

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed March 02, 2024, 12:00 a.m. through March 15, 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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TABLE OF CONTENTS

NOTICES OF PROPOSED RULES	1
AGRICULTURE AND FOOD	
Medical Cannabis and Industrial Hemp	
R66-1. Cannabis Cultivation	2
R66-2. Cannabis Processing	3
R66-5. Medical Cannabis Pharmacy	5
R66-6. Home Delivery and Courier.....	6
R66-7. Educational Event and Educational Material Rules	8
R66-8. Academic Medical Cannabis Research	9
R66-9. Cannabis Licensing Process.....	11
R66-30. Industrial Hemp Program - Cannabinoid Product Processors.....	12
R66-31. Industrial Hemp Cannabinoid Product Testing.....	14
R66-32. Industrial Hemp Testing Laboratory	16
R66-33. Industrial Hemp Producer Registration	17
R66-34. Industrial Hemp Retailer Permit.....	19
R66-35. Cannabinoid Product Registration and Labeling	20
Plant Industry	22
R68-25. Industrial Hemp Program - Cannabinoid Product Processors.....	22
R68-26. Cannabinoid Product Registration and Labeling	24
R68-27. Cannabis Cultivation	25
R68-28. Cannabis Processing	27
R68-33. Industrial Hemp Retailer Permit.....	28
R68-34. Educational Event and Educational Material Rules	30
R68-35. Academic Medical Cannabis Research	31
R68-36. Industrial Hemp Testing Laboratory	33
R68-37. Industrial Hemp Cannabinoid Product Testing.....	34
R68-38. Cannabis Licensing Process.....	36
R68-39. Industrial Hemp Producer Registration	37
R68-40. Medical Cannabis Pharmacy	39
R68-41. Home Delivery and Courier.....	40
EDUCATION	
Administration	
R277-302. Educator Licensing Renewal	42
R277-305. School Leadership License Areas of Concentration and Programs	43

TABLE OF CONTENTS

R277-310. International Guest Teachers45

R277-472. Charter School Student Enrollment and Transfers and School
District Capacity Information47

ENVIRONMENTAL QUALITY

Drinking Water

R309-515. Facility Design and Operation: Source Development.....49

R309-540. Facility Design and Operation: Pump Stations51

R309-600. Source Protection: Drinking Water Source Protection
For Groundwater Sources.....53

HEALTH AND HUMAN SERVICES

Population Health, Environmental Epidemiology

R386-702. Communicable Disease Rule.....55

Population Health, Environmental Health

R392-100. Food Service Sanitation.....58

JUDICIAL PERFORMANCE EVALUATION COMMISSION

Administration

R597-6. Judicial Performance Evaluations.....62

NATURAL RESOURCES

Water Resources

R653-14. Capital Asset Management Plans63

NOTICES OF CHANGES IN PROPOSED RULES.....67

HEALTH AND HUMAN SERVICES

Administration

R380-70. Standards for Electronic Exchange of Clinical Health Information68

NOTICES OF 120-DAY (EMERGENCY) RULES.....71

AGRICULTURE AND FOOD

Plant industry

R68-29. Quality Assurance Testing on Cannabis71

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION73

CORRECTIONS

Administration

R251-111. Government Records Access and Management.....73

EDUCATION

Administration

R277-302. Educator Licensing Renewal74

R277-304. Teacher Preparation Programs 74

R277-305. School Leadership License Areas of Concentration
and Programs 75

R277-310. International Guest Teachers 75

R277-472. Charter School Student Enrollment and Transfers
and School District Capacity Information 76

R277-724. Criteria for Sponsors Recruiting Day Care Facilities
in the Child and Adult Care Food Program 77

INSURANCE

Administration

R590-226. Submitting Life Insurance Filings 77

R590-227. Submitting Annuity Filings 78

R590-228. Submitting Credit Life and Credit Accident and Health
Insurance Filings 78

R590-268. Small Employer Stop-Loss Insurance 79

JUDICIAL PERFORMANCE EVALUATION COMMISSION

Administration

R597-4. Justice Courts 80

NATURAL RESOURCES

Wildlife Resources

R657-62. Drawing Application Procedures 80

NOTICES OF FIVE-YEAR EXPIRATIONS 83

LIEUTENANT GOVERNOR

Administration

R622-2. Use of the Great Seal of the State of Utah 83

NOTICES OF RULE EFFECTIVE DATES 85

NOTICES OF PROPOSED RULES

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

In this publication, each **PROPOSED RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **PROPOSED RULE** including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least May 01, 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 July 30, 2024, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

The public, interest groups, and governmental agencies are invited to review and comment on **PROPOSED RULES**. *Comment may be directed to the contact person identified on the **RULE ANALYSIS** for each rule.*

PROPOSED RULES are governed by Section 63G-3-301, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5a, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R66-1	Filing ID: 56340

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R66-1. Cannabis Cultivation
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-27. However, a repeal has been filed on Rule R68-27 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-27, which is being repealed and simultaneously reenacted as Rule R66-1 under the new Title R66. (EDITOR'S NOTE: The proposed repeal of Rule R68-27 is under ID No. 56339 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:																				
This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is just being repealed to be reenacted under new Rule R66-1.																				
B) Local governments:																				
Local governments will not be impacted because they do not participate in the medical cannabis program.																				
C) Small businesses ("small business" means a business employing 1-49 persons):																				
This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.																				
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																				
This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.																				
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																				
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State Government	\$0	\$0	\$0																	
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Small Businesses	\$0	\$0	\$0																	
Non-Small Businesses	\$0	\$0	\$0																	

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
4-2-103(1)(i)		

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R66-2	Filing ID: 56365

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	801-977-2147	kwpehrson@utah.gov

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

General Information

2. Rule or section catchline:
R66-2. Cannabis Processing
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-28. However, a repeal has been filed on Rule R68-28 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-28, which is being repealed and simultaneously reenacted as Rule R66-2 under the new Title R66. (EDITOR'S NOTE: The proposed repeal of Rule R68-28 is under ID No. 56364 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:			
This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.			
It is just being repealed to be reenacted under new Rule R66-2.			
B) Local governments:			
Local governments will not be impacted because they do not participate in the medical cannabis program.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
4-2-103(1)(i)		

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/08/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R66-5	Filing ID: 56342

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R66-5. Medical Cannabis Pharmacy
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-40. However, a repeal has been filed on Rule R68-40 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-40, which is being repealed and simultaneously reenacted as Rule R66-5 under the new Title R66. (EDITOR'S NOTE: The proposed repeal of Rule R68-40 is under ID No. 56341 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:																				
This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is just being repealed to be reenacted under new Rule R66-5.																				
B) Local governments:																				
Local governments will not be impacted because they do not participate in the medical cannabis program.																				
C) Small businesses ("small business" means a business employing 1-49 persons):																				
This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.																				
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																				
This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new rule.																				
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):																				
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Fiscal Cost	FY2024	FY2025	FY2026																	
State Government	\$0	\$0	\$0																	
Local Governments	\$0	\$0	\$0																	
Small Businesses	\$0	\$0	\$0																	
Non-Small Businesses	\$0	\$0	\$0																	

NOTICES OF PROPOSED RULES

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
4-2-103(1)(i)		

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:	05/01/2024
9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R66-6	Filing ID: 56344

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov

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

General Information

2. Rule or section catchline:
R66-6. Home Delivery and Courier
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-41. However, a repeal has been filed on Rule R68-41 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-41, which is being repealed and simultaneously reenacted as Rule R66-6 under the new Title R66.
(EDITOR'S NOTE: The proposed repeal of Rule R68-41 is under ID No. 56343 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:			
This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.			
It is just being repealed to be reenacted under new Rule R66-6.			
B) Local governments:			
Local governments will not be impacted because they do not participate in the medical cannabis program.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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):			
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F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
Compliance costs are not impacted because the substance of the rule is not changing with this filing.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
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Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
4--2-103(1)(i)		

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R66-7	Filing ID: 56346

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R66-7. Educational Event and Educational Material Rules
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-34. However, a repeal has been filed on Rule R68-34 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-34, which is being repealed and simultaneously reenacted as Rule R66-7 under the new Title R66. (EDITOR'S NOTE: The proposed repeal of Rule R68-34 is under ID No. 56345 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:																				
This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is just being repealed to be reenacted under new Rule R66-7.																				
B) Local governments:																				
Local governments will not be impacted because they do not participate in the medical cannabis program.																				
C) Small businesses ("small business" means a business employing 1-49 persons):																				
This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.																				
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																				
This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.																				
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																				
Regulatory Impact Table																				
<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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
4-2-103(1)(i)		

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R66-8	Filing ID: 56348

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	Ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov

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

General Information

2. Rule or section catchline:
R66-8. Academic Medical Cannabis Research
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-35. However, a repeal has been filed on Rule R68-35 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-35, which is being repealed and simultaneously reenacted as Rule R66-8 under the new Title R66. (EDITOR'S NOTE: The proposed repeal of Rule R68-35 is under ID No. 56347 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:			
This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.			
It is just being repealed to be reenacted under new Rule R66-8.			
B) Local governments:			
Local governments will not be impacted because they do not participate in the medical cannabis program.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
4-2-103(1)		

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R66-9	Filing ID: 56350

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R66-9. Cannabis Licensing Process
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-38. However, a repeal has been filed on Rule R68-38 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-38, which is being repealed and simultaneously reenacted as Rule R66-9 under the new Title R66. (EDITOR'S NOTE: The proposed repeal of Rule R68-38 is under ID No. 56349 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:																				
This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is just being repealed to be reenacted under new Rule R66-9.																				
B) Local governments:																				
Local governments will not be impacted because they do not participate in the medical cannabis program.																				
C) Small businesses ("small business" means a business employing 1-49 persons):																				
This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.																				
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																				
This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.																				
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																				
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Fiscal Cost	FY2024	FY2025	FY2026																	
State Government	\$0	\$0	\$0																	
Local Governments	\$0	\$0	\$0																	
Small Businesses	\$0	\$0	\$0																	
Non-Small Businesses	\$0	\$0	\$0																	

NOTICES OF PROPOSED RULES

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
4-2-103(1)(i)		

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R66-30	Filing ID: 56352

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84114	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov

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

General Information

2. Rule or section catchline:
R66-30. Industrial Hemp Program - Cannabinoid Product Processors
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-25. However, a repeal has been filed on Rule R68-25 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-25, which is being repealed and simultaneously reenacted as Rule R66-30 under the new Title R66. (EDITOR'S NOTE: The proposed repeal of Rule R68-25 is under ID No. 56351 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:

This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.

