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

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

This amendment clarifies an existing LOA.

The LOA's are not regulated as a small business, therefore, this rule does not impose any additional financial requirements on small businesses, nor generate a cost or saving impact to small businesses because this rule does not create a situation requiring services from them.

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

This amendment clarifies an existing Landowner program.

The LOA's are not regulated as a non-small business nor do they have an employer/employee relationship, therefore, this rule does not impose any additional financial requirements on small non-businesses, nor generate a cost or saving impact to small non-businesses

because this rule does not create a situation requiring services from them.

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

The rule amendments do have the potential to affect the number of vouchers being issued to each LOA. Because the vouchers are based on the market, the LOA's that may decrease in permit numbers may actually see an increase in the tag price and may not have a financial loss.

A majority of the LOA's were receiving vouchers recommended at the same rate and will see no change. There has always been potential for the vouchers to increase or decrease each year, however, some of the vouchers consistently sell for more than \$40,000. The Division has determined that this could remain the same.

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

The Division determines that there will be no change in cost for those wishing to participate as a LOA in the program.

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

**Regulatory Impact Table**

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

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

The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

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

**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 23A-2-304	Section 23A-2-305
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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<b>9. This rule change MAY become effective on:</b>	02/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Justin Shirley, Division Director	<b>Date:</b>	12/11/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-62</b>	<b>Filing ID:</b> <b>56249</b>

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Wildlife Resources

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

**General Information**

**2. Rule or section catchline:**

R657-62. Drawing Application Procedures

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

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

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

The proposed amendments to this rule:  
 1) remove the mandatory Dedicated Hunter orientation course; and  
 2) add the process for the Limited Entry Landowner Program drawing.

**Fiscal Information**

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

**A) State budget:**

The amendments to Rule R657-62 are administrative in nature, the Division determines that these changes can be initiated within the current workload and resources of the Division, therefore, the Division believes that these amendments can be enacted without a cost or savings impact to the state budget or the Division's budget.

**B) Local governments:**

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

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

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

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

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

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in hunting in Utah because there are no additional costs associated with the filing.

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

The Division has determined that this amendment will not create additional costs for those participating in hunting in Utah because there are no additional costs associated with the filing.

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

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

The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

**Citation Information**

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

Section 23A-2-304	Section 23A-2-305	
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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**9. This rule change MAY become effective on:** 02/07/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Justin Shirley, DWR Director	<b>Date:</b>	12/11/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b>	New		
<b>Rule or Section Number:</b>	<b>R765-264</b>	<b>Filing ID:</b>	<b>56252</b>

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-264. Student Religious Accommodations
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule is to provide a process for any student at a Utah System of Higher Education (USHE) institution who seeks a religious accommodation in the student's scheduling.
<b>4. Summary of the new rule or change:</b>
This rule defines religious accommodations made to the schedule of a student's course at a USHE institution, establishes how a student seeking an accommodation shall provide notice, and outlines the circumstances under which an institution must grant an accommodation.
This rule does not cover religious accommodations for employees or religious accommodation requests beyond scheduling.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.
This rule requires USHE institutions to establish a process that each student who seeks a religious accommodation in the student's scheduling must follow to obtain an accommodation.
The enactment of the rule does not require funding from the state since it does not require the institutions to acquire additional staff nor incur any set-up costs.

<b>B) Local governments:</b>																
Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.																
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):																
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses because this rule does not apply to or affect small businesses.																
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):																
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses because this rule does not apply to or affect non-small businesses.																
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):																
The only persons other than small businesses, non-small businesses, state, or local government entities who are affected by this rule are students who seek a religious accommodation in scheduling at a USHE institution.																
The enactment of this rule will likely not result in expenditures of those affected because this rule does not impose fees on them.																
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):																
Any compliance costs imposed on affected persons is limited to the time they will expend in following the process of seeking a religious accommodation, which is nominal.																
There are no fees imposed on affected persons.																
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																
<b>Regulatory Impact Table</b>																
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>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> </tbody> </table>	Fiscal Cost	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0
Fiscal Cost	FY2024	FY2025	FY2026													
State Government	\$0	\$0	\$0													
Local Governments	\$0	\$0	\$0													
Small Businesses	\$0	\$0	\$0													

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Utah Board of Higher Education, Geoff Landward, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section		
53B-27-405		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	01/31/2024
<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	12/11/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> New			
<b>Rule or Section Number:</b>	<b>R765-545</b>	<b>Filing ID:</b>	<b>56231</b>

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-545. Prohibitions on and Disclosures of Foreign Donations to Higher Education Institutions
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule is to establish requirements for the disclosure of foreign gifts to higher education institutions.
<b>4. Summary of the new rule or change:</b>
This rule establishes the threshold for institutions of higher education to report foreign gifts and the information that must be disclosed in the report.

**Fiscal Information**

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

**A) State budget:**

Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenses.

The rule provides only for disclosure reports to be made by institutions of higher education.

**B) Local governments:**

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

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

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

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

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

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

Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to the institutions of higher education.

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

The rule creates an additional report that an institution of higher education is required to make to the Utah Board of Higher Education.

