

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed January 17, 2024, 12:00 a.m. through February 01, 2024, 11:59 p.m.

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Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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# EDITOR'S NOTES

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## Publication Error for Filings on Rules R35-1 and R35-2

It has come to the Office of Administrative Rules' (OAR) attention that there was a publication error on the filings for Rules R35-1 and R35-2 that were printed in the December 15, 2023, Bulletin.

There was some confusion in the process for correcting these filings and they both were printed with ID 56201 as their identifiers. ID 56201 refers to a different filing.

Rule R35-1's ID number is 55850 and Rule R35-2's ID number is 55851. These are their assigned numbers in OAR's filing system. These numbers also appear on the Notice of Effective Dates for these rules that appear at the end of this issue, February 15, 2024, of the Bulletin. They were both made effective on 01/29/2024.

Any questions on this issue should be directed to [rulesonline@utah.gov](mailto:rulesonline@utah.gov).

**End of the Editor's Notes Section**



## 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 January 17, 2024, 12:00 a.m., and February 01, 2024, 11:59 p.m. are included in this, the February 15, 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 March 18, 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 June 14, 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: New		
Rule or Section Number:	R317-16	Filing ID: 56312

**Agency Information**

<b>1. Department:</b>	Environmental Quality	
<b>Agency:</b>	Water Quality	
<b>Building:</b>	Multi Agency State Office Building	
<b>Street address:</b>	195 N 1950 W, DEQ 3rd Floor	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144870	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4870	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jim Harris	801-541-3069	jamesharris@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>
R317-16. Great Salt Lake Mineral Extraction Facility Operator Certification Approval
<b>3. Purpose of the new rule or reason for the change:</b>
Subsection 65A-6-4(6)(b) requires certain entities seeking a royalty agreement permitting the extraction of Great Salt Lake (GSL) elements or minerals to certify before operation begins that the operator is not negatively impacting the biota or chemistry of GSL, and obtain the approval of the Department of Environmental Quality that the certification supports the operator's finding.  Existing state rules do not establish a process to meet this requirement; therefore, this new rule is being proposed to address an application procedure for a distinctly new mineral extraction sector on GSL.
<b>4. Summary of the new rule or change:</b>
This new rule establishes the process of operator certification application and approval by the Utah Division of Water Quality (DWQ) as required by Subsection 65A-6-4(6)(b) for certain entities obtaining a royalty agreement permitting the extraction of GSL elements or minerals.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
As Rule R317-16 is a new rule and requires novel water quality certification review and approval, it is difficult to estimate the staff hours required to perform this work.  However, based on similar water quality certifications from other programs and the expanded elements proposed for this certification review, it is expected that a certification review will require billable hours for multiple expert staff (scientists, biologist, geologist, program manager and director).  Since this review may occur twice in one fiscal year (provisions require review during a "Feasibility Assessment" and "Operator Certification" phases separated by up to 9 months), DWQ estimates approximately 300 hours of staff time per fiscal year. This will be billed to the operator at a rate of \$125/hr, for an estimated total of \$37,500 per certification, and will not have a fiscal impact on DWQ's budget.  While the number and timing of potential certifications is currently unknown, given this is a new sector of extraction mining, our involvement with existing facilities that are capable and interested in new operations, DWQ estimates receiving approximately three applications and have distributed those over the three years in the table below.
<b>B) Local governments:</b>
No local governments are constrained parties or will incur direct or indirect costs or benefits from this rule change.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
Costs or savings for small business are inestimable because the number of small businesses that will apply for certification approval is unknown and DWQ estimates that most operations will fall within the non-small business category. In the event that a small business applies for a certification, estimates below will apply.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
Based on experience within the sector of mineral extraction on GSL, nearly all of the potential operators who will be impacted by this new rule will fall under this category.  As noted in the estimations provided under the State Budget section, the actual cost of staff review and approval of certifications will be billed directly to the operator for reimbursement and are reflected in the table below.



There is likely a significant cost to businesses in developing the supporting information, monitoring, and research and development of technologies to ensure compliance which is inestimable and not included in this analysis. The reason these elements are inestimable is due primarily to the fact that entities likely affected by this rule belong to a new sector of business that rely on technologies whose scope of operations and water quality treatment process are not yet fully known to DWQ.

As each operation is likely to vary considerably (and the nature of those operations is currently unknown at this time) any estimation of the impact in compliance would not be meaningful nor defensible.

**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**):

Costs or savings for other persons are inestimable because the number of other persons that will apply for certification approval is unknown (see above for cost estimates).

However, persons other than small businesses, non-small businesses, state, or local government entities are unlikely to be constrained parties under this rule.

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

Compliance costs for affected persons are inestimable because approaches to meeting this rule will be applicant specific and determined by the applicant.

However, it is unlikely that other persons other than non-small businesses are likely to be affected by 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.)

<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	\$37,500	\$37,500	\$37,500
Other Persons	\$0	\$0	\$0

<b>Total Fiscal Cost</b>	<b>\$37,500</b>	<b>\$37,500</b>	<b>\$37,500</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$37,500	\$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>\$37,500</b>	<b>\$37,500</b>	<b>\$37,500</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

The Executive Director of the Department of Environmental Quality, Kim Shelley, 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 65A-6-4(6)(b)		
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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>	03/18/2024
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**9. This rule change MAY become effective on:** 03/25/2024

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>	John K. Mackey, Director DWQ	<b>Date:</b>	01/31/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R671-201	Filing ID: 56298

**Agency Information**

<b>1. Department:</b>	Pardons (Board of)	
<b>Agency:</b>	Administration	
<b>Street address:</b>	448 E Winchester St. #300	
<b>City, state and zip:</b>	Murray, UT 84107	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda Montague	801-440-0545	amontague@agutah.gov
Jennifer Yim	801-261-6464	jmyim@utah.gov
Zarah Borja	385-910-3215	zborja@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

**General Information**

<b>2. Rule or section catchline:</b>
R671-201. Original Hearing Schedule and Notice
<b>3. Purpose of the new rule or reason for the change:</b>
This rule amendment is proposed in response to an ongoing effort by the Board of Pardons and Parole (Board) to update its administrative rules to ensure consistency with current statutory provisions, address concerns raised in its 2022 legislative audit, and fulfill goals outlined in its latest strategic plan.
<b>4. Summary of the new rule or change:</b>
This rule amendment requires the Board to conduct an administrative review within six months of commitment to prison in order to set an original hearing. It replaces a schedule of original hearings based on offense type.
It also set standards for handling the original hearings for those who are under 18 at the time of the commitment offense.