It is just being repealed to be reenacted under new Rule R66-30.

B) Local governments:

Local governments will not be impacted because they do not participate in the medical cannabis program.

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

This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

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

This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

Regulatory Impact Table

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

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

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

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

Citation Information

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

Subsection		
4-2-103(1)(i)		

Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	21 CFR 111, 2007 version, Current Good Manufacturing Practice in Manufacturing, Packaging, Labeling, or Holding Operations for Dietary Supplements
Publisher	US Government
Issue Date	2007

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

Official Title of	21 CFR 507, 2015 version, Current Good Manufacturing Practice, Hazard analysis, and Risk-Based
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NOTICES OF PROPOSED RULES

Materials Incorporated (from title page)	Preventive Controls for Food for Animals
Publisher	US Government
Issue Date	2015

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:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
---	------------

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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R66-31	Filing ID: 56354

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov

Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
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Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R66-31. Industrial Hemp Cannabinoid Product Testing

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

This rule originally existed as Rule R68-37.

However, a repeal has been filed on Rule R68-37 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.

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

This new rule is substantively the same as Rule R68-37, which is being repealed and simultaneously reenacted as Rule R66-31 under the new Title R66.

(EDITOR'S NOTE: The proposed repeal of Rule R68-37 is under ID No. 56353 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:

This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.

It is just being repealed to be reenacted under new Rule R66-31.

B) Local governments:

Local governments will not be impacted because they do not participate in the medical cannabis program.

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

This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

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

This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

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

Citation Information

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

Subsection 4-2-103(1)(i)		
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Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
--	------------

9. This rule change MAY become effective on:	05/08/2024
---	------------

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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R66-32	Filing ID: 56356

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov

Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R66-32. Industrial Hemp Testing Laboratory
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-36. However, a repeal has been filed on Rule R68-36 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-36, which is being repealed and simultaneously reenacted as Rule R66-32 under the new Title R66. (EDITOR'S NOTE: The proposed repeal of Rule R68-36 is under ID No. 56368 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is just being repealed to be reenacted under new Rule R66-32.
B) Local governments:
Local governments will not be impacted because they do not participate in the medical cannabis program.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:
Subsection 4-2-103(1)(i)

Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Cannabis Inflorescence: Standards of Identity, Analysis, and Quality Control
Publisher	Published by the American Herbal Pharmacopoeia
Issue Date	2014

B) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	OECD Principles of Good Laboratory Practice and Compliance Monitoring
Publisher	Published by the Organization for Economic Co-operation and Development
Issue Date	1997

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R66-33	Filing ID: 56358

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R66-33. Industrial Hemp Producer Registration
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-39. However, a repeal has been filed on Rule R68-39 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This new rule is substantively the same as Rule R68-39, which is being repealed and simultaneously reenacted as Rule R66-33 under the new Title R66.

(EDITOR'S NOTE: The proposed repeal of Rule R68-39 is under ID No. 56357 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:

This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.

It is just being repealed to be reenacted under new Rule R66-33.

B) Local governments:

Local governments will not be impacted because they do not participate in the medical cannabis program.

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

This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

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

This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

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

Subsection 4-2-103(1)(i)		
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Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R66-34	Filing ID: 56360

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R66-34. Industrial Hemp Retailer Permit
3. Purpose of the new rule or reason for the change:
This rule originally existed as Rule R68-33.

However, a repeal has been filed on Rule R68-33 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.

4. Summary of the new rule or change:

This new rule is substantively the same as Rule R68-33, which is being repealed and simultaneously reenacted as Rule R66-34 under the new Title R66.

(EDITOR'S NOTE: The proposed repeal of Rule R68-33 is under ID No. 56359 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:

This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.

It is just being repealed to be reenacted under new Rule R66-34.

B) Local governments:

Local governments will not be impacted because they do not participate in the medical cannabis program.

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

This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

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

This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

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

Citation Information

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

Subsection 4-2-103(1)(i)		
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Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the

agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 05/01/2024

9. This rule change MAY become effective on: 05/08/2024

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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R66-35	Filing ID: 56362

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Building, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov

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

General Information

2. Rule or section catchline:
R66-35. Cannabinoid Product Registration and Labeling
3. Purpose of the new rule or reason for the change:

This rule originally existed as Rule R68-26. However, a repeal has been filed on Rule R68-26 so it can be reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.

4. Summary of the new rule or change:
 This new rule is substantively the same as Rule R68-26, which is being repealed and simultaneously reenacted as Rule R66-35 under the new Title R66.
 (EDITOR'S NOTE: The proposed repeal of Rule R68-26 is under ID No. 56361 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:
 This proposed new rule does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.
 It is just being repealed to be reenacted under new Rule R66-35.

B) Local governments:
 Local governments will not be impacted because they do not participate in the medical cannabis program.

C) Small businesses ("small business" means a business employing 1-49 persons):
 This proposed new rule does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 This proposed new rule does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed new rule does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

Citation Information

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

Subsection		
4-2-103(1)(i)		

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the

NOTICES OF PROPOSED RULES

agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R68-25	Filing ID: 56351

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

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

3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp.
The substantive content will remain the same under new Rule R66-30.
(EDITOR'S NOTE: The proposed new Rule R66-30 is under ID No. 56352 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.
It is reenacted as new Rule R66-30.
B) Local governments:
Local governments will not be impacted because they do not participate in the medical cannabis program.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

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

Citation Information

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

Subsection 4-2-103(1)(i)		
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Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R68-26	Filing ID: 56361

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Building, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov

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

General Information

2. Rule or section catchline:
R68-26. Cannabinoid Product Registration and Labeling
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp.
The substantive content will remain the same under new Rule R66-35.
(EDITOR'S NOTE: The proposed new Rule R66-35 is under ID No. 56362 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.
It is reenacted as new Rule R66-35.
B) Local governments:
Local governments will not be impacted because they do not participate in the medical cannabis program.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 <i>agency</i>):

This proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

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

Subsection 4-2-103(1)(i)		
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Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Butters, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R68-27	Filing ID: 56339

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov

Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
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Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R68-27. Cannabis Cultivation

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

This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.

4. Summary of the new rule or change:

This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp.

The substantive content will remain the same under new Rule R66-1.

(EDITOR'S NOTE: The proposed new Rule R66-1 is under ID No. 56340 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:

This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.

It is reenacted as new Rule R66-1.

B) Local governments:

Local governments will not be impacted because they do not participate in the medical cannabis program.

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

This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

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

This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

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

Citation Information

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

Subsection 4-2-103(1)(i)		
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Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R68-28	Filing ID: 56364

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov

Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-28. Cannabis Processing
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp. The substantive content will remain the same under new Rule R66-2. (EDITOR'S NOTE: The proposed new Rule R66-2 is under ID No. 56365 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is reenacted as new Rule R66-2.
B) Local governments:
Local governments will not be impacted because they do not participate in the medical cannabis program.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

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

Citation Information

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

Subsection 4-2-103(1)(i)		
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Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/08/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R68-33	Filing ID: 56359

Agency Information

1. Department:	Agriculture and Food
Agency:	Plant Industry
Building:	TSOB South Bldg, Floor 2
Street address:	4315 S 2700 W
City, state and zip:	Taylorsville, UT 84129
Mailing address:	PO Box 146500
City, state and zip:	Salt Lake City, UT 84114-6500

Contact persons:

Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov

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

General Information

2. Rule or section catchline:
R68-33. Industrial Hemp Retailer Permit

3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.

4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp.
The substantive content will remain the same under new Rule R66-34.
(EDITOR'S NOTE: The proposed new Rule R66-34 is under ID No. 56360 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule.
It is reenacted as new Rule R66-34.

B) Local governments:
Local governments will not be impacted because they do not participate in the medical cannabis program.

C) Small businesses ("small business" means a business employing 1-49 persons):
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This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

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

This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

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

Citation Information

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

Subsection		
4-2-103(1)(i)		

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:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	Repeal		
Rule or Section Number:	R68-34	Filing ID:	56345

Agency Information

1. Department:	Agriculture and Food
Agency:	Plant Industry
Building:	TSOB South Bldg, Floor 2
Street address:	4315 S 2700 W
City, state and zip:	Taylorsville, UT 84129

Mailing address: PO Box 146500		
City, state and zip: Salt Lake City, UT 84114-6500		
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-34. Educational Event and Educational Material Rules
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp. The substantive content will remain the same under new Rule R66-7. (EDITOR'S NOTE: The proposed new Rule R66-7 is under ID No. 56346 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is reenacted as new Rule R66-7.
B) Local governments:
Local governments will not be impacted because they do not participate in the medical cannabis program.

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

This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

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

This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
4-2-103(1)(i)		

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R68-35	Filing ID: 56347

Agency Information

1. Department:	Agriculture and Food
Agency:	Plant Industry
Building:	TSOB South Bldg, Floor 2

Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-35. Academic Medical Cannabis Research
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp. The substantive content will remain the same under new Rule R66-8. (EDITOR'S NOTE: The proposed new Rule R66-8 is under ID No. 56348 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is reenacted as new Rule R66-8.

B) Local governments:			
Local governments will not be impacted because they do not participate in the medical cannabis program.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
4-2-103(1)(i)		

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R68-36	Filing ID: 56368

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-36. Industrial Hemp Testing Laboratory
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp. The substantive content will remain the same under new Rule R66-32. (EDITOR'S NOTE: The proposed new Rule R66-32 is under ID No. 56356 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is reenacted as new Rule R66-32.

B) Local governments:			
Local governments will not be impacted because they do not participate in the medical cannabis program.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

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

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

Citation Information

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

Subsection		
4-2-103(1)(i)		

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:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/11/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R68-37	Filing ID: 56353

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-37. Industrial Hemp Cannabinoid Product Testing
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp. The substantive content will remain the same under new Rule R66-31. (EDITOR'S NOTE: The proposed new Rule R66-31 is under ID No. 56354 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is reenacted as new Rule R66-31.

B) Local governments:
Local governments will not be impacted because they do not participate in the medical cannabis program.