However, the report is a disclosure of information that the institution already has as part of its accounting. Therefore, any compliance cost to the institutions is nominal.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Utah Board of Higher Education, Geoff Landward, 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 53B-1-202(5).		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	11/29/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R765-611</b>	<b>Filing ID:</b> <b>56230</b>

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-611. Veterans Tuition Gap Program
<b>3. Purpose of the new rule or reason for the change:</b>
This amendment updates this rule to improve efficiencies in the administration of the Veterans Tuition Gap Program.
<b>4. Summary of the new rule or change:</b>
This rule adds two new definitions and eliminates one; expands the ability to use the funds of the program to pay for tuition, fees, books, education-related supplies, and a housing allowance at an eligible; establishes criteria for a

student to be eligible; adds a reporting requirement; eliminates Free Application for Federal Student Aid (FAFSA) financial reporting form training; and makes other clarifications.

**Fiscal Information**

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

**A) State budget:**

The amendment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.

Although the Veterans Tuition Gap Program is funded by appropriations of the Legislature, this rule does not require any funding. This rule only establishes the criteria for participating in the grant program.

**B) Local governments:**

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

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

The amendment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses because this rule does not apply to or affect small businesses.

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

The amendment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses because this rule does not apply to or affect non-small businesses.

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

The amendment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to those individuals who wish to participate in the Veterans Tuition Gap Program.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

Any compliance costs imposed on affected persons is limited to the completion of forms that are required to be eligible to participate in the Veterans Tuition Gap Program and is nominal.

There are no fees imposed on affected persons.

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

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

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

The Commissioner of the Utah Board of Higher Education, Geoff Landward, 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		
53B-13b-104(3)(c)		

**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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<b>9. This rule change MAY become effective on:</b>	02/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	11/30/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF FILING:** New

<b>Rule or Section Number:</b>	<b>R765-612</b>	<b>Filing ID:</b>	<b>56253</b>
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**Agency Information**

<b>1. Department:</b>	Higher Education (Utah Board of)		
<b>Agency:</b>	Administration		
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway		
<b>Street address:</b>	60 S 400 W		
<b>City, state and zip:</b>	Salt Lake City, UT 84101		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov	



Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R765-612. Opportunity Scholarship
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule is to establish procedures for the Opportunity Scholarship program.
<b>4. Summary of the new rule or change:</b>
This rule outlines award requirements, application procedures, and other information for the Opportunity Scholarship.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.
Although the Opportunity Scholarship is funded by appropriations of the Legislature, this rule does not require any funding. This rule only establishes the criteria for participating in the scholarship program.
<b>B) Local governments:</b>
Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses because this rule does not apply to or affect small businesses.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses because this rule does not apply to or affect non-small businesses.

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

This rule applies only to those individuals who wish to participate in the Opportunity Scholarship program.

Enactment of this rule likely will not result in a financial burden for these individuals because it does not impose any fees on them.

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

Any compliance costs for affected persons will be limited to the time that they will expend to participate in the Opportunity Scholarship program, which is nominal.

There are no fees imposed on affected persons.

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

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

NOTICES OF PROPOSED RULES

<b>Net Benefits</b>	<b>Fiscal</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>				
The Commissioner of the Utah Board of Higher Education, Geoff Landward, has reviewed and approved this regulatory impact analysis.				

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 53B-8-201		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	01/31/2024

<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	12/14/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R765-614</b>	<b>Filing ID:</b> <b>56232</b>

**Agency Information**

<b>1. Department:</b>	Higher Education (Utah Board of)
<b>Agency:</b>	Administration
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway
<b>Street address:</b>	60 S 400 W
<b>City, state and zip:</b>	Salt Lake City, UT 84101

Contact persons:		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R765-614. Public Safety Officer Career Advancement Grant Program
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule is to establish requirements for the administration of the Public Safety Officer Career Advancement Grant (PSOCAG) Program established under Section 53B-8-112.
<b>4. Summary of the new rule or change:</b>
This rule outlines the application process and procedures for the PSOCAG Program.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.
Although the PSOCAG Program is funded by appropriations of the Legislature, this rule does not require any funding.
This rule only establishes the criteria for participating in the grant program.
<b>B) Local governments:</b>
Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):

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

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

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

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

Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to those individuals who wish to benefit from the PSOCAG Program.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

Any compliance costs imposed on affected persons are limited to the completion of forms that are required to be eligible to participate in the PSOCAG Program and is nominal.

There are no fees imposed on affected persons.

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

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

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

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

The Commissioner of the Utah Board of Higher Education, Geoff Landward, 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 53B-8-112.		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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**9. This rule change MAY become effective on:** 02/07/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	11/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R765-616	Filing ID: 56233

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-616. Adult Learner Grant Program
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule is to provide financial assistance for adult learners pursuing an online degree in a field of industry need.
<b>4. Summary of the new rule or change:</b>
This rule establishes the criteria for being eligible to participate in the Adult Learner Grant Program.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.
Although the Adult Learner Grant Program is funded by appropriations of the Legislature, this rule does not require any funding.

This rule only establishes the criteria for participating in the grant program.

**B) Local governments:**

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

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

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

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

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

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

Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to those individuals who wish to benefit from the Adult Learner Grant Program.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

Any compliance costs imposed on affected persons are limited to the completion of forms that are required to be eligible to participate in the Adult Learner Grant Program and is nominal.

There are no fees imposed on affected persons.

