

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between September 04, 2024, 12:00 a.m., and September 16, 2024, 11:59 p.m. are included in this, the October 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 October 31, 2024. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through January 29, 2025, 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 SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:

R82-1

Filing ID: 56796

Agency Information

1. Title catchline:	Alcoholic Beverage Services, Administration	
Building:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 30408	
City, state and zip:	Salt Lake City, UT 84130-0408	
Contact persons:		
Name:	Phone:	Email:
Vickie Ashby	801-977-6800	vickieashby@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R82-1. General
3. Purpose of the new rule or reason for the change:
This rule change is made to comply with recent statutory changes and to clean-up terminology inconsistent with statute and other rules.
4. Summary of the new rule or change:
This rule change details factors the Department of Alcoholic Beverage Services (Department) may consider when evaluating certain malted beverage labels in accordance with recent statutory changes, removes definitions no longer needed due to recent statutory changes, and cleans up terminology and cross references inconsistent with statute and other rules.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule is not expected to have a fiscal impact on the state budget because the rule change is technical in nature or consistent with current and previous Department practice.
B) Local governments:
This rule is not expected to have a fiscal impact on local governments' revenues or expenditures because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice.

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

This rule is not expected to have a fiscal impact on persons other than small business, non-small businesses or state or local government entities because the rule change is technical in nature or consistent with current and previous Department practice.

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

This rule is not expected to have a compliance cost because the rule change is technical in nature or consistent with current and previous Department practice.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Alcoholic Beverage Services, Tiffany Clason, 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 32B-2-202	Section 32B-1-102	Section 32B-1-607
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Public Notice Information

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

A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024

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

Agency Authorization Information

Agency head or designee and title:	Tiffany Clason, Executive Director	Date:	09/12/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R82-2-308	Filing ID: 56797

Agency Information

1. Title catchline:	Alcoholic Beverage Services, Administration	
Building:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 30408	
City, state and zip:	Salt Lake City, UT 84130-0408	
Contact persons:		
Name:	Phone:	Email:
Vickie Ashby	801-977-6800	vickieashby@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R82-2-308. Consignment Inventory Package Agencies
3. Purpose of the new rule or reason for the change:
This rule change is made in response to an internal audit finding regarding type 2 and 3 package agency invoicing procedures.
4. Summary of the new rule or change:
This rule change modifies the timing within which the Department of Alcoholic Beverage Services (Department) is required to issue a statement to type 2 and 3 package agencies concerning consignment debts and credits and makes other clarifying changes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule is not expected to have a fiscal impact on the state budget because the rule change is technical in nature or consistent with current and previous Department practice.
B) Local governments:
This rule is not expected to have a fiscal impact on local governments' revenues or expenditures because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):

This rule is not expected to have a fiscal impact on persons other than small business, non-small businesses or state or local government entities because the rule change is technical in nature or consistent with current and previous Department practice.

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

This rule is not expected to have a compliance cost because the rule change is technical in nature or consistent with current and previous Department practice.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Alcoholic Beverage Services, Tiffany Clason, 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 32B-2-202	Section 32B-2-605	
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Public Notice Information

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

A) Comments will be accepted until:	10/31/2024
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9. This rule change MAY become effective on:	11/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tiffany Clason, Executive Director	Date:	09/12/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R82-3	Filing ID: 56798

Agency Information

1. Title catchline:	Alcoholic Beverage Services, Administration	
Building:	Administration	
Street address:	1625 S. 900 W.	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 30408	
City, state and zip:	Salt Lake City, UT 84130-0408	
Contact persons:		
Name:	Phone:	Email:
Vickie Ashby	801-977-6800	vickieashby@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R82-3. Disciplinary Actions and Enforcement
3. Purpose of the new rule or reason for the change:
This rule change is made for consistency with statute and between sections concerning the Department of Alcoholic Beverage Services (Department) disciplinary proceedings.
4. Summary of the new rule or change:
This rule change clarifies the actions the commission may take against a licensee or permittee who fails to maintain minimum qualifications to hold a license or permit, removes the requirement that certain mailings be certified in accordance with statute, and makes other technical changes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule is expected to have a minor fiscal savings on the state budget because the rule change removes the requirement that certain mailings be sent certified.
B) Local governments:
This rule is not expected to have a fiscal impact on local governments' revenues or expenditures because the rule change is specific to Department practice.
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 because the rule change is specific to Department practice.
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 because the rule change is specific to Department practice.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):

This rule is not expected to have a fiscal impact on persons other than small business, non-small businesses or state or local government entities because the rule change is specific to Department practice.