C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

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

Citation Information

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

Subsection		
4-2-103(1)(i)		

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:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R68-38	Filing ID: 56349

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-38. Cannabis Licensing Process
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp. The substantive content will remain the same under new Rule R66-9. (EDITOR'S NOTE: The proposed new Rule R66-9 is under ID No. 56350 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is reenacted as new Rule R66-9.

B) Local governments:			
Local governments will not be impacted because they do not participate in the medical cannabis program.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0

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

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

Citation Information

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

Subsection		
4-2-103(1)(i)		

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:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R68-39	Filing ID: 56357

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Room number:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-39. Industrial Hemp Producer Registration
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp. The substantive content will remain the same under new Rule R66-33. (EDITOR'S NOTE: The proposed new Rule R66-33 is under ID No. 56358 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:
 This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is reenacted as new Rule R66-33.

B) Local governments:
Local governments will not be impacted because they do not participate in the medical cannabis program.

C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

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

Citation Information

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

Subsection		
4-2-103(1)(i)		

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:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R68-40	Filing ID: 56341

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84114	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-40. Medical Cannabis Pharmacy
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp. The substantive content will remain the same under new Rule R66-5. (EDITOR'S NOTE: The proposed new Rule R66-5 is under ID No. 56342 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is reenacted as new Rule R66-5.

B) Local governments:			
Local governments will not be impacted because they do not participate in the medical cannabis program.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

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

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

Citation Information

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

Subsection		
4-2-103(1)(i)		

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:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig. W Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number	R68-41	Filing ID: 56343

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-41. Home Delivery and Courier
3. Purpose of the new rule or reason for the change:
This rule is being repealed so it can be simultaneously reenacted under a new title specific to medical cannabis and industrial hemp, Title R66.
4. Summary of the new rule or change:
This rule is repealed in its entirety so it can be reenacted under a new title specific to medical cannabis and industrial hemp.
The substantive content will remain the same under new Rule R66-6.
(EDITOR'S NOTE: The proposed new Rule R66-6 is under ID No. 56344 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:
 This proposed repeal does not have a fiscal impact to the state because the rule text is not changing between the repeal and the new rule. It is reenacted as new Rule R66-6.

B) Local governments:
Local governments will not be impacted because they do not participate in the medical cannabis program.

C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed repeal does not have a fiscal impact to small businesses because the rule text is not changing between the repeal and the new rule.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed repeal does not have a fiscal impact to non-small businesses because the rule text is not changing between the repeal and the new 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 proposed repeal does not have a fiscal impact to other persons because the rule text is not changing between the repeal and the new 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 are not impacted because the substance of the rule is not changing with this filing.

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

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

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

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

Citation Information

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

Subsection 4-2-103(1)(i)		
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Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	03/07/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-302	Filing ID: 56385

Agency Information

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

General Information

2. Rule or section catchline:
R277-302. Educator Licensing Renewal
3. Purpose of the new rule or reason for the change:
This rule is being updated to clarify the difference between an educator license renewal using simplified procedures and a license renewal that requires verification.
4. Summary of the new rule or change:
The amendments specifically update Section R277-302-4 requirements for an educator license that does not require verification and a license renewal that requires verification. In addition, the amendments in Section R277-302-5 require an educator to retain all documentation related to a renewal application for one year instead of two years, from the date of renewal.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have fiscal impact on state government revenues or expenditures. The changes will not impact the Utah State Board of Education (USBE) or other state agency budgets. These clarifying changes impact individual educator licensing procedures only.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures.

The changes clarify the difference in simplified procedures and procedures requiring verification. Local Education Agencies (LEAs) will still use their existing procedures in assisting educators with licensure and there are no additional steps or costs created.

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

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

This only applies to LEAs and educators.

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

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

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

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

These changes clarify the difference in simplified procedures and procedures requiring verification. There are no additional steps or costs for educators.

Educators are also required to keep their documentation for licensure for just one year compared to two.

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.

These changes clarify the difference in simplified procedures and procedures requiring verification. There are no additional steps or costs for educators.

Educators are also required to keep their documentation for licensure for just one year compared to two.

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

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

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

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

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

Citation Information

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

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

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

A) Comments will be accepted until: 05/01/2024

9. This rule change MAY become effective on: 05/08/2024

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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/15/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R277-305	Filing ID: 56386

Agency Information

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

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

General Information

2. Rule or section catchline:
R277-305. School Leadership License Areas of Concentration and Programs
3. Purpose of the new rule or reason for the change:
This rule is being amended to update requirements for school leadership license areas of concentration.
4. Summary of the new rule or change:
The amendments specifically remove the requirements specified in school leadership license areas of concentration Section R277-305-3.

There is also an amendment to update a rule reference in Section R277-305-4 "School Leadership Preparation Programs".

Fiscal Information

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

A) State budget:

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

The changes simplify the licensing procedures for school leadership licensing and update a rule reference.

The changes to school leadership licensing are that those holding a valid school leadership license in another jurisdiction under the NASDTEC interstate agreement can be granted a license without verification of experience or a preparation program.

These changes are not expected to add any costs for the Utah State Board of Education (USBE) or any other state agency.

B) Local governments:

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

The changes simplify the licensing procedures for school leadership licensing and update a rule reference.

The changes to school leadership licensing are that those holding a valid school leadership license in another jurisdiction under the NASDTEC interstate agreement can be granted a license without verification of experience or a preparation program.

These changes do not add costs for Local Education Agencies (LEAs).

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

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

The changes only impact educators being licensed for school leadership and do not impact small businesses.

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

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

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

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

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

The changes impact those obtaining a school leadership license and specifically simplify the process for those with a license from another jurisdiction.

The changes to school leadership licensing are that those holding a valid school leadership license in another jurisdiction under the NASDTEC interstate agreement can be granted a license without verification of experience or a preparation program.

This does not add costs for the individual educators or any other persons.

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

There are no compliance costs for affected persons.

The changes impact those obtaining a school leadership license and specifically simplify the process for those with a license from another jurisdiction.

The changes to school leadership licensing are that those holding a valid school leadership license in another jurisdiction under the NASDTEC interstate agreement can be granted a license without verification of experience or a preparation program.

This does not add costs for the individual educators or any other persons.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

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

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Article X, Section 3	Subsection 53E-3-401(4)	

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:	05/01/2024
9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/15/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R277-310	Filing ID: 56387

Agency Information

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

General Information

2. Rule or section catchline:
R277-310. International Guest Teachers
3. Purpose of the new rule or reason for the change:
This rule is being updated to clarify the timing of International Guest Teacher License renewals.
4. Summary of the new rule or change:
The amendments specifically change the date in Section R277-310-3 to "June 30 of the fifth school year after the license was issued".

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have fiscal impact on state government revenues or expenditures.
The change from three years to five years for international guest teacher renewals will not add costs for the Utah

State Board of Education (USBE) or other state agencies. The extension of the renewal period simply allows international guest teachers to renew licenses every five years instead of every three years and does not add any costs.

Renewing less often will reduce administrative burden slightly but not have quantifiable cost savings.

B) Local governments:

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

The change from three years to five years for international guest teacher renewals will not add costs for Local Education Agencies (LEAs). The extension of the renewal period simply allows international guest teachers to renew licenses every five years instead of every three years and does not add any costs.

Renewing less often will reduce administrative burden slightly but not have quantifiable cost savings.

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

This rule change is not expected to have fiscal impacts on small business revenues or expenditures. The change from three years to five years for international guest teacher renewals will not add costs for any small businesses. It will only affect LEAs and international guest teachers.

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

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

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

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

The change from three years to five years for international guest teacher renewals will not add costs for international

guest teachers or other persons. They will now simply renew their licenses less often.

The extension of the renewal period simply allows international guest teachers to renew licenses every five years instead of every three years and does not add any costs.

Renewing less often will reduce administrative burden slightly but not have quantifiable cost savings.

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 change from three years to five years for international guest teacher renewals will not add costs for international guest teachers or other persons. They will now simply renew their licenses less often.

The extension of the renewal period simply allows international guest teachers to renew licenses every five years instead of every three years and does not add any costs.

Renewing less often will reduce administrative burden slightly but not have quantifiable cost savings.

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

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

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

Citation Information

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

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

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/15/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-472	Filing ID: 56388

Agency Information

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

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

General Information

2. Rule or section catchline:
R277-472. Charter School Student Enrollment and Transfers and School District Capacity Information
3. Purpose of the new rule or reason for the change:
This rule is being updated to clarify requirements for elementary class size calculations.
4. Summary of the new rule or change:
The amendments specifically add the language "except in the case of a split-level class" after "grade level", in Section R277-472-3 'Elementary Class Size Calculations'.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have fiscal impact on state government revenues or expenditures.
The language added clarifies how school districts should calculate average elementary class size for determining if schools are at capacity for enrolling students who have been at a charter school. This will affect Local Education Agencies (LEAs) but does not have any impact on the Utah State Board of Education (USBE) or other state agency budgets.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures.
The language added clarifies how school districts should calculate average elementary class size for determining if schools are at capacity for enrolling students who have been at a charter school.
USBE does not estimate a fiscal impact as the language clarifies the calculations but does not change the underlying requirements for school districts. Charter

schools do not have any added costs as the calculations only apply to school districts.

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

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

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

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

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

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

The language added clarifies how school districts should calculate average elementary class size for determining if schools are at capacity for enrolling students who have been at a charter school.

USBE does not estimate any costs for other persons as this only affects school districts.

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 language added clarifies how school districts should calculate average elementary class size for determining if schools are at capacity for enrolling students who have been at a charter school.

USBE does not estimate any costs for other persons as this only affects school districts.