**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 on state budgets, as this rule only affects the timing of hearings. The changes will result in no different expenses.																				
<b>B) Local governments:</b>																				
This rule change is not anticipated to have any fiscal impact on local governments because it does not affect local government.																				
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>																				
This rule change is not anticipated to have a fiscal impact on small business because it does not affect small business.																				
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>																				
The proposed rule change does not have an effect on non-small businesses because non-small businesses are not an affected party to this rule.																				
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>																				
This amendment does not affect other persons because they are not impacted by this rule.																				
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>																				
There are no compliance costs for affected persons because it does not affect the following parties: state and local government, small and non-small businesses and other persons as described in Box 5E above.																				
<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> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table>	Fiscal Cost	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0
Fiscal Cost	FY2024	FY2025	FY2026																	
State Government	\$0	\$0	\$0																	
Local Governments	\$0	\$0	\$0																	
Small Businesses	\$0	\$0	\$0																	
Non-Small Businesses	\$0	\$0	\$0																	

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 Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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:**

Article VIII, Section 12	Section 77-27-5	Section 77-27-7
Section 77-27-9		

**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	03/18/2024	
<b>B) A public hearing (optional) will be held:</b>		
<b>Date:</b>	<b>Time:</b>	<b>Place (physical address or URL):</b>
03/13/2024	3:00 PM	448 E Winchester St. #300, Murray, UT
<b>9. This rule change MAY become effective on:</b>		03/25/2024

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>	J. Scott Stephenson, Chair	<b>Date:</b>	01/26/2024
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R671-312A</b>	<b>Filing ID:</b> <b>56299</b>

**Agency Information**

<b>1. Department:</b>	Pardons (Board of)	
<b>Agency:</b>	Administration	
<b>Street address:</b>	448 E Winchester St. #300	
<b>City, state and zip:</b>	Murray, UT 84107	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda Montague	801-440-0545	amontague@agutah.gov
Jennifer Yim	801-261-6464	jmyim@utah.gov
Zarah Borja	385-910-3215	zborja@agutah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R671-312A. Commutation Procedures Applicable to Persons Sentence to Death Before April 26, 1992
<b>3. Purpose of the new rule or reason for the change:</b>
This rule amendment is proposed in response to an ongoing effort by the Board of Pardons and Parole (Board) to update its administrative rules to ensure consistency with current statutory provisions, address concerns raised in its 2022 legislative audit, and fulfill goals outlined in its latest strategic plan.
<b>4. Summary of the new rule or change:</b>
Minor updates and clarifications, including rule citation and clerical corrections.

**Fiscal Information**

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

**A) State budget:**

There is no anticipated impact on state budgets, as this rule is clerical in nature.

The changes will result in no budgetary impact.

**B) Local governments:**

This rule change is not anticipated to have any fiscal impact on local governments because it does not affect local government.

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

This rule change is not anticipated to have a fiscal impact on small business because it does not affect small business.

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

The proposed rule change does not have an effect on non-small businesses because non-small businesses are not an affected party to this rule.

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

This amendment does not affect other persons because they are not impacted by this rule.

**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 because it does not affect the following parties: state and local government, small and non-small businesses and other persons as described in Box 5E above.

**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 Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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:**

Article VII, Section 12	Section 77-19-8	Section 77-27-2
Section 77-27-4	Section 77-27-5	Section 77-27-5.5
Section 77-27-8	Section 77-27-9	Section 77-27-9.5

**Public Notice Information**

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

**A) Comments will be accepted until:** 03/18/2024

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

Date:	Time:	Place (physical address or URL):
03/13/2024	3:00 PM	448 E Winchester St. #300, Murray, UT

<b>9. This rule change MAY become effective on:</b>	03/25/2024
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>	J. Scott Stephenson, Chair	<b>Date:</b>	01/26/2024
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R671-312B</b>	<b>Filing ID:</b> <b>56300</b>

**Agency Information**

<b>1. Department:</b>	Pardons (Board of)	
<b>Agency:</b>	Administration	
<b>Street address:</b>	448 E Winchester St. #300	
<b>City, state and zip:</b>	Murray, UT 84107	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda Montague	801-440-0545	amontague@agutah.gov
Jennifer Yim	801-261-6464	jmyim@utah.gov
Zarah Borja	385-910-3215	zborja@agutah.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>
R671-312B. Commutation Procedures Applicable to Persons Sentenced to Death After April 26, 1992
<b>3. Purpose of the new rule or reason for the change:</b>
This rule amendment is proposed in response to an ongoing effort by the Board of Pardons and Parole (Board) to update its administrative rules to ensure consistency with current statutory provisions, address concerns raised in its 2022 legislative audit, and fulfill goals outlined in its latest strategic plan.
<b>4. Summary of the new rule or change:</b>
Minor updates and clarifications, including rule citation and clerical corrections.

**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 on state budgets, as this rule is clerical in nature.			
The changes will result in no budgetary impact.			
<b>B) Local governments:</b>			
This rule change is not anticipated to have any fiscal impact on local governments because it does not affect local government.			
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>			
This rule change is not anticipated to have a fiscal impact on small businesses because it does not affect small businesses.			
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>			
The proposed rule change does not have an effect on non-small businesses because non-small businesses are not an affected party to this rule.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>			
This amendment does not affect other persons because they are not impacted by this rule.			
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>			
There are no compliance costs for affected persons because it does not affect the following parties: state and local government, small and non-small businesses and other persons as described in Box 5E above.			
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

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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 Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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:**

Article VII, Section 12	Section 77-19-8	Section 77-27-2
Section 77-27-4	Section 77-27-5	Section 77-27-5.5
Section 77-27-8	Section 77-27-9	Section 77-27-9.5

**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>		03/18/2024
<b>B) A public hearing (optional) will be held:</b>		
<b>Date:</b>	<b>Time:</b>	<b>Place (physical address or URL):</b>
03/13/2024	3:00 PM	448 E Winchester St. #300, Murray, UT

<b>9. This rule change MAY become effective on:</b>	03/25/2024
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>	J. Scott Stephenson, Chair	<b>Date:</b>	01/26/2024
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R671-313</b>	<b>Filing ID:</b> <b>56301</b>

**Agency Information**

<b>1. Department:</b>	Pardons (Board of)	
<b>Agency:</b>	Administration	
<b>Street address:</b>	448 E Winchester St. #300	
<b>City, state and zip:</b>	Murray, UT 84107	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda Montague	801-440-0545	amontague@agutah.gov
Jennifer Yim	801-261-6464	jmyim@utah.gov
Zarah Borja	385-910-3215	zborja@agutah.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>
R671-313. Commutation Hearings (Non-Death Penalty Cases)
<b>3. Purpose of the new rule or reason for the change:</b>
This rule amendment is proposed in response to an ongoing effort by the Board of Pardons and Parole (Board) to update its administrative rules to ensure consistency with current statutory provisions, address concerns raised in its 2022 legislative audit, and fulfill goals outlined in its latest strategic plan.
<b>4. Summary of the new rule or change:</b>
Minor updates and clarifications, including rule citation and clerical corrections.



**Fiscal Information**

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

**A) State budget:**

There is no anticipated impact on state budgets.  
The changes will result in no different expenses.

**B) Local governments:**

This rule change is not anticipated to have any fiscal impact on local governments because it does not affect local government.

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

This rule change is not anticipated to have a fiscal impact on small businesses because it does not affect small businesses.

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

The proposed rule change does not have an effect on non-small businesses because non-small businesses are not an affected party to this rule.

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

This amendment does not affect other persons because they are not impacted by this rule.

**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 because it does not affect the following parties: state and local government, small and non-small businesses and other persons as described in Box 5E above.