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

This rule is not expected to have a compliance cost because the rule change is consistent with Department practice.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Alcoholic Beverage Services, Tiffany Clason, 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 32B-2-202	Section 32B-3-205	Section 32B-3-202
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Public Notice Information

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

A) Comments will be accepted until:	10/31/2024
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9. This rule change MAY become effective on:	11/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tiffany Clason, Executive Director	Date:	09/12/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R82-5	Filing ID: 56808

Agency Information

1. Title catchline:	Alcoholic Beverage Services, Administration	
Building:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 30408	
City, state and zip:	Salt Lake City, UT 84130-0408	
Contact persons:		
Name:	Phone:	Email:
Vickie Ashby	801-977-6800	vickieashby@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R82-5. General Retail License Provisions
3. Purpose of the new rule or reason for the change:
This rule change is made to clean-up definitions inconsistent with other rules and to clarify that a retail licensee's menu may be available electronically.
4. Summary of the new rule or change:
This rule deletes a definition inconsistent with other rules, allows a retail licensee's menu to be available electronically, and makes other technical changes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule is not expected to have a fiscal impact on the state budget because the rule change is technical in nature or consistent with current and previous Department of Alcoholic Beverage Services (Department) practice.
B) Local governments:
This rule is not expected to have a fiscal impact local government revenues or expenditures because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):

This rule is not expected to have a fiscal impact on persons other than small business, non-small businesses or state or local government entities because the rule change is technical in nature or consistent with current and previous Department practice.

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

This rule is not expected to have a compliance cost because the rule change is technical in nature or consistent with current and previous Department practice.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Alcoholic Beverage Services, Tiffany Clason, 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 32B-2-202	Section 32B-5-301	Section 32B-5-304
Section 32B-6-406	Section 32B-1-102	

Public Notice Information

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

A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024

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

Agency Authorization Information

Agency head or designee and title:	Tiffany Clason, Executive Director	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R82-6	Filing ID: 56809

Agency Information

1. Title catchline:	Alcoholic Beverage Services, Administration	
Building:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 30408	
City, state and zip:	Salt Lake City, UT 84130-0408	
Contact persons:		
Name:	Phone:	Email:
Vickie Ashby	801-977-6800	vickieashby@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R82-6. Specific Retail Provisions
3. Purpose of the new rule or reason for the change:
This rule change is made to modify the time period for which the Department of Alcoholic Beverage Services (Department) may retain notice of certain events and to make other clarifying changes.
4. Summary of the new rule or change:
This rule change modifies the time period for which the Department may retain notice of a licensee's banquet or reception center event, clarifies that a hospitality amenity licensee is required to provide the Department notice of events, corrects incorrect cross references, and makes other clarifying changes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule is not expected to have a fiscal impact on the state budget because the rule change is technical in nature or consistent with current and previous Department practice.
B) Local governments:
This rule is not expected to have a fiscal impact local government revenues or expenditures because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice.

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

This rule is not expected to have a fiscal impact on persons other than small business, non-small businesses or state or local government entities because the rule change is technical in nature or consistent with current and previous Department practice.

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

This rule is not expected to have a compliance cost because the rule change is technical in nature or consistent with current and previous Department practice.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Alcoholic Beverage Services, Tiffany Clason, 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 32B-2-202	Section 32B-6-605	Section 32B-6-805
Section 32B-6-1005		

Public Notice Information

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

A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024

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

Agency Authorization Information

Agency head or designee and title:	Tiffany Clason, Executive Director	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R82-8	Filing ID: 56810