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

this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

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

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

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

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

Citation Information

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

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

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/15/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R309-515	Filing ID: 56380

Agency Information

1. Department:	Environmental Quality	
Agency:	Drinking Water	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144830	
City, state and zip:	Salt Lake City, UT 84114-4830	
Contact persons:		
Name:	Phone:	Email:
Michael Newberry	385-515-1464	mnewberry@utah.gov
Deidre Beck	385-271-7046	dbeck@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R309-515. Facility Design and Operation: Source Development

3. Purpose of the new rule or reason for the change:
The Division of Drinking Water (Division) is proposing to make nonsubstantive changes to Subsections R309-515-5(5)(f), R309-515-6(13), and R309-515-6(13)(e) to delete references to parts of Rule R309-540, which will no longer be accurate when Rule R309-540 is revised by a separate rulemaking proposal.
The Division is proposing to make substantive changes to Subsection R309-515-6(4) to delete special construction requirements for sewer mains, laterals, and maintenance holes located in Source Protection Zone 2 because the current requirements can rarely be met, and the Division frequently must issue exceptions to the rule requirements, which the Division believes are unnecessary to provide protection of groundwater sources.
4. Summary of the new rule or change:
Subsection R309-515-5(5)(f) includes a reference to Section R309-540-5 for pumps used to transfer water diverted from surface water intake structures, which will be deleted.
Subsection R309-515-6(13) includes a reference to Rule R309-540 for wellhouse construction, which will be deleted.
Subsection R309-515-6(13)(e) includes a reference to Subsections R309-540-5(2)(a) through (h) for well house ventilation, heating, and lighting, which will be deleted.
The proposed amendment to Subsection R309-515-6(4) deletes special construction requirements for sewer mains, laterals, and maintenance holes located in Source Protection Zone 2 but retains them for Source Protection Zone 1. It clarifies that the special requirements apply to sewer mains and laterals carrying wastewater from a building to a public sewer, septic system, or wastewater dispersal system. It clarifies that the special construction requirements don't apply to floor drains.
The proposed amendment deletes Subsection R309-515-6(4)(h), which currently requires, as a special construction requirement, an impermeable cutoff wall along the upgradient edge of sewer trenches in Source Protection Zone 1 for protected aquifers and in Source Protection Zone 2 for unprotected aquifers.
In addition, other nonsubstantive changes were made throughout this rule to conform to the Rulewriting Manual for Utah.
(EDITOR'S NOTE: The proposed repeal and reenact of Rule R309-540 is under ID No. 56379 in this issue, April 1, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:

After an internal review, staff recommended updating this rule to better align with the needs of water systems.

The current rule contains special construction requirements for sewer mains, laterals, and maintenance holes when locating a new groundwater source. These criteria can rarely be met and exceptions must be issued.

With the rule changes, staff will no longer be required to issue exceptions but plan reviews will still be conducted.

Staff have reviewed all current water systems and all systems are in compliance with the new rule requirements so no cost or savings will be realized.

Any new groundwater source that is proposed will not need to meet this rule but will still require a staff review thus no cost will be incurred by the state, and since staff will continue performing reviews, no savings is anticipated.

B) Local governments:

Many local governments do not own or operate their water system. These local governments are not affected by the rule change.

This rule only affects those local governments that own and operate their own water system. Staff have reviewed all current water systems and all systems are in compliance with the new rule requirements so no cost or savings will be realized.

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

Most small businesses do not own or operate their water system.

This rule only affects those small businesses that own and operate their own water system.

Staff have reviewed all current water systems and all systems are in compliance with the new rule requirements so no cost or savings will be realized.

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

Most non-small businesses do not own or operate their water system.

These non-small businesses are not affected by this rule change. This rule only affects those non-small businesses that own and operate their own water system.

Staff have reviewed all current water systems and all systems are in compliance with the new rule requirements so no cost or savings will be realized.

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

The Division does not regulate individuals or private water systems and therefore, this rule change does not have any application.

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

All regulated water systems are already in compliance with the existing rule or are under a compliance from the Division to come into compliance.

The revised rule only clarifies and updates the existing rule. Because all systems are currently in compliance, no cost is anticipated.

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

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

Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Environmental Quality, Kimberly 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		
19-4-104(1)(a)(ii)		

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Nathan Lunstad, PE, Division Director	Date:	02/29/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R309-540	Filing ID: 56379

Agency Information

1. Department:	Environmental Quality
Agency:	Drinking Water
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state and zip:	Salt Lake City, UT 84116

Mailing address:	PO Box 144830	
City, state and zip:	Salt Lake City, UT 84114-4830	
Contact persons:		
Name:	Phone:	Email:
Michael Newberry	385-515-1464	mnewberry@utah.gov
Russell Seeley	435-650-8519	rseeley@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R309-540. Facility Design and Operation: Pump Stations

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

The Division of Drinking Water (Division) is repealing the current rule and reenacting a new rule in its place to make the same requirements for the design and construction of pump facilities clearer and easier to follow for public water suppliers.

After an internal review, staff recommended updating this rule because it is unclear and out of date.

Staff interactions with regulated water systems have identified several inconsistencies in this rule. The majority of regulated water systems are in compliance with the current rule and are therefore in compliance with the revised and updated rule.

The Division is proposing to repeal the current rule and enact a new rule in its place because a conventional marked-up version of the proposed changes would be difficult to follow.

4. Summary of the new rule or change:

The Division has deleted unnecessary requirements found in the current rule and substantially rearranged the remaining requirements.

The revised rule has the same requirements as the original but is more clear, concise, and easier to understand.

Nonsubstantive changes were also made to style and formatting to conform with the Rulewriting Manual for Utah.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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<p>A) State budget:</p> <p>The water systems that are regulated by the Division are in compliance with the current rule and are therefore in compliance with the revised and updated rule. Because the systems are already in compliance, the proposed rule is anticipated to have no aggregate costs or savings to the state budget.</p> <p>In the future, when staff review new projects and plans against the revised rule, no additional time or resources will be needed from the budget because requirements of the revised rules are the same as the original and therefore, there will be no effect on the state budget.</p>
<p>B) Local governments:</p> <p>This rule only affects those local governments that own and operate their own water system. Staff has reviewed all of the currently regulated local government water systems and has found that the water systems are currently in compliance with the existing rule.</p> <p>The proposed rule makes the same requirements for the design and construction of pump facilities clearer and easier to follow for public water suppliers including local governments.</p> <p>Because the systems are already in compliance, the proposed rule is anticipated to have no aggregate costs or savings.</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p> <p>This rule only affects those small businesses that own and operate their own water system.</p> <p>Staff has reviewed all of the currently regulated small business water systems and has found that the water systems are currently in compliance with the existing rule.</p> <p>The proposed rule makes the same requirements for the design and construction of pump facilities clearer and easier to follow for public water suppliers including small businesses.</p> <p>Because the systems are already in compliance, the proposed rule is anticipated to have no aggregate costs or savings.</p>
<p>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</p> <p>This rule only affects those non-small businesses that own and operate their own water system.</p> <p>Staff has reviewed all of the currently regulated non-small business water systems and has found that the water systems are currently in compliance with the existing rule.</p> <p>The proposed rule makes the same requirements for the design and construction of pump facilities clearer and</p>

<p>easier to follow for public water suppliers including non-small businesses.</p> <p>Because the systems are already in compliance, the proposed rule is anticipated to have no aggregate costs or savings.</p>																																																				
<p>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):</p> <p>The Division does not regulate individuals or private water systems and therefore, this rule change does not have any application.</p>																																																				
<p>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</p> <p>There are no anticipated compliance costs for any affected entity or person.</p> <p>This amendment only clarifies and updates the existing rule with no added requirements or restrictions, and as all systems are in compliance, no fiscal impact is anticipated.</p>																																																				
<p>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.)</p> <table border="1"> <thead> <tr> <th colspan="4">Regulatory Impact Table</th> </tr> <tr> <th>Fiscal Cost</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Other Persons</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Total Fiscal Cost</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Fiscal Benefits</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>	Regulatory Impact Table				Fiscal Cost	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0	Other Persons	\$0	\$0	\$0	Total Fiscal Cost	\$0	\$0	\$0	Fiscal Benefits	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0
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Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Environmental Quality, Kimberly 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 19-4-104(1)(a)(ii)	Subsection 63G-3-403(3)	

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Nathan Lunstad, PE, Division Director	Date:	03/14/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R309-600	Filing ID: 56381

Agency Information

1. Department:	Environmental Quality
Agency:	Drinking Water
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W

City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144830	
City, state and zip:	Salt Lake City, UT 84114-4830	
Contact persons:		
Name:	Phone:	Email:
Russell Seeley	435-650-8519	rseeley@utah.gov
Deidre Beck	385-271-7046	dbeck@utah.gov
Mike Newberry	385-515-1464	mnewberry@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R309-600. Source Protection: Drinking Water Source Protection For Groundwater Sources.
3. Purpose of the new rule or reason for the change:
The Division of Drinking Water (Division) is proposing to make changes to Rule R309-600 to delete special construction criteria for sewer mains, laterals, and maintenance holes when locating new groundwater sources in Source Protection Zone 2 because the criteria can rarely be met, and the Division frequently must issue exceptions to the rule requirements, which the Division believes are unnecessary to provide protection of groundwater sources.
4. Summary of the new rule or change:
The proposed amendment to Rule R309-600 deletes special construction requirements for sewer mains, laterals, and maintenance holes when locating a new groundwater source in Source Protection Zone 2.
It also deletes the requirement that the PER demonstrate that these requirements be met for sewer mains, laterals, or maintenance holes located in Source Protection Zone 2.
Sewer maintenance holes are added to the list of facilities that must meet special construction requirements and a minimum isolation distance from a wellhead or collection area margin when locating a new groundwater source in Zone 1 for protected aquifers.
Nonsubstantive style and formatting changes were also made in accordance with the Rulewriting Manual for Utah.

Fiscal Information

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

A) State budget:

After an internal review, staff recommended updating this rule to better align with the needs of water systems.

The current rule contains special construction requirements for sewer mains, laterals, and maintenance holes when locating a new groundwater source. These criteria can rarely be met and exceptions must be issued.

With the rule changes, staff will no longer be required to issue exceptions but plan reviews will still be conducted.

Staff has reviewed all current water systems and all systems are in compliance with the new rule requirements so no cost or savings will be realized.

Any new groundwater source that is proposed will not need to meet this rule but will still require a staff review thus no cost will be incurred by the state, and since staff will continue performing reviews, no savings is anticipated.

B) Local governments:

Many local governments do not own or operate their water system. These local governments are not affected by the rule change.

This rule only affects those local governments that own and operate their own water system.

Staff have reviewed all current water systems and all systems are in compliance with the new rule requirements so no cost or savings will be realized.

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

Most small businesses do not own or operate their water system. These small businesses are not affected by the rule change.