**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 Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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:**

Article VII, Section 12	Subsection 63G-3-201(3)	Section 77-27-1 et seq.
Section 77-27-5	Section 77-27-9	

**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	03/18/2024	
<b>B) A public hearing (optional) will be held:</b>		
<b>Date:</b>	<b>Time:</b>	<b>Place</b> (physical address or URL):
03/13/2024	3:00 PM	448 E Winchester St. #300, Murray, UT

**9. This rule change MAY become effective on:** 03/25/2024

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>	J. Scott Stephenson, Chair	<b>Date:</b>	01/26/2024
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R671-314</b>	<b>Filing ID:</b> <b>56302</b>

**Agency Information**

<b>1. Department:</b>	Pardons (Board of)	
<b>Agency:</b>	Administration	
<b>Street address:</b>	448 E Winchester St. #300	
<b>City, state and zip:</b>	Murray, UT 84107	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda Montague	801-440-0545	amontague@agutah.gov
Jennifer Yim	801-261-6464	jmyim@utah.gov
Zarah Borja	385-910-3215	zborja@agutah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R671-314. Compassionate Release
<b>3. Purpose of the new rule or reason for the change:</b>
This rule amendment is proposed in response to an ongoing effort by the Board of Pardons and Parole (Board) to update its administrative rules to ensure consistency with current statutory provisions, address concerns raised in its 2022 legislative audit, and fulfill goals outlined in its latest strategic plan.
<b>4. Summary of the new rule or change:</b>
This rule amendment makes adjustments to include the newly created Department of Health and Human Services, Clinical Health Services Division, expands the parties that may file a compassionate release request, and permits the Board to appoint a lay representative or legal counsel to assist an offender.

**Fiscal Information**

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

**A) State budget:**

Although the Board assumes the cost of appointing a lay representative or legal counsel to assist an offender, payment for this service occurs through a fixed cost contract and the number of hearings is expected to be very small.

The other amendments only make updates and clarifications that have no fiscal impact.

Thus, there is no expected fiscal impact from this rule amendment.

**B) Local governments:**

This rule change is not anticipated to have any fiscal impact on local governments because it does not affect local government.

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

This rule change is not anticipated to have a fiscal impact on small businesses because it does not affect small businesses.

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

The proposed rule change does not have an effect on non-small businesses because non-small businesses are not an affected party to this rule.

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

This amendment does not affect other persons because they are not impacted by this rule.

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

As stated above, while there may be a de minimis cost to appoint a representative, the nature and frequency of the appointment will result in no compliance costs to state government.

There are no compliance costs for affected persons because it does not affect the following parties: local government, small and non-small businesses and other persons as described in Box 5E above.

**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 Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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:**

Article VII, Section 12	Subsection 63G-3-201(3)	Section 77-27-5
Section 77-27-7	Section 77-27-9	

**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	03/18/2024	
<b>B) A public hearing (optional) will be held:</b>		
<b>Date:</b>	<b>Time:</b>	<b>Place (physical address or URL):</b>
03/13/2024	3:00 PM	448 E Winchester St. #300, Murray, UT

**9. This rule change MAY become effective on:** 03/25/2024  
 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>	J. Scott Stephenson, Chair	<b>Date:</b>	01/26/2024
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R671-509</b>	<b>Filing ID:</b> 56303

**Agency Information**

<b>1. Department:</b>	Pardons (Board of)	
<b>Agency:</b>	Administration	
<b>Street address:</b>	448 E Winchester St. #300	
<b>City, state and zip:</b>	Murray, UT 84107	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda Montague	801-440-0545	amontague@agutah.gov
Jennifer Yim	801-261-6464	jmyim@utah.gov
Zarah Borja	385910-3215	zborja@agutah.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>
R671-509. Parole Progress / Violation Reports
<b>3. Purpose of the new rule or reason for the change:</b>
This rule amendment is proposed in response to an ongoing effort by the Board of Pardons and Parole (Board) to update its administrative rules to ensure consistency

with current statutory provisions, address concerns raised in its 2022 legislative audit, and fulfill goals outlined in its latest strategic plan.

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

This amendment makes minor and clerical corrections.

**Fiscal Information**

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

**A) State budget:**

There is no anticipated impact on state budgets, as these amendments are clerical in nature.

The changes will result in no different state expenses.

**B) Local governments:**

This rule change is not anticipated to have any fiscal impact on local governments because it does not affect local government.

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

This rule change is not anticipated to have a fiscal impact on small businesses because it does not affect small businesses.

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

The proposed rule change does not have an effect on non-small businesses because non-small businesses are not an affected party to this rule.

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

This amendment does not affect other persons because they are not impacted by this rule.

**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 because it does not affect the following parties: state and local government, small and non-small businesses and other persons as described in Box 5E above.

**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 Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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 77-27-11

**Public Notice Information**

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

**A) Comments will be accepted until:** 03/18/2024

<b>B) A public hearing (optional) will be held:</b>		
<b>Date:</b>	<b>Time:</b>	<b>Place</b> (physical address or URL):
03/13/2024	3:00 PM	448 E Winchester St. #300, Murray, UT

<b>9. This rule change MAY become effective on:</b>	03/25/2024
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>	J. Scott Stephenson, Chair	<b>Date:</b>	01/26/2024
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R671-510</b>	<b>Filing ID:</b> <b>56304</b>

**Agency Information**

<b>1. Department:</b>	Pardons (Board of)	
<b>Agency:</b>	Administration	
<b>Street address:</b>	448 E Winchester St. #300	
<b>City, state and zip:</b>	Murray, UT 84107	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda Montague	801-440-0545	amontague@agutah.gov
Jennifer Yim	801-261-6464	jmyim@utah.gov
Zarah Borja	385-910-3215	zborja@agutah.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>
R671-510. Evidence for Issuance of Warrants
<b>3. Purpose of the new rule or reason for the change:</b>
This rule amendment is proposed in response to an ongoing effort by the Board of Pardons and Parole (Board) to update its administrative rules to ensure consistency with current statutory provisions, address concerns raised

in its 2022 legislative audit, and fulfill goals outlined in its latest strategic plan.

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

Updates to this rule were added to ensure compliance with state and federal probable cause requirements for the issuance of warrants. Clerical clarifications and corrections were also made.

**Fiscal Information**

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

**A) State budget:**

There is no anticipated impact on state budgets.

The changes will result in no different state expenses.

**B) Local governments:**

This rule change is not anticipated to have any fiscal impact on local governments because it does not affect local government.

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

This rule change is not anticipated to have a fiscal impact on small businesses because it does not affect small businesses.

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

The proposed rule change does not have an effect on non-small businesses because non-small businesses are not an affected party to this rule.

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

This amendment does not affect other persons because they are not impacted by this rule.

**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 because it does not affect the following parties: state and local government, small and non-small businesses and other persons as described in Box 5E above.