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

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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Utah State Board of Higher Education, Geoff Landward, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Subsection		
53B-13c-102(2).		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	01/31/2024
<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	11/30/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R765-620</b>	<b>Filing ID:</b> <b>56239</b>

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-620. Access Utah Promise Scholarship Program
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of the amendment is to update this rule.
<b>4. Summary of the new rule or change:</b>
This amendment updates and clarifies the requirements for the administration of the Utah Promise Program Grant.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
Enactment of this amendment likely will not materially impact the state budget because it does not affect state revenue or expenditures.

Although the Utah Promise Program Grant is funded by appropriations of the Legislature, this rule does not require any funding.

This rule only establishes the criteria for participating in the grant program.

**B) Local governments:**

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

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

Enactment of this amendment likely will not change the regulatory burden for small businesses because it applies only to those small businesses that wish to participate in the Utah Promise Program Grant.

Even in those cases, this rule only establishes the criteria for participating in the grant program and the costs are nominal.

The amendment does not impose fees on small businesses.

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

Enactment of this amendment likely will not change the regulatory burden for non-small businesses because it applies only to those non-small businesses that wish to participate in the Utah Promise Program Grant.

Even in those cases, this rule only establishes the criteria for participating in the grant program and the costs are nominal.

The amendment does not impose fees on non-small businesses.

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

Enactment of this amendment likely will not change the regulatory burden for small businesses because it applies only to those individuals and entities that wish to participate in the Utah Promise Program Grant.

Even in those cases, this rule only establishes the criteria for participating in the grant program and the costs are nominal.

The amendment does not impose fees on small businesses.

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

Any compliance costs imposed on affected persons is limited to the completion of forms that are required to be eligible to participate in the grant program and is nominal.

The amendment updates and clarifies the requirements for participating in the Utah Promise Program Grant.

No fees are imposed on affected persons.

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

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

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

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

The Commissioner of the Utah Board of Higher Education, Geoff Landward, 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:**

Title 53B, Chapter 13a		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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<b>9. This rule change MAY become effective on:</b>	02/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	12/01/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	R765-621	<b>Filing ID:</b> 56240

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-621. Terrell H. Bell Education Scholarship Program

<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of the amendment is to update this rule.

<b>4. Summary of the new rule or change:</b>
This amendment states that verification of lawful presence in the United States is not required to be eligible for this scholarship and clarifies other provisions of this rule.

**Fiscal Information**

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

<b>A) State budget:</b>
Enactment of this amendment likely will not materially impact the state budget because it does not affect state revenue or expenditures.

Although the Terrell H. Bell Education Scholarship Program is funded by appropriations of the Legislature, this rule does not require any funding.

This rule only establishes the criteria for participating in the grant program.

<b>B) Local governments:</b>
Enactment of this amendment likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.

<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
Enactment of this amendment likely will not result in direct expenditures from tax or fee changes for small businesses because this rule does not apply to or affect small businesses.

<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
Enactment of this amendment likely will not result in direct expenditures from tax or fee changes for non-small businesses because this rule does not apply to or affect non-small businesses.

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

Enactment of this amendment likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to those individuals and institutions of higher education who wish to benefit from the Terrell H. Bell Education Scholarship Program.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

Any compliance costs imposed on affected persons are limited to the completion of forms that are required to be eligible to participate in the Terrell H. Bell Education Scholarship Program and is nominal. The amendment only updates and clarifies the requirements for the Terrell H. Bell Education Scholarship Program and imposes no fees.

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

<b>Net Benefits</b>	<b>Fiscal</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>				
The Commissioner of the Utah Board of Higher Education, Geoff Landward, has reviewed and approved this regulatory impact analysis.				

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Subsection		
53B-8-116(6).		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	01/31/2024

<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	12/01/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R765-624</b>	<b>Filing ID:</b> 56241

**Agency Information**

<b>1. Department:</b>	Higher Education (Utah Board of)
<b>Agency:</b>	Administration
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway
<b>Street address:</b>	60 S 400 W
<b>City, state and zip:</b>	Salt Lake City, UT 84101



<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R765-624. Utah Promise Partner Program
<b>3. Purpose of the new rule or reason for the change:</b>
This rule outlines the procedures for the Utah Promise Partner Program.
<b>4. Summary of the new rule or change:</b>
This rule establishes employee qualifications and the process for receiving an award under the Utah Promise Partner Program.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.
Although the Utah Promise Partner Program is funded by appropriations of the Legislature, this rule does not require any funding.
This rule only establishes the criteria for participating in the grant program.
<b>B) Local governments:</b>
Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
Enactment of this rule likely will not change the regulatory burden for small businesses because it applies only to those individuals and entities that wish to participate in the Utah Promise Partner Program.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

Enactment of this rule likely will not change the regulatory burden for non-small businesses because it applies only to those individuals and entities that wish to participate in the Utah Promise Partner Program.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to those individuals and entities who wish to participate in the Utah Promise Partner Program.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

Any compliance costs imposed on affected persons is limited to the completion of forms that are required to be eligible to participate in the grant program and is nominal.

This rule only establishes the requirements for participating in the Utah Promise Partner Program.

No fees are imposed on affected persons.