This rule only affects those small businesses that own and operate their own water system.

Staff have reviewed all current water systems and all systems are in compliance with the new rule requirements so no cost or savings will be realized.

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

Most non-small businesses do not own or operate their water system. These non-small businesses are not affected by the rule change.

This rule only affects those non-small businesses that own and operate their own water system.

Staff have reviewed all current water systems and all systems are in compliance with the new rule requirements so no cost or savings will be realized.

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

The Division does not regulate individuals or private water systems and therefore, this rule change does not have any application.

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

All regulated water systems are already in compliance with the existing rule or are under a compliance from the Division to come into compliance.

The revised rule only clarifies and updates the existing rule. Because all systems are currently in compliance, no cost is anticipated.

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

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

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Environmental Quality, Kimberly 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		
19-4-104(1)(a)(iv)		

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:	05/01/2024

9. This rule change MAY become effective on:	05/08/2024
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

Agency head or designee and title:	Nathan Lunstad, PE, Division Director	Date:	03/14/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R386-702	Filing ID: 56384

Agency Information

1. Department:	Health and Human Services
Agency:	Population Health, Environmental Epidemiology
Building:	Cannon Health Building
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116

Mailing address:	PO Box 142100	
City, state and zip:	Salt Lake City, UT 84114-2100	
Contact persons:		
Name:	Phone:	Email:
Jeffrey Eason	801-641-7324	jteason@utah.gov
Cindy Burnett	801-538-6692	cburnett@utah.gov
Kristen Rogers	385-910-1558	kristenbrogers@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R386-702. Communicable Disease Rule
3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to make the Rule R386-702 emergency filing permanent.
On 02/12/2024, an emergency filing for Rule R386-702 went into effect due to a Food and Drug Administration (FDA) reported shortage of erythromycin ophthalmic ointment and in response to health systems in Utah reporting that the shortage was impacting local supply. Without this treatment, infants born in Utah who are at risk for exposure to N. gonorrhoeae may experience adverse health outcomes, including severe eye infections and blindness.
This amendment allows clinicians to use approved alternative treatments during erythromycin ophthalmic ointment shortages.
Additionally, this amendment contains nonsubstantive changes updating citations to the current Utah Code and clarifying language.
4. Summary of the new rule or change:
This rule change will remove outdated clinical guidance and increase the treatment options for healthcare providers by allowing alternative treatment options through Centers for Disease Control and Prevention guidance.
In addition, this filing also updates outdated statutes to coincide with the Department of Health and Human Services code recodification. S.B. 38, S.B. 39, S.B. 40, and S.B. 41 (2023 General Session) combined Title 26, Utah Health Code, and Title 62A, Utah Human Services Code, into a new Title 26B, Utah Health and Human Services Code.

Fiscal Information

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

A) State budget:

There is no anticipated cost or savings because the changes do not affect existing operations.

This rule change adds additional available treatments for health care providers to select for patient care.

The state does not have costs or savings associated with this rule change because providers are not being recommended one alternative treatment over another.

As a result ,there is no anticipated fiscal impact on the state.

B) Local governments:

There is no anticipated cost or savings because the changes do not affect existing operations.

This rule change adds additional available treatments for health care providers to select for patient care.

Local governments do not have costs or savings associated with this rule change because providers are not being recommended one alternative treatment over another.

As a result, there is no anticipated fiscal impact on local governments.

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

There is no anticipated cost or savings because the changes do not affect existing operations. This rule change adds additional available treatments for health care providers to select for patient care. Small businesses do not have costs or savings associated with this rule change because providers are not being recommended one alternative treatment over another. As a result there is no anticipated fiscal impact on small businesses.

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

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

There is no anticipated cost or savings because the changes do not affect existing operations.

This rule change adds additional available treatments for health care providers to select for patient care.

Non-small businesses do not have costs or savings associated with this rule change because providers are not being recommended one alternative treatment over another.

As a result, there is no anticipated fiscal impact on non-small businesses.

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

There is no anticipated cost or savings because the changes do not affect existing operations.

This rule change adds additional available treatments for health care providers to select for patient care.

Other persons do not have costs or savings associated with this rule change because providers are not being recommended one alternative treatment over another.

As a result, there is no anticipated fiscal impact on other persons.

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

There are no anticipated compliance costs or savings because this change will allow providers to pivot to additional treatment options when erythromycin ophthalmic ointment is unavailable.

It is not anticipated that obtaining those additional treatment options will be more or less burdensome than obtaining erythromycin ophthalmic ointment.

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

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

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

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 26B-1-202	Section 26B-7-202	Section 26B-7-207
Sections 26B-7-316 through 26B-7-324		

Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Sexually Transmitted Infections Treatment Guidelines
Publisher	Centers for Disease Control
Issue Date	July 23, 2021

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: 05/01/2024

9. This rule change MAY become effective on: 05/08/2024

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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	03/15/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	Repeal and Reenact	
Rule or Section Number:	R392-100	Filing ID: 56391

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Environmental Health	
Room number:	Second Floor	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142102	
City, state and zip:	Salt Lake City, UT 84114-2102	
Contact persons:		
Name:	Phone:	Email:
Karl Hartman	801-538-6191	khartman@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R392-100. Food Service Sanitation
3. Purpose of the new rule or reason for the change:
The FDA published a revised version of the Food Code in 2022, but the current effective version of this rule incorporates the 2013 version of FDA Food Code. This proposed change updates the incorporation by reference (IBR) to the 2022 FDA Food Code to ensure that the state food protection policy mirrors the most current national policy.
The IBR provides guidance on food safety, sanitation, and fair dealing that can be uniformly adopted for the retail segment of the food industry.
4. Summary of the new rule or change:
This filing removes three obsolete definitions and updates statutory references and makes changes to adopt the 2022 version of FDA Food Code rather than the 2013 version.
Additionally, it contains language changes to improve readability and ease of use and amends definitions.
The language for variance requests is amended to align with other rules managed by the Department of Health and Human Services (Department).
Subsections related to administrative hearings are amended to allow each local health department to establish its own procedures in accordance with Utah Code and constitutional requirements, which aligns with current practice.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget, as this proposed rule will have no financial impact on how the Department functions or the entities to which this applies.
Specifically, the rule change does not alter the Department's food establishment permitting, inspection, or enforcement responsibilities.
B) Local governments:
The 13 local health departments in Utah enforce Rule R392-100.
There is no anticipated cost or savings to local governments, as this proposed rule will have no financial

impact on how the local health departments function or the entities this applies to.
Specifically, the rule change does not alter a local health department's food establishment permitting, inspection, or enforcement responsibilities.
C) Small businesses ("small business" means a business employing 1-49 persons):
Approximately 10,745 small businesses in Utah provide retail food services (NAICS 722513, 722511, 312120, and 445110).
This rule change may have an inestimable non-fiscal cost or inestimable non-fiscal benefit depending on a number of fluctuating variables within each small retail food business.
Specifically, the proposed rule makes the following procedural changes to small retail food business operations:
First, the proposed rule includes changes to address two additional duty requirements for the person in charge to: 1) ensure food employees are properly maintaining the temperatures of food during thawing and 2) to ensure employees are routinely monitoring food temperatures during hot and cold holding. The currently enacted rule requires the person in charge to conduct certain specified duties that include monitoring and daily oversight.
Adding temperature control monitoring of thawing, and hot and cold holding may add an additional inestimable non-fiscal cost or expense depending on whether or not: 1) the food establishment thaws time/temperature controlled for safety (TCS) food; 2) has hot or cold holding equipment; 3) already has a person in charge who actively monitors thawing and hot and cold holding; and 4) how often the business opts to conduct the monitoring to ensure compliance.
Adding temperature control monitoring of thawing, and hot and cold holding may create an inestimable fiscal benefit to the business in the potential reduction or elimination of costs associated with investigation, enforcement including fines, litigation, and damage to business or brand reputation from foodborne illness outbreaks associated with improper thawing and improper temperature control of TCS foods.
Second, the proposed rule includes changes to indicate that procedures for the clean-up of vomiting and diarrheal events for employees shall be written. There is no anticipated cost associated with this proposed rule because the local health departments intend to provide written procedures free of charge.
There may be a nominal inestimable non-fiscal cost if a small retail food business chooses to develop their own written procedures. By taking these protective measures to prevent the spread of disease to their employees, a

small retail food business may experience an inestimable non-fiscal benefit to in terms of increased labor productivity.

Third, the proposed rule includes changes to reflect a new cooking time in seconds for ratites, mechanically tenderized and injected meats, ground meat, and raw eggs that are not prepared to consumer's order. The cooking time was changed from 15 seconds to 17 seconds, adding two seconds to the cook time.

The proposed rule also includes changes to reflect a new cooking time in seconds for poultry, baluts, wild game animals, stuffed food or stuffing containing fish, meat, or poultry. The cooking time was changed from 15 seconds to instantaneous (or less than one second), subtracting 15 seconds from the cook time.

Adding two seconds to the cook time of some types of raw meats and taking away 15 seconds to the cook time of some other types of raw meats could create an inestimable non-fiscal cost or inestimable non-fiscal benefit depending on the types and quantities of raw meats each small retail food business prepares, and those quantities could change daily, weekly, seasonally, or otherwise depending on menu changes. These variables make it very difficult for the Department to determine whether a small retail food business would experience a fiscal cost or a fiscal benefit.

Fourth, the proposed rule includes changes to add an additional exception for fish that is reduced-oxygen packaged (ROP) at retail to bear a label indicating that it is to be kept frozen until time of use. This is not a common practice in Utah, so there are not many food establishments in Utah that package fish in reduced-oxygen packaging at the retail facility. Those that do may already have a label indicating that the product needs to be frozen until time of use, but if not they would need to add a label.

It is not known at this time how many facilities in Utah package fish into reduced-oxygen packaging and whether they currently use a label or have a label that says it needs to be frozen until time of use.

Fifth, the proposed rule requires the small retail food business to inform consumers of major food allergens in unpackaged foods via written means. This means that the small retail food establishment shall create a sign and place it in a conspicuous location to inform consumers of the presence of food allergens.

The Department is unable to estimate the fiscal cost or benefit of this change because some food establishments do not have major food allergens in unpackaged foods, and others already have the required consumer information, so those businesses are not impacted by the proposed change.