**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

NOTICES OF PROPOSED RULES

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 Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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 77-27-11		
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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>	03/18/2024
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**B) A public hearing (optional) will be held:**

<b>Date:</b>	<b>Time:</b>	<b>Place</b> (physical address or URL):
03/13/2024	3:00 PM	448 E Winchester St. #300, Murray, UT

**9. This rule change MAY become effective on:** 03/25/2024

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>	J. Scott Stephenson, Chair	<b>Date:</b>	01/26/2024
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b>	Amendment
<b>Rule or Section Number:</b>	<b>R671-514</b>
<b>Filing ID:</b>	<b>56305</b>

**Agency Information**

<b>1. Department:</b>	Pardons (Board of)	
<b>Agency:</b>	Administration	
<b>Street address:</b>	448 E Winchester St. #300	
<b>City, state and zip:</b>	Murray, UT 84107	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda Montague	801-440-0545	amontague@agutah.gov
Jennifer Yim	801-261-6464	jmyim@utah.gov
Zarah Borja	385-910-3215	zborja@agutah.gov

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

**General Information**

**2. Rule or section catchline:**  
R671-514. Waiver and Pleas of Guilt

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

This rule amendment is proposed in response to an ongoing effort by the Board of Pardons and Parole (Board) to update its administrative rules to ensure consistency with current statutory provisions, address concerns raised

in its 2022 legislative audit, and fulfill goals outlined in its latest strategic plan.

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

This rule amendment clarifies the parole revocation process, including pleas and waivers.

**Fiscal Information**

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

**A) State budget:**

There is no anticipated impact on state budgets.

The changes will result in no different budget expenses.

**B) Local governments:**

This rule change is not anticipated to have any fiscal impact on local governments because it does not affect local government.

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

This rule change is not anticipated to have a fiscal impact on small businesses because it does not affect small businesses.

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

The proposed rule change does not have an effect on non-small businesses because non-small businesses are not an affected party to this rule.

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

This amendment does not affect other persons because they are not impacted by this rule.

**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 because it does not affect the following parties: state and local government, small and non-small businesses and other persons as described in Box 5E above.

**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 Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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 77-27-9(4)	Section 77-27-11	Section 77-13-6
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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>	03/18/2024
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NOTICES OF PROPOSED RULES

<b>B) A public hearing (optional) will be held:</b>		
<b>Date:</b>	<b>Time:</b>	<b>Place</b> (physical address or URL):
03/13/2024	3:00 PM	448 E Winchester St. #300, Murray, UT

<b>9. This rule change MAY become effective on:</b>	03/25/2024
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>	J. Scott Stephenson, Chair	<b>Date:</b>	01/26/2024
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R865-19S-33</b>	<b>Filing ID:</b> <b>56307</b>

**Agency Information**

<b>1. Department:</b>	Tax Commission	
<b>Agency:</b>	Auditing	
<b>Building:</b>	Utah State Tax Commission	
<b>Street address:</b>	210 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84134	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Chantay Asper	801-297-3901	casper@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>
R865-19S-33. Admissions and User Fees Pursuant to Utah Code Ann. Sections 59-12-102 and 59-12-103
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this filing is to clarify the meaning of the phrase "annual membership dues paid to a private organization" for purposes of the sales and use tax.
<b>4. Summary of the new rule or change:</b>
The amendment clarifies the definition of "annual membership dues paid to a private organization" for purposes of sales and use tax to include dues paid by a

member of the private organization who shares internal operational control of the organization or owns an equity interest in the organization.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This amendment is not expected to impact the state budget because it is only a clarification of the Tax Commission's longstanding interpretation of the phrase "annual membership dues paid to a private organization."
<b>B) Local governments:</b>
This amendment is not expected to impact local governments because it is only a clarification of the Tax Commission's longstanding interpretation of the phrase "annual membership dues paid to a private organization."
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This amendment is not expected to impact small businesses because it is only a clarification of the Tax Commission's longstanding interpretation of the phrase "annual membership dues paid to a private organization."
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
This amendment is not expected to impact non-small businesses because it is only a clarification of the Tax Commission's longstanding interpretation of the phrase "annual membership dues paid to a private organization."
<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 amendment is not expected to impact persons other than small businesses, non-small businesses, state, or local government entities because it is only a clarification of the Tax Commission's longstanding interpretation of the phrase "annual membership dues paid to a private organization."
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
This amendment is not expected to impose compliance costs on affected persons because it is only a clarification of the Tax Commission's longstanding interpretation of the phrase "annual membership dues paid to a private organization."



**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 Tax Commission Rebecca L. Rockwell 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 59-12-102 | Section 59-12-103 |

**Public Notice Information**

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

**A) Comments will be accepted until:** 03/18/2024

**9. This rule change MAY become effective on:** 03/25/2024

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>	Rebecca L. Rockwell, Commissioner	<b>Date:</b>	01/18/2024
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**NOTICE OF PROPOSED RULE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R986-700</b>	<b>Filing ID:</b>	<b>56310</b>
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**Agency Information**

<b>1. Department:</b>	Workforce Services	
<b>Agency:</b>	Employment Development	
<b>Building:</b>	Olene Walker Building	
<b>Street address:</b>	140 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 45244	
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Robert D. Andreasen	801-517-4722	randreasen@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
R986-700. Child Care Assistance

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

The amendment authorizes the Office of Child Care to discontinue certain grant payments to a child care provider and adjust the provider's quality rating if the provider is assessed a civil money penalty by the Utah Department of Health and Human Services, Division of Licensing and Background Checks, Child Care Licensing (CCL).

The amendment also makes technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah.

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

The amendment adds language to Section R986-700-741 and provides that a quality rating awarded to a child care provider will be reduced if the provider is assessed a civil money penalty by CCL.

The amendment also adds language to Section R986-700-742, and provides that a program will be ineligible for an Enhanced Subsidy Grant (ESG) if the program has been assessed a civil money penalty by CCL; that continued receipt of ESG payments is subject to satisfying all requirements during the grant period; and that ESG funding will be discontinued if the program is assessed a civil money penalty by CCL.

This amendment is not expected to have an impact on non-small businesses other than those which are child care providers.

This amendment impacts them by making minor adjustments to requirements to maintain a quality rating and to maintain eligibility for ESG.

Providers who have been assessed a civil money penalty by CCL will have their quality rating reduced and will be ineligible for ESG.

The Department anticipates no fiscal cost to non-small businesses other than the existing and ongoing costs of complying with the rating and eligibility requirements.

**Fiscal Information**

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

**A) State budget:**

This amendment is not expected to have any fiscal impact on state revenues or expenditures.

No additional state employees or resources are needed to oversee this rule amendment. The amendment will not increase the Department of Workforce Services' (Department) workload and can be carried out with its existing budget.

The amendment does not increase or decrease the amount of child care subsidies available.

**B) Local governments:**

This amendment is not expected to have any fiscal impact on local governments' revenues or expenditures because the program does not rely on local governments for funding, administration, or enforcement.

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

Since most child care providers are small businesses, this amendment impacts those businesses by making minor adjustments to requirements to maintain a quality rating and to maintain eligibility for ESG.

Providers who have been assessed a civil money penalty by CCL will have their quality rating reduced and will be ineligible for ESG.

The Department anticipates no fiscal cost to small businesses other than the existing and ongoing costs of complying with the rating and eligibility requirements.

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

**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 is not expected to have a fiscal impact on other persons.

The change authorizes the Office of Child Care to discontinue ESG to a provider and adjust the provider's quality rating if the provider is assessed a civil money penalty by CCL.

The Department does not anticipate that the changes will reduce or increase the number of families eligible for a subsidy.