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

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

NOTICES OF PROPOSED RULES

<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Utah Board of Higher Education, Geoff Landward, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section		
53B-13a-106		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	01/31/2024

<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	12/01/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R765-625</b>	<b>Filing ID:</b> <b>56234</b>

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-625. International Internship Scholarship Pilot Program Fund
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule is to outline the requirements of and application process for the International Internship Scholarships Pilot Program Fund.
<b>4. Summary of the new rule or change:</b>
This rule establishes the criteria for eligibility to participate in the International Internship Scholarships Pilot Program Fund.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.
Although the International Internship Scholarship Pilot Program Fund is funded by appropriations of the Legislature, this rule does not require any funding.

This rule only establishes the criteria for participating in the grant program.

**B) Local governments:**

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

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

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

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

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

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

Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to those individuals who wish to benefit from the International Internship Scholarship Pilot Program Fund.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

Any compliance costs imposed on affected persons is limited to the completion of forms that are required to be eligible to benefit from the International Internship Scholarships Pilot Program Fund and is nominal.

There are no fees imposed on affected persons.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0

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

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

The Commissioner of the Utah Board of Higher Education, Geoff Landward, 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:**

Senate Bill 3, Appropriations Adjustments (2023)		
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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:** 01/31/2024

**9. This rule change MAY become effective on:** 02/07/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	11/30/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R765-627</b>	<b>Filing ID:</b> <b>56235</b>

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-627. First Responder Mental Health Services Grant
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule is to outline the requirements of and application process for First Responder Mental Health Services Grant Program.
<b>4. Summary of the new rule or change:</b>
This rule establishes the criteria for participating in the First Responder Mental Health Services Grant Program.

**Fiscal Information**

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

**A) State budget:**

Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.

Although the First Responder Mental Health Services Grant Program is funded by appropriations of the Legislature, this rule does not require any funding.

This rule only establishes the criteria for participating in the grant program.

**B) Local governments:**

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

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

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

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

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

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

Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to those individuals who wish to benefit from the First Responder Mental Health Services Grant Program.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

Any compliance costs imposed on affected persons are limited to the completion of forms that are required to be eligible to participate in the grant program and are nominal.

There are no fees imposed on affected persons.

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

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

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

The Commissioner of the Utah Board of Higher Education, Geoff Landward, 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 53B-8-117		
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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:** 01/31/2024

**9. This rule change MAY become effective on:** 02/07/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	11/30/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R765-628</b>	<b>Filing ID:</b> <b>56236</b>

**Agency Information**

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

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

**General Information**

**2. Rule or section catchline:**  
R765-628. WICHE Professional Student Exchange Program

**3. Purpose of the new rule or reason for the change:**  
The purpose of this rule is to outline the application requirements and funding procedures for the Western Interstate Commission for Higher Education (WICHE) Professional Student Exchange Program.

**4. Summary of the new rule or change:**  
 This rule establishes the criteria for participating in the WICHE Professional Student Exchange Program (PSEP).

**Fiscal Information**

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

**A) State budget:**  
 Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.  
 Although the WICHE PSEP is funded by appropriations of the Legislature, this rule does not require any funding.  
 This rule only establishes the criteria for participating in the grant program.

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

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
 Enactment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses because this rule does not apply to or affect small businesses.

**D) Non-small businesses** ("non-small business" means a business employing 50 or more persons):  
 Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses because this rule does not apply to or affect non-small businesses.

**E) Persons other than small businesses, non-small businesses, state, or local government entities** ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):  
 Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to those individuals who wish to participate in the WICHE PSEP.

Even in those cases, this rule only establishes the criteria for participating in the grant program.

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

This rule does not create any compliance costs for affected persons because it establishes the criteria for participating in the WICHE PSEP.

There are no fees imposed on affected persons.

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

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

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

The Commissioner of the Utah Board of Higher Education, Geoff Landward, 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 53B-4-101

**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:** 01/31/2024

**9. This rule change MAY become effective on:** 02/07/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	11/30/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R765-1010</b>	<b>Filing ID:</b> <b>56251</b>

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R765-1010. Data Breaches

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

The purpose of this rule is to define a significant data breach as required by Section 53B-28-504 and to establish standards to protect the data of students at USHE institutions as required by Subsection 53B-28-502(5)(b)(1).

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

This rule defines "significant data breach" under Subsection 53B-28-504(1) and establishes standards for an education entity to protect student data by notifying students of significant data breaches under Subsections 53B-28-502(5)(b)(1) and 53B-28-504(1).

**Fiscal Information**

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

**A) State budget:**

Enactment of this rule likely will not materially impact the state budget because it does not affect state revenue or expenditures.

This rule defines "significant data breach," establishes standards to protect the data of students, and requires the institutions in the state system of higher education to provide notice to students of significant data breaches.

Although the cost to the institutions of providing the notices could be significant, this rule restates that requirement from Section 53B-28-504. As a result, any affect on the state budge is the result of Section 53B-28-504 and not this rule.

**B) Local governments:**

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

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

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

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

Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses because this rule does not apply to or affect 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**):

Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because it applies only to education entities that are part of the Utah system of higher education.

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

The costs associated with notification of data breaches could be significant. However, these costs are possible without enactment of this rule since Section 53B-28-504 already requires the institutions of higher education to notify each student of a significant data breach.