Finally, the proposed rule revises the hot water temperature at the hand sink from what it used to be at

least 100 degrees Fahrenheit lowering it now to at least 85 degrees Fahrenheit.

This proposed rule could create a fiscal benefit to small retail food business, but it is inestimable due to a number of variables such as the business's current water temperature, number of food handler employees, number of hand sinks, handwashing frequency, volume of hot water used per day, and current utility rates for energy consumption related to water heating services.

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

There are approximately 1,465 non-small businesses in Utah provide retail food services (NAICS 722513, 722511, 312120, and 445110).

This rule proposal may have an inestimable non-fiscal cost or inestimable non-fiscal benefit depending on a number of fluctuating variables within each non-small retail food business.

Specifically, the proposed rule makes the following procedural changes to non-small retail food business operations:

First, the proposed rule includes changes to address two additional duty requirements for the person in charge to:

- 1) ensure food employees are properly maintaining the temperatures of food during thawing; and
- 2) to ensure employees are routinely monitoring food temperatures during hot and cold holding.

The currently enacted rule requires the person in charge to conduct certain specified duties that include monitoring and daily oversight.

Adding temperature control monitoring of thawing, and hot and cold holding may add an additional inestimable non-fiscal cost or expense depending on whether or not:

- 1) the food establishment thaws time/temperature controlled for safety (TCS) food;
- 2) has hot or cold holding equipment;
- 3) already has a person in charge who actively monitors thawing and hot and cold holding; and
- 4) how often the business opts to conduct the monitoring to ensure compliance.

Adding temperature control monitoring of thawing, and hot and cold holding may create an inestimable fiscal benefit to the business in the potential reduction or elimination of costs associated with investigation, enforcement including fines, litigation, and damage to business or brand reputation from foodborne illness outbreaks associated with improper thawing and improper temperature control of TCS foods.

Second, the proposed rule changes requirements to indicate that procedures for the clean-up of vomiting and diarrheal events for employees shall be written. There is no anticipated cost associated with this proposal because

the local health departments intend to provide written procedures free of charge.

There may be a nominal inestimable non-fiscal cost if a non-small retail food business chooses to develop their own written procedures. By taking these protective measures to prevent the spread of disease to their employees, a non-small retail food business may experience an inestimable non-fiscal benefit in terms of increased labor productivity.

Third, the proposed rule includes changes to reflect a new cooking time in seconds for ratites, mechanically tenderized and injected meats, ground meat, and raw eggs that are not prepared to consumer's order. The cooking time was changed from 15 seconds to 17 seconds, adding two seconds to the cook time.

The proposed rule also includes changes to reflect a new cooking time in seconds for poultry, baluts, wild game animals, stuffed food or stuffing containing fish, meat, or poultry. The cooking time was changed from 15 seconds to instantaneous (or less than one second), subtracting 15 seconds from the cook time.

Adding two seconds to the cook time of some types of raw meats and taking away 15 seconds to the cook time of some other types of raw meats could create an inestimable non-fiscal cost or inestimable non-fiscal benefit depending on the types and quantities of raw meats each non-small retail food business prepares, and those quantities could change daily, weekly, seasonally, or otherwise depending on menu changes. These variables make it very difficult for the department to determine whether a non-small retail food business would experience a fiscal cost or a fiscal benefit.

Fourth, the proposed rule includes changes to add an additional exception for fish that is reduced-oxygen packaged (ROP) at retail to bear a label indicating that it is to be kept frozen until time of use. This is not a common practice in Utah, so there are not many food establishments in Utah that package fish in reduced-oxygen packaging at the retail facility.

Those that do may already have a label indicating that the product needs to be frozen until time of use, but if not they would need to add a label. It is not known at this time how many facilities in Utah package fish into reduced-oxygen packaging and whether they currently use a label or have a label that says it needs to be frozen until time of use.

Fifth, the proposed rule requires the non-small retail food business to inform consumers of major food allergens in unpackaged foods via written means. This means that the non-small retail food establishment shall create a sign and place it in a conspicuous location to inform consumers of the presence of food allergens.

The Department is unable to estimate the fiscal cost or benefit of this change because some food establishments do not have major food allergens in unpackaged foods, and others already have the required consumer

information, so those businesses are not impacted by the proposed change.

Finally, the proposed rule revises the hot water temperature at the hand sink from what it used to be at least 100 degrees Fahrenheit lowering it now to at least 85 degrees Fahrenheit. This rule proposal could create a fiscal benefit to non-small retail food business, but it is inestimable due to a number of variables such as the business's current water temperature, number of food handler employees, number of hand sinks, handwashing frequency, volume of hot water used per day, and current utility rates for energy consumption related to water heating services.

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

There is no anticipated cost or savings to persons as defined.

This proposed rule adopts the most current national food safety and sanitation standards and will have no financial impact on other persons financially related to retail food establishment function or operation.

Specifically, the proposed rule makes procedural changes to food establishment business operations that can be incorporated without cost.

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

There are no anticipated costs or savings to affected persons.

This rule proposal adopts the current national food safety and sanitation standards and will not impose compliance costs on affected persons.

Specifically, the proposed rule makes procedural changes to food establishment business operations that can be incorporated without cost.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

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

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:
Section 26B-1-202 Section 26B-7-402

Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	2022 Food Code
Publisher	U.S. Food and Drug Administration
Issue Date	January 18, 2023
Issue or Version	2022

B) This rule removes the following title of materials incorporated by references:

Official Title of Materials Incorporated (from title page)	2013 Food Code (Removed)
Publisher	U.S. Public Health Service / FDA
Issue Date	November 20, 2013
Issue or Version	2013

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:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	03/15/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R597-6	Filing ID: 56378

Agency Information

1. Department:	Judicial Performance Evaluation Commission	
Agency:	Administration	
Room number:	Suite 330	
Building:	Senate Building	
Street address:	350 State Street	
City, state and zip:	Salt Lake City, UT 84114	
Contact persons:		
Name:	Phone:	Email:
Mary-Margaret Pingree	385-910-2097	mmpingree@utah.gov
Madison Klein	801-538-1146	mklein@utah.gov

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

General Information

2. Rule or section catchline:
R597-6. Judicial Performance Evaluations
3. Purpose of the new rule or reason for the change:
Rule R597-3 expired on 02/06/2024. This new rule replaces the expired rule.
4. Summary of the new rule or change:
This rule provides details on the processes for judicial performance evaluations. It replaces an expired rule and does not introduce any new information.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This new rule requires no additional state funds.
This new rule replaces a rule that recently expired. As the substance of this rule remains the same, there is no fiscal impact to this new rule filing.
B) Local governments:
This new rule will have no fiscal impact on local governments.
Judicial performance evaluations are performed at the state level and do not require funding from local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
This new rule will have no fiscal impact on small businesses.
This new rule replaces a rule that recently expired. As the substance of the rule remains the same, there is no fiscal impact to this new rule filing.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This new rule will have no fiscal impact on non-small business.
This new rule replaces a rule that recently expired. As the substance of the rule remains the same, there is no fiscal impact to this new rule filing.
E) Persons other than small businesses, non-small businesses, state, or local government entities

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This new rule does not introduce any additional costs to individuals or organizations.

This new rule replaces a rule that recently expired. As the substance of the rule remains the same, there is no fiscal impact to this new rule filing.

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 this new rule.

This new rule replaces a rule that recently expired. As the substance of the rule remains the same, there is no fiscal impact and no compliance costs for this new rule filing.

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

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

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Executive Director of the Judicial Performance Evaluation Commission, Mary-Margaret Pingree, has reviewed and approved this analysis.

 As this rule is a replacement of an expired rule, there is no fiscal impact.

Citation Information

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

Title 78A, Chapter-12		
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Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Gil Miller, JPEC Chairperson	Date:	03/13/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R653-14	Filing ID: 56338

Agency Information

1. Department:	Natural Resources
Agency:	Water Resources
Room number:	310
Building:	Natural Resources Building
Street address:	1594 W. North Temple, 310
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 14602
City, state and zip:	Salt Lake City, UT 84114

Contact persons:		
Name:	Phone:	Email:
Carly Payne	801-538-7235	carlypayne@utah.gov
Shalaine Bernardi	801-652-1668	shalainedebernardi@utah.gov
Elizabeth Harris	385-395-0857	eharris@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R653-14. Capital Asset Management Plans

3. Purpose of the new rule or reason for the change:
Changes to Section 73-10g-502 (passed in the 2022 General Session under H.B. 269 and made effective 05/04/2022) requires the Board of Water Resources to enact administrative rules establishing the elements of a capital asset management plan for a water provider that is a water conservancy district.

This proposed rule is to comply with the requirements of that statute.

4. Summary of the new rule or change:
The proposed rule identifies and describes the elements of a capital asset management plan which must be adopted as a condition to receiving federal or state financing or grants for improvement to capital assets related to water infrastructure for water conservancy districts with an annual operating budget of \$5,000,000 or less.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
In H.B. 269 (2022), the Legislature imposed a requirement on water providers receiving state or federal financing or grants for water infrastructure to adopt a capital asset plan. This rule requires the Division of Water Resources (Division) to review and approve the plans adopted. These plans will be reviewed by existing staff at the Division – no new hires or overtime pay will be required.

B) Local governments:
This rule would impact local conservancy districts with annual operating budgets of \$5,000,000 or less if that

district sought state or federal funding for water infrastructure projects.

The Division is unable to estimate the impact on these districts because the costs to formulate a capital asset plan will vary based on the particular circumstances of each district.

This rule outlines the requirements for capital asset plans as required by the Legislature in H.B. 269 (2022).

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

This rule is not expected to have a fiscal impact on small businesses' revenues or expenditures.

This rule applies only to water conservancy districts with an annual operating budget of \$5,000,000 or less.

D) Non-small businesses ("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' revenues or expenditures.

This rule applies only to water conservancy districts with an annual operating budget of \$5,000,000 or less.

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 is not expected to have a fiscal impact on any persons other than water conservancy districts with an annual operating budget of \$5,000,000 or less and the Division.

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

It is not possible to estimate compliance costs for the affected districts because the cost to prepare a capital asset plan will vary based on the particular circumstances of each district.

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

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

Citation Information

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

Section 73-10g-502		
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Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Candice Hasenyager, Director	Date:	02/29/2024
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End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends May 01, 2024.