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

There are no compliance costs for affected persons.

The amount of available child care subsidies is not changed by this rule amendment and the Department anticipates that child care providers will incur no costs beyond the existing and ongoing costs of complying with the rating and eligibility requirements.

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

Regulatory Impact Table			
Fiscal Cost	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 Executive Director of the Utah Department of Workforce Services, Casey Cameron, 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 35A-3-203	Section 35A-3-209	Section 35A-3-310
Section 35A-3-312	45 C.F.R. 98.21	

**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>	03/18/2024

<b>9. This rule change MAY become effective on:</b>	04/01/2024
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>	Casey Cameron, Executive Director	<b>Date:</b>	01/30/2024
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment			
<b>Rule or Section Number:</b>	<b>R990-200-4</b>	<b>Filing ID:</b>	<b>56283</b>

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R990-200-4. Applicant Qualifications
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule change is to authorize applicants to update or correct an application up to 15 days prior to the board meeting set to review the application.
<b>4. Summary of the new rule or change:</b>
This amendment adds a time frame for applicants to submit corrected or updated documentation for an existing application, and deletes Subsection R990-200-4(7), which prevented applicants from submitting corrections or updates after an application was filed.
Applicants may correct or update an application up to 15 days prior to the Private Activity Bond Board Meeting scheduled to consider the application. This allows greater flexibility to update applications as new information becomes available.
The amendment also makes nonsubstantive changes.

**Fiscal Information**

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

**A) State budget:**

This rule change is not expected to have any fiscal impact on state revenues or expenditures.

No additional state employees or resources will be needed to oversee this rule change.

This rule change will not increase workload and can be carried out with existing budget.

**B) Local governments:**

This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures because the program does not rely on local governments for funding, administration, or enforcement.

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

This rule change may have an indirect positive fiscal impact on small businesses because it authorizes an applicant to submit corrected or updated documentation for an existing application.

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

This rule change may have an indirect positive fiscal impact on non-small businesses because it authorizes an applicant to submit corrected or updated documentation for an existing application.

**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 does not have a fiscal impact on other persons.

This rule change requires no action or compliance by a person other than an applicant submitting an application to the Board of Review.

**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 because this rule change does not create new administrative 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 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 Utah Department of Workforce Services, Casey Cameron, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 35A-8-2104		
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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>	03/18/2024
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<b>9. This rule change MAY become effective on:</b>	03/25/2024
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>	Casey Cameron, Executive Director	<b>Date:</b>	01/09/2024
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**End of the Notices of Proposed Rules Section**



## NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends March 18, 2024.

From the end of the 30-day waiting period through June 14, 2024, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

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

NOTICE OF CHANGE IN PROPOSED RULE		
<b>Rule or Section Number:</b>	<b>R436-7</b>	<b>Filing ID: 55961</b>
<b>Date of Previous Publication:</b>	<b>11/15/2023</b>	

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Data, Systems and Evaluation, Vital Records and Statistics	
<b>Room number:</b>	140	
<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 141012	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1012	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Linda S. Wininger	801-538-6262	Lindaw@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>
R436-7. Death Registration
<b>3. Purpose of the new rule or reason for the change:</b>
In the 2022 General Session, S.B. 43 was passed, which included certified nurse midwives (CNM) in the definition of a health care professional. Included in the definition was the requirement for the CNM to complete an education program regarding the completion of a certificate of death.  This change in proposed rule explains how the required education is completed and recorded.
<b>4. Summary of the new rule or change:</b>
This change to this rule adds requirements for nurse practitioners, physician assistants, and CNMs to complete an education program regarding certifying cause of death.  It also explains how to complete the requirements found in Subsections 26B-8-101(3), (19), and (22).  (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based

was published in the November 15, 2023, issue of the Utah State Bulletin, on page 181. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget because the course is available through the CDC continuing education website for no charge.
<b>B) Local governments:</b>
This rule is not expected to have a fiscal impact on local governments' revenues or expenditures because they are not involved in this process.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule is not expected to have a fiscal impact on small businesses because the training is free and takes less than an hour to complete.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
This rule is not expected to have a fiscal impact on non-small businesses because the training is free and takes less than an hour to complete.
<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 <i>agency</i> ):
This rule is not expected to have a fiscal impact on persons other than small businesses, state, or local government entities because the training is free and takes less than an hour to complete.
<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 because the training is free and takes less than an hour to complete.

**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>
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**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-8-114	Section 26B-1-224	
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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>	03/18/2024
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<b>9. This rule change MAY become effective on:</b>	03/25/2024
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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>	02/01/2024
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**End of the Notices of Changes in Proposed Rules Section**





# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at [adminrules.utah.gov](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>	R380-70	<b>Filing ID:</b> 50882
<b>Effective Date:</b>	01/22/2024	

### Agency Information

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Administration	
<b>Room number:</b>	104	
<b>Building:</b>	Martha Hughes Cannon 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>
Valli Chidambaram	801-739-4211	vchidambaram@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

### General Information

<b>2. Rule catchline:</b>	R380-70. Standards for Electronic Exchange of Clinical Health Information
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	

Subsection 26B-1-202(43) requires the Department of Health and Human Services (Department) to establish methods or measures for health care providers, public health entities, and health care insurers to coordinate among themselves to verify the identity of the individuals the providers serve.

Section 26B-8-411 requires the Department to make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to define clinical health information and health system arrangements between providers or organizations.

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

No written comments were received.

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

This rule governs electronic information exchanges between health care providers, laboratories, and third-party payers and is necessary per Subsection 26B-1-202(43) and Section 26B-8-411. 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>	01/22/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Rule Number:</b>	<b>R392-303</b>	<b>Filing ID: 55893</b>
<b>Effective Date:</b>	<b>01/22/2024</b>	

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Population Health, Environmental Health	
<b>Room number:</b>	Second Floor	
<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 142102	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-2102	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Karl Hartman	801-538-6191	khartman@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R392-303. Public Geothermal Pools and Bathing Places
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized under Sections 26B-1-202 and 26B-7-402, which requires the Department of Health and Human Services to establish and enforce, or provide for the enforcement of, minimum rules of sanitation necessary to protect the public health in public facilities including public geothermal pools and bathing places.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments were received.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule establishes minimum standards for the design, construction, operation, and maintenance of public geothermal pools and public geothermal bathing places,

as defined by this rule, and provides for the prevention and control of hazards associated with public geothermal pools and bathing places that are likely to adversely affect public health and wellness including risk factors contributing to injury, sickness, death, disability, and the spread of disease. 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>	01/22/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Rule Number:</b>	<b>R398-10</b>	<b>Filing ID: 56024</b>
<b>Effective Date:</b>	<b>01/22/2024</b>	

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Family Health, Children with Special Health Care Needs	
<b>Room number:</b>	3030	
<b>Building:</b>	Multi Agency State Office Building (MASOB)	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144610	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4610	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Colin Kingsbury	385-310-5238	ckingsbury@utah.gov
Alexis Weight	801-273-2956	abweight@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R398-10. Autism Spectrum Disorders and Intellectual Disability Reporting