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

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

The Commissioner of the Utah Board of Higher Education, Geoff Landward, 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 53B-28-504	Subsection 53B-28-502(5)(b) (1)	
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	01/31/2024
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**9. This rule change MAY become effective on:** 02/07/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	12/12/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R909-1</b>	<b>Filing ID:</b> <b>56223</b>

**Agency Information**

<b>1. Department:</b>	Transportation
<b>Agency:</b>	Motor Carrier
<b>Room number:</b>	Administrative Suite, 1st Floor
<b>Building:</b>	Calvin Rampton Building
<b>Street address:</b>	4501 S 2700 W
<b>City, state and zip:</b>	Taylorsville, UT 84129
<b>Mailing address:</b>	PO Box 148455
<b>City, state and zip:</b>	Salt Lake City, UT 84114-8455



Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

**General Information**

<b>2. Rule or section catchline:</b>
R909-1. Safety Regulations for Motor Carriers
<b>3. Purpose of the new rule or reason for the change:</b>
The Motor Carrier Division (Division) proposes these revisions to Rule R909-1 to adopt the Safety Regulations for Motor Carriers as of October 1, 2022, as amended by the Federal Register through June 22, 2023.
The Division adopts 49 CFR Parts 350 through 384, Part 385.4, Parts 387 through 399, and Part 40. The need to adopt this rule was required by H.B. 440 passed in the 2023 General Session, which defined a commercial motor vehicle that has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds.
H.B. 440 also required that a motor vehicle with a gross vehicle weight or gross combination weight of 26,001 or more pounds, whichever is greater, shall stop at a port-of-entry.
<b>4. Summary of the new rule or change:</b>
Proposed revisions to this rule: 1) update the definition of "intrastate commercial vehicle" to mean "having a manufacturer's gross vehicle weight rating or gross combination weight rating of 26,0001 or more pounds, whichever is greater, and revising Subsection R909-1-2(1)(c) clarify the current text; 2) revise Section R909-1-3 to update the citation of federal regulations to 49 CFR to October 1, 2022, as amended by the Federal Register through June 22, 2023; and 3) revise Subsection R909-1-4(3) to correct a current federal regulation citation to 49 CFR 171.8.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
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<b>A) State budget:</b>												
There is no anticipated cost or savings to the state budget because this proposed change is clerical in nature and will have no impact on how the Department of Transportation functions.												
<b>B) Local governments:</b>												
This proposed rule change is not expected to have a fiscal impact on local governments' revenues or expenditures.												
This rule regulates the motor carrier industry and does not affect local governments.												
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>												
The Division does not believe this proposed rule change will impact small businesses that operate as motor carriers because it likely will not lead to direct expenditures from tax or fee changes for small businesses.												
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>												
The Division does not believe this proposed rule change will impact non-small businesses that operate as motor carriers because it likely will not lead to direct expenditures from tax or fee changes for non-small businesses.												
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>												
The Division does not believe this proposed rule change will impact persons other than small businesses, non-small businesses, state, or local government entities because it likely will not lead to direct expenditures from tax or fee changes.												
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>												
There are no compliance costs for affected persons attributable to this proposed rule change because it likely will not lead to direct expenditures from tax or fee changes.												
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>												
<b>Regulatory Impact Table</b>												
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>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> </tbody> </table>	Fiscal Cost	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0
Fiscal Cost	FY2024	FY2025	FY2026									
State Government	\$0	\$0	\$0									
Local Governments	\$0	\$0	\$0									

NOTICES OF PROPOSED RULES

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Transportation, Carlos M. Braceras, PE, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 72-9-103	Section 72-9-301	

**Incorporations by Reference Information**

<b>7. Incorporations by Reference:</b>	
<b>A) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	49 CFR Parts 350--384; 385.4; 387--399 (exc. 391.11(b)(1) and 391.49); and 40
<b>Publisher</b>	The Federal Register
<b>Issue Date</b>	June 22, 2023

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	01/31/2024

<b>9. This rule change MAY become effective on:</b>	02/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Carlos M. Braceras, PE, Executive Director	<b>Date:</b>	11/20/2023
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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](http://adminrules.utah.gov). The rule text may also be inspected at the agency or the Office of Administrative Rules. **REVIEWS** are effective upon filing.

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

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

<b>Rule Number:</b>	R156-80a	<b>Filing ID:</b> 50312
<b>Effective Date:</b>	12/04/2023	

### Agency Information

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Professional Licensing	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Larry Marx	801-530-6628	lmarx@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

### General Information

<b>2. Rule catchline:</b>	R156-80a. Medical Language Interpreter Act Rule
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	Title 58, Chapter 80a, provides for the certification and regulation of medical language interpreters.

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

This rule was enacted to clarify the provisions of Title 58, Chapter 80a, with respect to medical language interpreters.

### 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 January 2019, the Division has received no written comments with respect 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:

This rule is necessary as it provides a mechanism to inform potential certificate holders of the requirements for certification as allowed under statutory authority provided in Title 58, Chapter 80a. This rule is also necessary as it provides information to ensure applicants for certification are adequately trained and meet minimum certification requirements, and provides certificate holders with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession. Therefore, this rule should be continued.