From the end of the 30-day waiting period through July 30, 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.

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF CHANGE IN PROPOSED RULE		
Rule or Section Number:	R380-70	Filing ID: 56036
Date of Previous Publication:	11/15/2023	

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration	
Room number:	104	
Building:	Dr. Martha Hughes Cannon Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Valli Chidambaram	801-739-4211	vchidambaram@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R380-70. Standards for Electronic Exchange of Clinical Health Information
3. Reason for this change:
This change addresses public feedback received based on the original amendment. Concerns were raised regarding the absence of clarification on the standards for electronic exchanges for claims and administrative transactions. The Department of Health and Human Services (Department) also received requests to provide clarification to ensure there is no conflict between the standards specified in this rule and the Utah Insurance Department's Rule R590-164. This change in proposed rule is a result from these public comments.
4. Summary of this change:
The original proposed rule has been updated to provide better clarification on points raised by public comment.

This change adds clarifications to X12 transactions and all other standards developed and adopted by the UHIN Standards Committee and adopted by the Insurance Commissioner.

NCPDP standards have also been included as incorporations by reference to clarify that those standards apply to the exchange of electronic data.

This change also makes minor formatting changes for consistency with the Rulewriting Manual for Utah.

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

Fiscal Information

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

A) State budget:
This CPR clarifies standards and requirements that are already in place and that the state already follows. Since there are no anticipated new requirements or restrictions as a result of this filing, there is no anticipated fiscal cost or savings to the state.
B) Local government:
This CPR clarifies standards and requirements that are already in place and that local governments already follow. Since there are no anticipated new requirements or restrictions as a result of this filing, there is no anticipated fiscal cost or savings to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
This CPR clarifies standards and requirements that are already in place and that small businesses already follow. Since there are no anticipated new requirements or restrictions as a result of this filing, there is no anticipated fiscal cost or savings to the small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This CPR clarifies standards and requirements that are already in place and that non-small businesses already follow.

Since there are no anticipated new requirements or restrictions as a result of this filing, there is no anticipated fiscal cost or savings to non-small businesses.

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

This CPR clarifies standards and requirements that are already in place and that other persons already follow.

Since there are no anticipated new requirements or restrictions as a result of this filing, there is no anticipated fiscal cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

F) Compliance costs for affected persons:

As there are no anticipated affected persons, this rule is not expected to result in compliance costs.

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

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

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

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

The Executive Director of the Department of Health and Human Services, Tracy S. Gruber, has reviewed and approved this 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 26B-1-202(43)	Section 26B-8-411	
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Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	NCPDP SCRIPT Standard, Implementation Guide
Publisher	National Council for Prescription Drug Programs (NCPDP)
Issue Date	July 28, 2017
Issue or Version	Version 2017071

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

Official Title of Materials Incorporated (from title page)	NCPDP SCRIPT Standard Implementation Guide
Publisher	National Council for Prescription Drug Programs (NCPDP)
Issue Date	November 12, 2008
Issue or Version	Version 10.6

NOTICES OF CHANGES IN PROPOSED RULES

C) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Health Level Seven Standards
Publisher	HL7 International
Issue Date	March 26, 2023

Public Notice Information

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

A) Comments will be accepted until:	05/01/2024
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9. This rule change MAY become effective on:	05/08/2024
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	03/12/2024
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End of the Notices of Changes in Proposed Rules Section

NOTICES OF 120-DAY (EMERGENCY) RULES

An agency may file a **120-DAY (EMERGENCY) RULE** when it finds that regular rulemaking procedures would:

- (a) cause an imminent peril to the public health, safety, or welfare;
- (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
- (c) place the agency in violation of federal or state law (Subsection 63G-3-304(1)).

As with a **PROPOSED RULE**, a **120-DAY RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **120-DAY RULE** including the name of a contact person, justification for filing a **120-DAY RULE**, anticipated cost impact of the rule, and legal cross-references.

A **120-DAY RULE** is effective when filed with the Office of Administrative Rules, or on a later date designated by the agency. A **120-DAY RULE** is effective for 120 days or until it is superseded by a permanent rule. Because of its temporary nature, a **120-DAY RULE** is not codified as part of the *Utah Administrative Code*.

The law does not require a public comment period for **120-DAY RULES**. However, when an agency files a **120-DAY RULE**, it may file a **PROPOSED RULE** at the same time, to make the requirements permanent.

Emergency or **120-DAY RULES** are governed by Section 63G-3-304, and Section R15-4-8.

NOTICE OF EMERGENCY (120-DAY) RULE		
Rule or Section Number:	R68-29	Filing ID: 56363
Effective Date:	03/08/2024	

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-29. Quality Assurance Testing on Cannabis
3. Purpose of the new rule or reason for the change:
Through lab testing, the Department of Agriculture and Food (Department) has recently identified the presence of tetrahydrocannabinol acetate (THC-OAc) in a variety of medical cannabis products. Based on recent rule changes disallowing the presence of any detectable amount of this substance, these products have been put on hold and cannot be sold. Emergency rule changes are needed to allow a small, relatively safe amount to be present so the holds can be released, and patients can have access to the products they need. The changes are supported by a vote of the Medical Cannabis Policy Advisory Board.
4. Summary of the new rule or change:
This change adds clarifying language to Section R68-29-7 that will allow THC-OAc in cannabis concentrate up to 1% of the total cannabinoid peak area or in a cannabis product up to 0.5% of the total cannabinoid peak area. THC-OAc has also been removed from Table 3.
5A) The agency finds that regular rulemaking would:
<input checked="" type="checkbox"/> cause an imminent peril to the public health, safety, or welfare;
<input type="checkbox"/> cause an imminent budget reduction because of budget restraints or federal requirements; or

NOTICES OF 120-DAY (EMERGENCY) RULES

<input type="checkbox"/> place the agency in violation of federal or state law.
B) Specific reasons and justifications for this finding:
Without these immediate changes, a significant number of medical cannabis products cannot be sold to medical cannabis cardholders and patients will not be able to access the medicine they need.
The changes are also needed to allow cannabis licensees to sell their products and stay in business, which ultimately impacts patients as well.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This change does impact the state budget. The Department laboratory was already testing for THC-OAc and will continue to do so.
B) Local governments:
These changes will not impact local governments because they do not participate in the medical cannabis program.
C) Small businesses ("small business" means a business employing 1-49 persons):
These changes will impact small businesses in a positive way because it will allow cannabis licensees to continue to sell their products.
The impact cannot be quantified at this time because the Department does not know how many of each licensee's products may have THC-OAc, nor does the Department have access to information regarding what portion of each licensee's revenue would be put in jeopardy without the ability to sell these products or whether that would impact the viability of their business overall.

The changes will not have a negative fiscal impact because the Department has not yet acted on a licensee based on the presence of THC-OAc.
D) Persons other than 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 changes will not impact other persons because they are not cannabis licensees.
E) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
Compliance costs to participate in the program, including Department fees will not change.
F) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):
This rule will positively impact businesses by allowing them to stay in operation. Craig W Buttars, Commissioner

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:
Subsection 4-41a-701(3)

Agency Authorization Information

Agency head or designee and title:	Craig W Buttars, Commissioner	Date:	03/08/2024
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End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at adminrules.utah.gov. The rule text may also be inspected at the agency or the Office of Administrative Rules. **REVIEWS** are effective upon filing.

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

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R251-111	Filing ID: 50353
Effective Date:	03/13/2024	

Agency Information

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

General Information

2. Rule catchline:	R251-111. Government Records Access and Management		
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 63A-12-104(2) and Sections 63G-2-204, 64-13-10, 46-4-501, and 46-4-502.		

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

Corrections has not received any written comments in the past five years pertaining to this rule.

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

The purpose of this rule is to provide procedures for access to government records of the Department of Corrections and to facilitate intergovernmental, cross-boundary inter-cooperation. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Brian Redd, Executive Director	Date:	03/05/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-302	Filing ID: 54624
Effective Date:	03/11/2024	

Agency Information

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

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

General Information

2. Rule catchline:
R277-302. Educator Licensing Renewal
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (Board). Subsection 53E-3-401(4) allows the Board to execute rules to carry out its duties and responsibilities under the Utah Constitution and state law. Section 53E-6-201 gives the Board power to issue licenses.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no public comments received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary because it ensures that licensed educators maintain and enhance their education-related skills and knowledge throughout the duration of the license. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/11/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-304	Filing ID:	56287
Effective Date:	03/15/2024		

Agency Information

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

General Information

2. Rule catchline:
R277-304. Teacher Preparation Programs
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (Board). Subsection 53E-3-401(4) allows the Board to execute rules to carry out its duties and responsibilities under the Utah Constitution and state law. Subsection 53E-6-201(3)(a) directs the Board to make rules to establish the criteria for obtaining an educator license.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no public comments received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary because it specifies the standards for educational area and grade level which the Board expects of a teacher preparation institution before program approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/15/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-305	Filing ID:	50405
Effective Date:	03/11/2024		

Agency Information

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

General Information

2. Rule catchline:
R277-305. School Leadership License Areas of Concentration and Programs
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (Board). Subsection 53E-3-401(4) allows the Board to execute rules to carry out its duties and responsibilities under the Utah Constitution and state law. Section 53E-6-201 permits the Board to issue certificates for educators.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no public comments received.

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

This rule is necessary because it specifies the requirements for a professional school leadership license area of concentration, and also specifies the standards which the Board expects of a school leadership preparation program prior to program approval. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/11/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-310	Filing ID:	52960
Effective Date:	03/11/2024		

Agency Information

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

General Information

2. Rule catchline:
R277-310. International Guest Teachers
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (Board).

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Subsection 53E-3-401(4) allows the Board to execute rules to carry out its duties and responsibilities under the Utah Constitution and state law.

Subsection 53E-6-201(3)(a) allows the Board to establish the criteria for obtaining educator licenses.

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

There were no public comments received.

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

This rule is necessary because it establishes procedures for qualified international guest teachers to be effectively hired and placed by a Utah LEA with assistance and direction from the Superintendent to encourage cultural exchange and foreign language development among Utah public school students. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/11/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-472	Filing ID:	52342
Effective Date:	03/08/2024		

Agency Information

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

General Information

2. Rule catchline:

R277-472. Charter School Student Enrollment and Transfers and School District Capacity Information

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

This rule is authorized pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (Board).