<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is enacted in accordance with Subsections 26B-1-202(27) through 26B-1-202(30) and 53E-9-308(6)(b), and Sections 26B-1-229 and 26B-7-115. This rule establishes reporting requirements for autism spectrum disorder (ASD) and intellectual disability and related test results in individuals.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments were received.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is essential as it defines the stakeholder requirements that are essential for carrying out the statute. Therefore, this rule should be continued.
The Department of Health and Human Services (Department) anticipates no amendments to this rule following the recent consolidation and recodification of the Department's statute.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	01/22/2024
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R708-10</b>	<b>Filing ID:</b>	<b>51867</b>
<b>Effective Date:</b>	<b>01/17/2024</b>		

**Agency Information**

<b>1. Department:</b>	Public Safety	
<b>Agency:</b>	Driver License	
<b>Room number:</b>	Suite 2600	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 144501	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4501	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kim Gibb	801-556-8198	kgibb@utah.gov

Tara Zamora	801-964-4483	tarazamora@utah.gov
Britani Flores	801-884-8313	bflores@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R708-10. Driver License Restrictions
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized under Subsection 53-3-104(1)(a) and is necessary to identify license restrictions described under Section 53-3-208. The existing rule also cites Section 53-3-208 for authority which is not correct and will be updated in a later filing.
<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.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary to identify and define the possible license restrictions that may be placed on a driving privilege. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Christopher Caras, Division Director	<b>Date:</b>	01/17/2024
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R708-22</b>	<b>Filing ID:</b>	<b>51875</b>
<b>Effective Date:</b>	<b>01/17/2024</b>		

**Agency Information**

<b>1. Department:</b>	Public Safety
<b>Agency:</b>	Driver License
<b>Room number:</b>	Suite 2600
<b>Street address:</b>	4315 S 2700 W
<b>City, state and zip:</b>	Taylorsville, UT 84129

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

<b>Mailing address:</b>	PO Box 144501	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4501	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kim Gibb	801-556-8198	kgibb@utah.gov
Tara Zamora	801-964-4483	tarazamora@utah.gov
Britani Flores	801-884-8313	bflores@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R708-22. Commercial Driver License Administrative Proceedings
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized under Sections 63G-4-202 and 63G-4-203 and is necessary for the Driver License Division (Division) to set standards for the administrative proceedings for commercial driving privileges.
The existing rule has the authorizing statute listed Section 53-3-104 and will be updated in a later filing.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Division has not received any comments on this rule since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary for the Division to set standards for commercial driving privilege administrative proceedings. Therefore, this rule should be continued.
The Division will update this rule to indicate the proceedings are informal, and to change the authorizing statute in a later filing.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Christopher Caras, Division Director	<b>Date:</b>	01/17/2024
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R708-24</b>	<b>Filing ID:</b>	<b>51876</b>
<b>Effective Date:</b>	<b>01/17/2024</b>		

**Agency Information**

<b>1. Department:</b>	Public Safety
<b>Agency:</b>	Driver License
<b>Room number:</b>	Suite 2600
<b>Street address:</b>	4315 S 2700 W
<b>City, state and zip:</b>	Taylorsville, UT 84129
<b>Mailing address:</b>	PO Box 144501
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4501
<b>Contact persons:</b>	
<b>Name:</b>	<b>Phone:</b> <b>Email:</b>
Kim Gibb	801-556-8198 kgibb@utah.gov
Tara Zamora	801-964-4483 tarazamora@utah.gov
Britani Flores	801-884-8313 bflores@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>	

**General Information**

<b>2. Rule catchline:</b>
R708-24. Renewal of a Commercial Driver License (CDL)
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized under Section 53-1-104 and is necessary for the Driver License Division (Division) to set standards for the renewal and requirements regarding retesting for a commercial driving privilege.

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

The Division has not received any comments since the last five-year review of this rule.

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

This rule is required by statute and is necessary for the Division to establish standards for the renewal and requirements regarding testing a commercial driving privilege. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Christopher Caras, Division Director	<b>Date:</b>	01/17/2024
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R708-26</b>	<b>Filing ID:</b>	<b>54635</b>
<b>Effective Date:</b>	<b>01/17/2024</b>		

**Agency Information**

<b>1. Department:</b>	Public Safety		
<b>Agency:</b>	Driver License		
<b>Room number:</b>	Suite 2600		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state and zip:</b>	Taylorsville, UT 84129		
<b>Mailing address:</b>	PO Box 144501		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4501		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Kim Gibb	801-556-8198	kgibb@utah.gov	
Tara Zamora	801-964-4483	tarazamora@utah.gov	
Britani Flores	801-884-8313	bflores@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R708-26. Learner Permit Rule

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

This rule is authorized by Subsection 53-3-104(1)(d) which requires the Driver License Division to make rules regarding the restrictions to be imposed on an individual with a temporary learner permit or learner permit.

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

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

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

This rule is required by statute and is necessary to impose safety restrictions for those with a temporary or regular learner permit. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Christopher Caras, Division Director	<b>Date:</b>	01/17/2024
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R708-31</b>	<b>Filing ID:</b>	<b>51877</b>
<b>Effective Date:</b>	<b>01/17/2024</b>		

**Agency Information**

<b>1. Department:</b>	Public Safety		
<b>Agency:</b>	Driver License		
<b>Room number:</b>	Suite 2600		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state and zip:</b>	Taylorsville, UT 84129		
<b>Mailing address:</b>	PO Box 144501		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4501		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Kim Gibb	801-556-8198	kgibb@utah.gov	
Tara Zamora	801-964-4483	tarazamora@utah.gov	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Britani Flores	801-884-8313	bflores@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

**General Information**

<b>2. Rule catchline:</b>
R708-31. Ignition Interlock Systems
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized under Section 41-6a-518 and is necessary in order for the Driver License Division (Division) to set standards for the certification of ignition interlock systems.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Division has published proposed changes to this rule and has received public comments from six ignition interlock systems manufacturers as affected parties. The comments received asked for clarification on new provisions of the new rule, as well as offered suggestions for changes to be made to assist the manufacturers in meeting the requirements of this rule.

There was one comment that was in opposition of a singular provision of this rule which requires manufacturers to equip ignition interlock devices with cameras to aid in anti-circumvention.

**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 required by statute and is necessary for the effective certification of ignition interlock systems. Therefore, this rule should be continued.

The Division has filed a proposed rule change which has not yet been made effective. There were no comments that were in outright opposition to this rule.

(EDITOR'S NOTE: The proposed change in proposed rule (CPR) for Rule R708-31 is under ID 55755 in the February 1, 2024, issue of the Bulletin. The original proposed repeal and reenact upon which the CPR is based is also under ID 55755 in the October 15, 2023, issue of the Bulletin.)

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Christopher Caras, Division Director	<b>Date:</b>	01/17/2024
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**End of the Five-Year Notices of Review and Statements of Continuation Section**

## NOTICES OF FIVE-YEAR EXPIRATIONS

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).