### Agency Authorization Information

<b>Agency head or designee and title:</b>	Mark B. Steinagel, Division Director	<b>Date:</b>	11/14/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R527-275	Filing ID: 55565
Effective Date:	12/12/2023	

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Recovery Services	
<b>Building:</b>	TSOB	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 45033	
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0033	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jodi Witte	801-471-7417	jwitte@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Jonah Shaw	385-310-2389	jonahshaw@utah.gov
Jordan Miera	801-538-4171	jmiera@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R527-275. Passport Release
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Sections 26B-9-102 and 26B-9-108 give the Office of Recovery Services (ORS) the authority to adopt, amend, and enforce rules necessary to carry out its responsibilities under state law.
Federal Regulations at 22 CFR 51.60 provide detailed procedures for ORS to release a passport after it has been denied for failure to pay child support. This criteria has been adopted by ORS and incorporated by reference into this rule.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>

There have been no comments received since the last five-year review of this rule.

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

The clarifications and procedures provided in this rule continue to be necessary for the appropriate implementation of federal regulations, which are still in effect and do not appear in state statute. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	12/11/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R746-450	Filing ID: 51980
Effective Date:	12/14/2023	

**Agency Information**

<b>1. Department:</b>	Public Service Commission	
<b>Agency:</b>	Administration	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S, 4th Floor	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 4558	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4558	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Mike Hammer	801-530-6729	michaelhammer@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R746-450. Procedural and Informational Requirements for Solar Resource Solicitations and Acquisitions
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 54-17-807 exempts certain solar generation facilities from competitive solicitation and selection requirements that are otherwise applicable under the

Energy Resource Procurement Act, see, e.g., Sections 54-17-201 and 54-17-302. These exemptions exist to facilitate certain customers exercising their right, under Section 54-17-802, to enter a contract with their utility whereby a customer may select renewable energy facilities and enter a contract with the utility to purchase electricity from the selected facilities for the purpose of supplying it to the customer.

Section 54-17-807 requires the utility to file an application to acquire such resources on a customer's behalf and it mandates a process the Public Service Commission (PSC) must undertake to evaluate and approve the applications. Subsection 54-17-807(11) provides that the PSC "shall adopt rules" addressing the filing and contents of such applications, establishing the solicitation process and criteria used to identify competitive market prices and to select an energy resource, and addressing other factors the PSC determines to be relevant to implement Section 54-17-807.

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

The PSC has received no written comments from any interested person supporting or opposing this rule since the last five-year review.

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

The rule is required by law. Specifically, Subsection 54-17-807(11), which requires the PSC to adopt rules to implement the section. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Thad LeVar, PSC Chair	<b>Date:</b>	12/14/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R765-615</b>	<b>Filing ID:</b>	<b>53430</b>
<b>Effective Date:</b>	<b>12/15/2023</b>		

**Agency Information**

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

<b>Street address:</b>	60 S 400 W
<b>City, state and zip:</b>	Salt Lake City, UT 84101

**Contact persons:**

<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu

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

**General Information**

**2. Rule catchline:**

R765-615. Talent Development Incentive Loan 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:**

Section 53B-10-205 requires the Utah Board of Higher Education (Board) to make a rule relating to the administration of the Talent Development Incentive Loan 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:**

No written comments have been received to summarize.

**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 justified because the Talent Development Incentive Loan Program continues to be in effect and Section 53B-10-205 requires the Board to have this rule to administer the program. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Assistant Attorney General and Designee	<b>Date:</b>	12/15/2023
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**End of the Five-Year Notices of Review and Statements of Continuation Section**



## NOTICES OF FIVE-YEAR EXPIRATIONS

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

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

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

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

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NOTICE OF EXPIRED RULE		
Utah Admin. Code Ref (R no.):	R651-636	ID No. 51675

#### Agency Information

1. Department:	Natural Resources	
Agency:	State Parks	
Street address:	1594 W North Temple	
City, state, and zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

#### General Information

2. Title of rule (catchline):	R651-636. Procedures for Application to Receive Funds From the Zion National Park Restricted Account	
3. Effective Date:	12/20/2023	
4. Summary:	<p>The five-year review and notice of continuation was not filed for this rule by the deadline. This rule has expired and will be removed from the Utah Administrative Code.</p> <p>This program had been moved from the Division of State Parks to the Division of Outdoor Recreation (DOR). DOR became a new agency on 07/01/2022. This rule is now R650-101 under DOR.</p> <p>(EDITOR'S NOTE: The new Rule R650-101 was published in the July 15, 2023, issue of the Bulletin under ID 55500 and was made effective 08/23/2023.)</p>	

**End of the Notices of Notices of Five-Year Expirations Section**





## NOTICES OF RULE EFFECTIVE DATES

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

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

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

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### Alcoholic Beverage Services

#### Administration

No. 55828 (Amendment) R82-1: General  
Published: 11/01/2023  
Effective: 12/22/2023

No. 55830 (Amendment) R82-2: Administration  
Published: 11/01/2023  
Effective: 12/22/2023

No. 55835 (Amendment) R82-3: Disciplinary Actions and Enforcement  
Published: 11/01/2023  
Effective: 12/22/2023

No. 55836 (Amendment) R82-6: Specific Retail Provisions  
Published: 11/01/2023  
Effective: 12/22/2023

No. 55837 (Amendment) R82-9: Event Permits  
Published: 11/01/2023  
Effective: 12/22/2023

### Commerce

#### Consumer Protection

No. 55843 (Amendment) R152-21: Credit Services Organizations Act Rule  
Published: 11/01/2023  
Effective: 12/08/2023