Subsection 53E-3-401(4) allows the Board to execute rules to carry out its duties and responsibilities under the Utah Constitution and state law.

Subsection 53G-6-503(2) directs the Board to make rules for a student transferring between a charter school and the student's boundary school within the student's district of residence and enrolling and withdrawing from charter schools.

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

There were no public comments received.

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

This rule is necessary because it provides procedures for a student transferring between a charter school and the student's boundary school within the student's district of residence. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/08/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-724	Filing ID:	52360
Effective Date:	03/08/2024		

Agency Information

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

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

General Information

2. Rule catchline:
R277-724. Criteria for Sponsors Recruiting Day Care Facilities in the Child and Adult Care Food Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (Board). Subsection 53E-3-401(4) allows the Board to execute rules to carry out its duties and responsibilities under the Utah Constitution and state law. Subsection 53E-3-501(3) authorizes the Board to administer and distribute funds made available through programs of the federal government.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no public comments received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary because it establishes eligibility criteria for new sponsoring organizations to recruit facilities for child care centers and day care homes in unserved areas. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	03/08/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-226	Filing ID: 55262
Effective Date:	03/07/2024	

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room number:	Suite 2300	
Building:	Taylorville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact persons:		
Name:	Phone: Email:	
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R590-226. Submitting Life Insurance Filings
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code. Section 31A-2-201.1 authorizes the insurance commissioner to regulate the filing of rates, forms, and reports.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
It is important that this rule remains in force to allow the Department to provide uniformity among life insurance companies active in the Utah. It allows for uniformity in how a company filing is made and the information and

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

documentation to be included, which allows for a uniform review of these forms by the Department. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	03/07/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R590-227	Filing ID:	55376
Effective Date:	03/07/2024		

Agency Information

1. Department:	Insurance		
Agency:	Administration		
Room number:	Suite 2300		
Building:	Taylorsville State Office Building		
Street address:	4315 S 2700 W		
City, state and zip:	Taylorsville, UT 84129		
Mailing address:	PO Box 146901		
City, state and zip:	Salt Lake City, UT 84114-6901		
Contact persons:			
Name:	Phone:	Email:	
Steve Gooch	801-957-9322	sgooch@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R590-227. Submitting Annuity Filings
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
Section 31A-2-201.1 authorizes the insurance commissioner to regulate the filing of rates, forms, and reports.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.

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

It is important that this rule remains in force to allow the Department to provide uniformity among life and annuity insurance companies active in Utah. It allows for uniformity in how a company filing is made and the information and documentation to be included, which allows for a uniform review of these forms by the Department. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	03/07/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R590-228	Filing ID:	55848
Effective Date:	03/07/2024		

Agency Information

1. Department:	Insurance		
Agency:	Administration		
Room number:	Suite 2300		
Building:	Taylorsville State Office Building		
Street address:	4315 S 2700 W		
City, state and zip:	Taylorsville, UT 84129		
Mailing address:	PO Box 146901		
City, state and zip:	Salt Lake City, UT 84114-6901		
Contact persons:			
Name:	Phone:	Email:	
Steve Gooch	801-957-9322	sgooch@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R590-228. Submitting Credit Life and Credit Accident and Health Insurance Filings

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
Section 31A-2-201.1 authorizes the insurance commissioner to regulate the filing of rates, forms, and reports.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
It is important that this rule remains in force to allow the Department to provide uniformity among companies selling credit life, and credit accident and health products in Utah. This rule allows for uniformity in how a company filing is made, and the information and documents to be included, which allows for a uniform review of these rates and forms. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	03/07/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-268	Filing ID: 55276
Effective Date:	03/07/2024	

Agency Information

1. Department:	Insurance
Agency:	Administration
Room number:	Suite 2300
Building:	Taylorsville State Office Building
Street address:	4315 S 2700 W
City, state and zip:	Taylorsville, UT 84129
Mailing address:	PO Box 146901
City, state and zip:	Salt Lake City, UT 84114-6901

Contact persons:		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R590-268. Small Employer Stop-Loss Insurance
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
Section 31A-43-304 authorizes the Insurance Commissioner to adopt rules to implement Title 31A, Chapter 43, Small Employer Stop-Loss Insurance Act, related to the regulation of small employer stop-loss products.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule authorizes the Insurance Commissioner to set the content of the stop-loss insurance disclosure, prohibit lasering, and establish the form and manner of rate and form filings and of the annual actuarial certification and report on stop-loss experience. The Department uses the provisions of this rule to effectively regulate the health insurance market. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	03/07/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R597-4	Filing ID: 52955
Effective Date:	03/13/2024	

Agency Information

1. Department:	Judicial Performance Evaluation Commission	
Agency:	Administration	
Room number:	Suite 330	
Building:	Senate Building	
Street address:	350 State Street	
City, state and zip:	Salt Lake City, UT 84114	
Contact persons:		
Name:	Phone:	Email:
Mary-Margaret Pingree	385-910-2097	mmpingree@utah.gov
Madison Klein	801-538-1146	mklein@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R597-4. Justice Courts
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 78A, Chapter 12, outlines the provisions of the Judicial Performance Evaluation Commission Act.
Rulemaking authority is required or granted in the following sections: Subsection 78A-12-203(9) allows the Judicial Performance Evaluation Commission (Commission) to make rules as necessary to administer judicial performance evaluations.
Subsection 78A-12-204(11) allows the Commission to make rules as necessary to administer the judicial performance survey.
Subsection 78A-12-205(3) allows the Commission to make rules about certification standards.
Specifically for justice court judges, Subsection 78A-12-207(4)(a) allows the Commission to create standards by administrative rule.
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 comments have been received since the last five-year review of this rule.

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

The Utah Code allows the Commission to make rules to effectively administer the judicial evaluation process. The Utah Code provides high level direction, but the administrative rules provide detailed guidance critical to an effective and fair process. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Mary-Margaret Pingree, Executive Director	Date:	03/07/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R657-62	Filing ID:	56249
Effective Date:	03/13/2024		

Agency Information

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

General Information

2. Rule catchline:
R657-62. Drawing Application Procedures
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Under authority of Sections 23A-2-304 and 23A-2-305, the Wildlife Board has established this rule for drawing applications and procedures and to authorize specific season dates, bag and possession limits, areas open,

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

number of permits and other administrative details that may change annually are published in the respective guidebooks of the Wildlife Board.

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 of Wildlife Resources (Division) has not received any written comments regarding this rule.

Any comments received in opposition to this rule are resolved using existing policies and procedures or the issue is placed on the Regional Advisory Council's and Wildlife Board's agenda for review and discussion during the process for taking public input.

The public is welcome to view the Regional Advisory Council minutes, Wildlife Board minutes, and administrative record for this rule at the Division.

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

Rule R657-62 provides the authority, standards, and procedures for accepting applications for wildlife drawings. This rule is necessary for continued success with the annual drawings. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Justin Shirley, Division Director	Date:	03/13/2024
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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		
Rule Number:	R622-2	Filing ID: 51508
Effective Date:	03/20/2024	

Agency Information

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

General Information

2. Title of rule (catchline):
R622-2. Use of the Great Seal of the State of Utah
3. Summary:
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

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

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

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

Agriculture and Food

Marketing and Development

No. 56278 (Repeal and Reenact) R65-1: Utah Apple Marketing Order

Published: 02/01/2024

Effective: 03/26/2024

No. 56279 (Repeal and Reenact) R65-5: Utah Red Tart and Sour Cherry Marketing Order

Published: 02/01/2024

Effective: 03/26/2024

Education

Administration

No. 56284 (Amendment) R277-100: Definitions for Utah State Board of Education (Board) Rules

Published: 02/01/2024

Effective: 03/11/2024

No. 56285 (New Rule) R277-111: Board Oversight Framework

Published: 02/01/2024

Effective: 03/11/2024

No. 56286 (Amendment) R277-114: Corrective Action and Withdrawal or Reduction of Program Funds

Published: 02/01/2024

Effective: 03/11/2024

No. 56287 (Amendment) R277-304: Teacher Preparation Programs

Published: 02/01/2024

Effective: 03/11/2024

No. 56288 (Amendment) R277-716: Alternative Language Services for Utah Students

Published: 02/01/2024

Effective: 03/11/2024

Health and Human Services

Integrated Healthcare

No. 56258 (Amendment) R414-90: Diabetes Self-Management Training

Published: 01/15/2024

Effective: 03/25/2024

No. 56259 (Repeal) R414-310: Medicaid Primary Care Network Demonstration Waiver

Published: 01/01/2024

Effective: 03/25/2024

No. 56260 (Amendment) R414-504: Nursing Facility Payments

Published: 01/01/2024

Effective: 03/25/2024

Data, Systems and Evaluation, Vital Records and Statistics
No. 56173 (Amendment) R436-9: Persons and Institutions Required to Keep Monthly Listings of Vital Statistics Events

Published: 12/01/2023

Effective: 03/25/2024

Insurance

Administration

No. 56282 (Amendment) R590-271: Data Reporting for Consumer Quality Comparison

Published: 02/01/2024

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Natural Resources

Outdoor Recreation

No. 56280 (New Rule) R650-102: Adjudicatory Proceedings

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NOTICES OF RULE EFFECTIVE DATES

Wildlife Resources

No. 55876 (Amendment) R657-13: Prohibited Fish List
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No. 56276 (Amendment) R657-33: Taking Bear
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No. 56281 (Amendment) R657-51: Poaching-Reported
Reward Permits
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No. 56277 (Amendment) R657-62: Drawing Application
Procedures
Published: 02/01/2024
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Public Safety

Driver License

No. 55755 (Repeal and Reenact) R708-31: Ignition
Interlock Systems
Published: 10/15/2023
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No. 55755 (Change in Proposed Rule) R708-31: Ignition
Interlock Systems
Published: 02/01/2024
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No. 55756 (Repeal and Reenact) R708-48: Ignition
Interlock System Program
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No. 55756 (Change in Proposed Rule) R708-48: Ignition
Interlock System Program
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Workforce Services

Employment Development

No. 56310 (Amendment) R986-700: Child Care Assistance
Published: 02/15/2024
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End of the Notices of Rule Effective Dates Section