NOTICE OF EXPIRED RULE		
<b>Rule Number:</b>	<b>R597-1</b>	<b>Filing ID: 52953</b>
<b>Effective Date:</b>	<b>02/06/2024</b>	

NOTICE OF EXPIRED RULE		
<b>Rule Number:</b>	<b>R597-3</b>	<b>Filing ID: 53471</b>
<b>Effective Date:</b>	<b>02/06/2024</b>	

### Agency Information

<b>1. Department:</b>	Judicial Performance Evaluation Commission	
<b>Agency:</b>	Administration	
<b>Street address:</b>	350 N State St, Suite E-330	
<b>City, state, and zip:</b>	Salt Lake City, UT 84114-6800	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

### Agency Information

<b>1. Department:</b>	Judicial Performance Evaluation Commission	
<b>Agency:</b>	Administration	
<b>Street address:</b>	350 N State St, Suite E-330	
<b>City, state, and zip:</b>	Salt Lake City, UT 84114-6800	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

### General Information

<b>2. Title of rule (catchline):</b>
R597-1. Definitions
<b>3. Summary:</b>
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.

### General Information

<b>2. Title of rule (catchline):</b>
R597-3. Judicial Performance Evaluations
<b>3. Summary:</b>
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.

NOTICES OF FIVE-YEAR EXPIRATIONS

NOTICE OF EXPIRED RULE		
<b>Rule Number:</b>	<b>R623-2</b>	<b>Filing ID: 51510</b>
<b>Effective Date:</b>	<b>01/30/2024</b>	

**Agency Information**

<b>1. Department:</b>	Lieutenant Governor	
<b>Agency:</b>	Elections	
<b>Street address:</b>	350 N State St, Suite 220	
<b>City, state, and zip:</b>	Salt Lake City. UT 84114	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

**General Information**

<b>2. Title of rule (catchline):</b>
R623-2. Uniform Ballot Counting Standards
<b>3. Summary:</b>
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.

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



## NOTICES OF RULE EFFECTIVE DATES

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

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

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

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### Agriculture and Food

Conservation Commission  
No. 56204 (New Rule) R64-5: Temporary Water Shortage  
Emergency Loan Program  
Published: 12/01/2023  
Effective: 02/05/2024

### Plant Industry

No. 56171 (Amendment) R68-29: Quality Assurance  
Testing on Cannabis  
Published: 12/01/2023  
Effective: 02/05/2024

### Commerce

Professional Licensing  
No. 56209 (Repeal) R156-60: Mental Health Professional  
Practice Act Rule  
Published: 12/15/2023  
Effective: 01/25/2024

No. 56210 (Amendment) R156-60a: Social Worker  
Licensing Act Rule  
Published: 12/15/2023  
Effective: 01/25/2024

No. 56211 (Amendment) R156-60b: Marriage and Family  
Therapist Licensing Act Rule  
Published: 12/15/2023  
Effective: 01/25/2024

No. 56216 (Amendment) R156-60c: Clinical Mental Health  
Counselor Licensing Act Rule  
Published: 12/15/2023  
Effective: 01/25/2024

No. 56217 (Amendment) R156-60d: Substance Use  
Disorder Counselor Act Rule  
Published: 12/15/2023  
Effective: 01/25/2024

### Cultural and Community Engagement

Arts and Museums, Museum Services  
No. 56237 (Repeal) R452-100: Certified Local Museum  
Designation  
Published: 12/15/2023  
Effective: 01/24/2024

### Education

Administration  
No. 56254 (New Rule) R277-126: Utah Fits All Scholarship  
Published: 01/01/2024  
Effective: 02/07/2024

No. 56255 (Amendment) R277-925: Effective Teachers in  
High Poverty Schools Incentive Program  
Published: 01/01/2024  
Effective: 02/07/2024

### Environmental Quality

Air Quality  
No. 56123 (Amendment) R307-110: General  
Requirements: State Implementation Plan  
Published: 11/15/2023  
Effective: 02/07/2024

No. 56124 (Amendment) R307-415-6g: Permits: Operating  
Permit Requirements  
Published: 11/15/2023  
Effective: 02/07/2024

Waste Management and Radiation Control, Radiation  
No. 56174 (Amendment) R313-19-13: Exemptions  
Published: 12/01/2023  
Effective: 01/16/2024

No. 56175 (Amendment) R313-21-21: General Licenses--  
Source Material  
Published: 12/01/2023  
Effective: 01/16/2024

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No. 56176 (Amendment) R313-22-55: Conditions of Specific Licenses to Initially Transfer Source Material for Use Under Section R313-21-21  
Published: 12/01/2023  
Effective: 01/16/2024

Waste Management and Radiation Control, Waste Management  
No. 56178 (Amendment) R315-124: Procedures for Decisionmaking  
Published: 12/01/2023  
Effective: 01/16/2024

No. 56180 (Amendment) R315-301: Solid Waste Authority, Definitions, and General Requirements  
Published: 12/01/2023  
Effective: 01/16/2024

No. 56181 (Amendment) R315-302: Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements  
Published: 12/01/2023  
Effective: 01/16/2024

No. 56182 (Amendment) R315-304: Industrial Solid Waste Landfill Requirements  
Published: 12/01/2023  
Effective: 01/16/2024

No. 56183 (Amendment) R315-306: Incinerator Standards  
Published: 12/01/2023  
Effective: 01/16/2024

No. 56179 (Amendment) R315-311: Permit Approval For Solid Waste Disposal, Waste Tire Storage, Energy Recovery, And Incinerator Facilities  
Published: 12/01/2023  
Effective: 01/16/2024

No. 56186 (Amendment) R315-314: Facility Standards for Piles Used for Storage and Treatment  
Published: 12/01/2023  
Effective: 01/16/2024

Government Operations

Records Committee  
No. 55850 (Amendment) R35-1: State Records Committee Appeal Hearing Procedures  
Published: 12/15/2023  
Effective: 01/29/2024

No. 55851 (Amendment) R35-2: Scheduling and Declining Hearings  
Published: 12/15/2023  
Effective: 01/29/2024

Governor

Criminal and Juvenile Justice (State Commission on)  
No. 56220 (Amendment) R356-6: Electronic Meetings  
Published: 12/15/2023  
Effective: 01/25/2024

Economic Opportunity  
No. 56228 (Amendment) R357-3: Economic Development Tax Increment Financing Rule  
Published: 12/15/2023  
Effective: 01/25/2024

No. 56205 (Amendment) R357-13: Procedures for the Administration of the Hotel Impact Mitigation Fund  
Published: 12/01/2023  
Effective: 01/25/2024

Health and Human Services

Administration  
No. 55993 (Repeal and Reenact) R380-20: Government Records Access and Management  
Published: 11/15/2023  
Effective: 02/12/2024

No. 55970 (Amendment) R380-42: Open and Public Meetings Act Electronic Meetings  
Published: 11/15/2023  
Effective: 02/12/2024

No. 56059 (Amendment) R380-50: Local Health Department Funding Allocation Formula  
Published: 12/01/2023  
Effective: 02/07/2024

No. 55994 (New Rule) R380-67: Code Blue Alert Protocols  
Published: 12/01/2023  
Effective: 01/22/2024

No. 56006 (Repeal) R380-77: Coordination of Patient Identification and Validation Services  
Published: 11/15/2023  
Effective: 02/07/2024

No. 56011 (New Rule) R380-80: Provider Code of Conduct and Client Rights  
Published: 11/15/2023  
Effective: 01/22/2024