No. 56105 (Repeal and Reenact) R152-34: Utah Postsecondary Proprietary School Act Rule  
Published: 11/15/2023  
Effective: 01/01/2024

No. 56118 (Repeal) R152-34a: Utah Postsecondary School State Authorization Act Rule  
Published: 11/15/2023  
Effective: 01/01/2024

#### Corporations and Commercial Code

No. 56130 (New Rule) R154-3: Decentralized Autonomous Organization Act Rule  
Published: 11/15/2023  
Effective: 01/01/2024

#### Professional Licensing

No. 55904 (Amendment) R156-31b: Nurse Practice Act Rule  
Published: 11/15/2023  
Effective: 12/28/2023

No. 55847 (Amendment) R156-46a: Hearing Instrument Specialist Licensing Act Rule  
Published: 11/01/2023  
Effective: 12/11/2023

No. 56068 (Amendment) R156-47b: Massage Therapy Practice Act Rule  
Published: 11/15/2023  
Effective: 12/28/2023

No. 55846 (Amendment) R156-69: Dentist and Dental Hygienist Practice Act Rule  
Published: 11/01/2023  
Effective: 12/11/2023

### Crime Victim Reparations

#### Administration

No. 55794 (Amendment) R270-1: Relocation, Funeral and MH payment updates  
Published: 11/01/2023  
Effective: 12/08/2023

NOTICES OF RULE EFFECTIVE DATES

Cultural and Community Engagement

History

No. 56025 (New Rule) R455-18: Policy for Deaccessioning of Artifacts and Documentary Materials for Education and Cultural Use  
Published: 11/15/2023  
Effective: 12/27/2023

Education

Administration

No. 55852 (Amendment) R277-113: LEA Fiscal and Auditing Policies  
Published: 11/01/2023  
Effective: 12/11/2023

No. 55853 (Amendment) R277-326: Early Learning  
Published: 11/01/2023  
Effective: 12/11/2023

No. 55854 (Amendment) R277-495: Electronic Devices in Public Schools  
Published: 11/01/2023  
Effective: 12/11/2023

No. 55855 (Amendment) R277-553: Charter School Oversight, Monitoring and Appeals  
Published: 11/01/2023  
Effective: 12/11/2023

No. 55856 (Amendment) R277-604: Private School, Home School, and Bureau of Indian Education (BIE) Student Participation in Public School Achievement Tests  
Published: 11/01/2023  
Effective: 12/11/2023

Government Operations

Finance

No. 55718 (Amendment) R25-5: Payment of Meeting Compensation (Per Diem) to Boards  
Published: 10/15/2023  
Effective: 12/06/2023

Governor

Criminal and Juvenile Justice (State Commission on)  
No. 56026 (New Rule) R356-7: Appointing a Designee, Representative, or Proxy  
Published: 11/15/2023  
Effective: 12/23/2023

Economic Opportunity

No. 55838 (Amendment) R357-29: Rural County Grant Rule  
Published: 10/15/2023  
Effective: 11/29/2023

No. 55839 (New Rule) R357-46: Rural Communities Opportunity Grant Rule  
Published: 10/15/2023  
Effective: 11/29/2023

Health and Human Services

Administration

No. 55818 (New Rule) R380-600: Licensing General Provisions - Enforcement  
Published: 10/15/2023  
Effective: 12/19/2023

Center for Medical Cannabis

No. 55868 (Amendment) R383-1: Definitions  
Published: 11/15/2023  
Effective: 01/01/2024

No. 55869 (Amendment) R383-2: Electronic Verification System and Inventory Control System  
Published: 11/15/2023  
Effective: 01/01/2024

No. 55870 (Amendment) R383-4: Qualified Medical Providers  
Published: 11/15/2023  
Effective: 01/01/2024

No. 55871 (Amendment) R383-5: Dosing Guidelines  
Published: 11/15/2023  
Effective: 01/01/2024

No. 55872 (Repeal) R383-7: Medical Cannabis Pharmacy  
Published: 11/15/2023  
Effective: 01/01/2024

No. 55873 (Repeal) R383-8: Medical Cannabis Pharmacy Agent  
Published: 11/15/2023  
Effective: 01/01/2024

No. 55874 (Repeal) R383-9: Home Delivery and Courier  
Published: 11/15/2023  
Effective: 01/01/2024

No. 55875 (Repeal) R383-14: Administrative Penalties  
Published: 11/15/2023  
Effective: 01/01/2024

Family Health, Children with Special Health Care Needs

No. 55696 (Amendment) R398-2: Newborn Hearing Screening: Early Hearing Detection and Intervention (EHDI) Program  
Published: 09/15/2023  
Effective: 12/19/2023

No. 55801 (Repeal) R398-3: Children's Hearing Aid Program  
Published: 10/15/2023  
Effective: 12/20/2023

No. 55685 (Amendment) R398-5: Birth Defects and Critical Congenital Heart Disease Reporting  
Published: 09/15/2023  
Effective: 12/19/2023

No. 55680 (Repeal) R398-20: Early Intervention  
 Published: 09/15/2023  
 Effective: 12/19/2023

Family Health, Early Childhood

No. 55688 (New Rule) R402-1: Early Intervention  
 Published: 09/15/2023  
 Effective: 12/19/2023