No. 56055 (New Rule) R380-808: Fatality Review Act  
Published: 11/15/2023  
Effective: 02/07/2024

Population Health, Environmental Health  
No. 55954 (Amendment) R392-702: Cosmetology Facility Sanitation  
Published: 11/15/2023  
Effective: 01/11/2024

Family Health, Children with Special Health Care Needs  
No. 56061 (Amendment) R398-4: Cytomegalovirus Public Health Initiative  
Published: 11/15/2023  
Effective: 02/07/2024

Integrated Healthcare  
 No. 55906 (Amendment) R414-22: Administrative Sanction  
 Procedures and Regulations  
 Published: 11/15/2023  
 Effective: 01/22/2024

No. 56007 (Amendment) R414-70: Medical Supplies,  
 Durable Medical Equipment, and Prosthetic Devices  
 Published: 11/15/2023  
 Effective: 02/12/2024

No. 55964 (Amendment) R414-71: Early and Periodic  
 Screening, Diagnostic and Treatment Program  
 Published: 11/15/2023  
 Effective: 01/22/2024

No. 55966 (Amendment) R414-302: Eligibility  
 Requirements  
 Published: 11/15/2023  
 Effective: 01/22/2024

No. 55969 (Amendment) R414-307: Eligibility for Home  
 and Community-Based Services Waivers  
 Published: 11/15/2023  
 Effective: 01/22/2024

No. 55968 (Amendment) R414-508: Requirements for  
 Transfer of Bed Licenses  
 Published: 11/15/2023  
 Effective: 02/12/2024

No. 56116 (Amendment) R414-511: Medicaid Accountable  
 Care Organization Incentives to Appropriately Use  
 Emergency Room Services  
 Published: 11/15/2023  
 Effective: 02/12/2024

No. 55965 (Amendment) R414-514: Requirements for  
 Moratorium Exception  
 Published: 11/15/2023  
 Effective: 02/07/2024

Health Care Facility Licensing  
 No. 55959 (Amendment) R432-107: Specialty Hospital -  
 Cancer Treatment  
 Published: 11/15/2023  
 Effective: 01/22/2024

No. 56018 (Amendment) R432-200: Small Health Care  
 Facility - Four to Sixteen Beds  
 Published: 11/15/2023  
 Effective: 01/22/2024

Family Health, Maternal and Child Health  
 No. 55924 (Amendment) R433-200: Family Planning  
 Access Act  
 Published: 11/15/2023  
 Effective: 02/01/2024

Clinical Services, Primary Care and Rural Health  
 No. 55910 (Amendment) R434-40: Utah Health Care  
 Workforce Financial Assistance Program  
 Published: 11/15/2023  
 Effective: 01/11/2024

Disease Control and Prevention, Laboratory Services  
 No. 55952 (Repeal) R438-13: Rules for the Certification of  
 Institutions to Obtain Impounded Animals in the State of Utah  
 Published: 11/15/2023  
 Effective: 02/12/2024

Administration (Human Services)  
 No. 56056 (Repeal) R495-808: Fatality Review Act  
 Published: 11/15/2023  
 Effective: 02/07/2024

No. 56057 (Repeal) R495-810: Government Records  
 Access and Management Act  
 Published: 11/15/2023  
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No. 56214 (Repeal) R495-861: Requirements for Local  
 Discretionary Social Services Block Grant Funds  
 Published: 12/15/2023  
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No. 56010 (Repeal) R495-876: Provider Code of Conduct  
 Published: 11/15/2023  
 Effective: 01/22/2024

No. 56009 (Repeal) R495-879: Parental Support for  
 Children in Care  
 Published: 11/15/2023  
 Effective: 01/22/2024

No. 55908 (Repeal) R495-880: Adoption Assistance  
 Published: 11/15/2023  
 Effective: 01/11/2024

Human Services Program Licensing  
 No. 56048 (Amendment) R501-14: Human Service  
 Program Background Screening  
 Published: 11/15/2023  
 Effective: 01/22/2024

No. 56053 (Amendment) R501-19: Residential Treatment  
 Programs  
 Published: 11/15/2023  
 Effective: 01/22/2024

No. 55926 (Amendment) R501-21: Outpatient Treatment  
 Programs  
 Published: 11/15/2023  
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No. 55927 (Amendment) R501-22: Residential Support  
 Programs  
 Published: 11/15/2023  
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### Child and Family Services

No. 55905 (Amendment) R512-43: Adoption Assistance  
Published: 11/15/2023  
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### Recovery Services

No. 56187 (New Rule) R527-220: Parental Support for Children in Care  
Published: 12/01/2023  
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### Insurance

#### Administration

No. 56218 (Amendment) R590-171: Surplus Lines Procedures Rule  
Published: 12/15/2023  
Effective: 01/24/2024

No. 55510 (Repeal and Reenact) R590-190: Unfair Property, Liability and Title Claims Settlement Practices Rule  
Published: 07/15/2023  
Effective: 01/24/2024

No. 55510 (First Change in Proposed Rule ) R590-190: Unfair Property, Liability and Title Claims Settlement Practices Rule  
Published: 10/15/2023  
Effective: 01/24/2024

No. 55510 (Second Change in Proposed Rule) R590-190: Unfair Property, Liability and Title Claims Settlement Practices Rule  
Published: 12/15/2023  
Effective: 01/24/2024

No. 56219 (Amendment) R590-281: License Applications Submitted by Individuals Who Have a Criminal Conviction  
Published: 12/15/2023  
Effective: 01/24/2024

### Natural Resources

#### Wildlife Resources

No. 56245 (Amendment) R657-5: Harvest Reporting  
Published: 01/01/2024  
Effective: 02/07/2024

No. 56246 (Amendment) R657-38: Dedicated Hunter Program  
Published: 01/01/2024  
Effective: 02/07/2024

No. 56247 (Amendment) R657-42: Fees, Exchanges, Surrenders, Refunds and Reallocation of Wildlife Documents  
Published: 01/01/2024  
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No. 56248 (Amendment) R657-43: Landowner Permits  
Published: 01/01/2024  
Effective: 02/07/2024

No. 56249 (Amendment) R657-62: Drawing Application Procedures  
Published: 01/01/2024  
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### Transportation

#### Administration

No. 56202 (Amendment) R907-80: Sale or Exchange Involving a Large Public Transit District  
Published: 12/01/2023  
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#### Motor Carrier

No. 56223 (Amendment) R909-1: Safety Regulations for Motor Carriers  
Published: 01/01/2024  
Effective: 02/07/2024

No. 56224 (Amendment) R909-19: Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation, and Certification  
Published: 12/15/2023  
Effective: 01/23/2024

#### Operations, Maintenance

No. 56225 (Repeal and Reenact) R918-4: Using Volunteer Groups and Third-Party Contractors for the Adopt-a-Highway and Sponsor-a-Highway Litter Pickup Programs  
Published: 12/15/2023  
Effective: 01/23/2024

### Transportation Commission

#### Administration

No. 56222 (Amendment) R940-6: Prioritization of New Transportation Capacity Projects  
Published: 12/15/2023  
Effective: 01/23/2024

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