No. 55859 (New Rule) R402-2: Early Childhood Utah  
 Advisory Council Membership, Duties and Procedures  
 Published: 11/01/2023  
 Effective: 12/28/2023

Family Health, WIC Services

No. 55962 (Amendment) R406-100: Special Supplemental  
 Nutrition Program for Women, Infants and Children  
 Published: 11/15/2023  
 Effective: 12/22/2023

Integrated Healthcare

No. 56054 (Amendment) R414-401: Nursing Care Facility  
 Assessment  
 Published: 11/15/2023  
 Effective: 01/01/2024

No. 56029 (Repeal and Reenact) R414-510: Intermediate  
 Care Facility for Persons with Intellectual Disabilities  
 Transition Program and Education  
 Published: 11/15/2023  
 Effective: 01/01/2024

Residential Child Care Licensing

No. 55617 (Amendment) R430-8: Exemptions from Child  
 Care Licensing  
 Published: 09/01/2023  
 Effective: 12/12/2023

Health Care Facility Licensing

No. 55819 (Amendment) R432-1: General Health Care  
 Facility Rules  
 Published: 10/15/2023  
 Effective: 12/28/2023

No. 55816 (Repeal) R432-2: General Licensing Provisions  
 Published: 10/15/2023  
 Effective: 12/12/2023

No. 55817 (Repeal) R432-3: General Health Care Facility  
 Rules Inspection and Enforcement  
 Published: 10/15/2023  
 Effective: 12/12/2023

No. 55595 (Amendment) R432-150: Nursing Care Facility  
 Published: 09/01/2023  
 Effective: 12/12/2023

No. 55595 (Change in Proposed Rule) R432-150: Nursing  
 Care Facility  
 Published: 10/15/2023  
 Effective: 12/12/2023

No. 55687 (Repeal and Reenact) R432-152: Intermediate  
 Care Facility for Individuals with Intellectual Disabilities  
 Published: 09/15/2023  
 Effective: 12/19/2023

Family Health, Maternal and Child Health

No. 55860 (Repeal) R433-2: Early Childhood Utah  
 Advisory Council Membership, Duties and Procedures  
 Published: 11/01/2023  
 Effective: 12/28/2023

Administration (Human Services)

No. 55683 (Repeal) R495-882: Termination of Parental  
 Rights  
 Published: 09/15/2023  
 Effective: 12/15/2023

No. 55681 (Repeal) R495-883: Children in Care Support  
 Services  
 Published: 09/15/2023  
 Effective: 12/19/2023

No. 55677 (Repeal) R495-884: Kinship Locate  
 Published: 09/15/2023  
 Effective: 12/19/2023

No. 55663 (Repeal) R495-885: Employee Background  
 Screenings  
 Published: 10/15/2023  
 Effective: 12/28/2023

Human Services Program Licensing

No. 55820 (Repeal and Reenact) R501-1: General  
 Provisions for Licensing  
 Published: 10/15/2023  
 Effective: 12/19/2023

No. 55611 (Amendment) R501-20: Day Treatment  
 Programs  
 Published: 09/01/2023  
 Effective: 12/19/2023

Child and Family Services

No. 56038 (Amendment) R512-80: Definitions of Abuse,  
 Neglect, and Dependency  
 Published: 11/15/2023  
 Effective: 12/28/2023

No. 55987 (Amendment) R512-202: Child Protective  
 Services, General Allegation Categories  
 Published: 11/15/2023  
 Effective: 12/28/2023

No. 55989 (Amendment) R512-306: Out-of-Home  
 Services, Transition to Adult Living Services, Education and  
 Training Voucher Program  
 Published: 11/15/2023  
 Effective: 12/28/2023

NOTICES OF RULE EFFECTIVE DATES

No. 55988 (Amendment) R512-308: Out-of-Home Services, Guardianship Services and Placements  
Published: 11/15/2023  
Effective: 12/28/2023

Insurance

Administration

No. 55861 (Amendment) R590-230: Suitability in Annuity Transactions  
Published: 11/01/2023  
Effective: 12/08/2023

No. 56020 (Repeal and Reenact) R590-238: Captive Insurance Companies  
Published: 11/15/2023  
Effective: 12/22/2023

No. 55862 (Amendment) R590-267: Personal Injury Protection Relative Value Study Rule  
Published: 11/15/2023  
Effective: 01/01/2024

Labor Commission

Industrial Accidents

No. 56016 (Amendment) R612-200-6: Burial Expenses  
Published: 11/15/2023  
Effective: 12/27/2023

No. 56019 (Amendment) R612-300-4: General Method For Computing Medical Fees  
Published: 11/15/2023  
Effective: 12/27/2023

No. 56017 (Amendment) R612-400-5: Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund  
Published: 11/15/2023  
Effective: 12/27/2023

Natural Resources

Water Rights

No. 55705 (Repeal and Reenact) R655-5: Maps Submitted to the Division of Water Rights  
Published: 09/15/2023  
Effective: 12/14/2023

Tax Commission

Property Tax

No. 55866 (Amendment) R884-24P-53: 2023 Guides for Valuation of Land Subject to the Farmland Assessment Act Pursuant to Utah Code Ann. Section 59-2-515  
Published: 11/15/2023  
Effective: 12/22/2023

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