Agency Information

1. Title catchline:	Alcoholic Beverage Services, Administration	
Building:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 30408	
City, state and zip:	Salt Lake City, UT 84130-0408	
Contact persons:		
Name:	Phone:	Email:
Vickie Ashby	801-977-6800	vickieashby@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R82-8. Resorts
3. Purpose of the new rule or reason for the change:
This rule change is made in response to recent statutory changes requiring rulemaking and to make other clarifying changes.
4. Summary of the new rule or change:
This rule change outlines requirements for signage indicating a designated conveyance area within a licensed hotel or resort, corrects incorrect cross references, and makes other clarifying changes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule is not expected to have a fiscal impact on the state budget because the rule change is technical in nature or consistent with current and previous Department of Alcoholic Beverage Services (Department) practice.
B) Local governments:
This rule is not expected to have a fiscal impact the local governments' revenues or expenditures because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

This rule is not expected to have a fiscal impact on persons other than small business, non-small businesses or state or local government entities because the rule change is technical in nature or consistent with current and previous Department practice.

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

This rule is not expected to have a compliance cost because the rule change is technical in nature or consistent with current and previous Department practice.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Alcoholic Beverage Services, Tiffany Clason, 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 32B-1-102	Section 32B-8d-102	Section 32B-8-401
Section 32B-8b-301		

Public Notice Information

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

A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024

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

Agency Authorization Information

Agency head or designee and title:	Tiffany Clason, Executive Director	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R82-9	Filing ID: 56811

Agency Information

1. Title catchline:	Alcoholic Beverage Services, Administration	
Building:	Administration	
Street address:	1625 S 900 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 30408	
City, state and zip:	Salt Lake City, UT 84130-0408	
Contact persons:		
Name:	Phone:	Email:
Vickie Ashby	801-977-6800	vickieashby@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R82-9. Event Permits
3. Purpose of the new rule or reason for the change:
This rule change is made to clarify certain considerations by the Department of Alcoholic Beverage Services (Department) for event permits.
4. Summary of the new rule or change:
This rule clarifies the number of attendees necessary for a large scale event, clarifies the purpose of required security at events, and makes other clarifying changes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule is not expected to have a fiscal impact on the state budget because the rule change is technical in nature or consistent with current and previous Department practice.
B) Local governments:
This rule is not expected to have a fiscal impact local government revenues or expenditures because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice.
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 because the rule change is technical in nature or consistent with current and previous Department practice
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):

This rule is not expected to have a fiscal impact on persons other than small business, non-small businesses or state or local government entities because the rule change is technical in nature or consistent with current and previous Department practice.

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

This rule is not expected to have a compliance cost because the rule change is technical in nature or consistent with current and previous Department practice.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Alcoholic Beverage Services, Tiffany Clason, 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 32B-2-202	Section 32B-9-201	
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Public Notice Information

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

A) Comments will be accepted until:	10/31/2024
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9. This rule change MAY become effective on:	11/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tiffany Clason, Executive Director	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R156-15A-231	Filing ID: 56788

Agency Information

1. Title catchline:	Commerce, Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84114-6741	
Contact persons:		
Name:	Phone:	Email:
Matt Johnson	801-530-6628	mmjohnson@utah.gov
Steve Duncombe	801-530-6628	sduncombe@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R156-15A-231. Administration of Building Code Inspector Training Fund, Building Code Construction-Related Training Fund, and Factory Built Housing Fees Account
3. Purpose of the new rule or reason for the change:
Subsection 15A-1-209(5)(c) states that funds transmitted to the Division of Professional Licensing (Division) from the issuance of building permits be used for various educational purposes. Subsection R156-15A-231(4)(f)(i) establishes that instructors reimbursed from these funds may be reimbursed at a rate not to exceed \$150 per instruction hour without review and approval by the Education Advisory Committee of the Uniform Building Code Commission. During the Committee's meeting on March 19, 2024, the Committee voted to increase this amount to \$200 per instruction hour.
4. Summary of the new rule or change:
This amendment changes Subsection R156-15A-231(f)(i) to increase the maximum reimbursement rate for instruction that does not require additional approval from the Education Advisory Committee from \$150 to \$200. Also, Subsections R156-15A-231(7) and (8) include a nonsubstantive change to the Division's title.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no anticipated costs or savings to the state budget. The updated rate (i) aligns with acceptable and recognized industry standards, and (ii) reflects the Committee's standard practice of approving this rate. The rule change will have no impact on how the Department of Commerce functions or the parties to which it applies.
B) Local governments:
The proposed amendment will have no impact on local governments. The source of the funds from which the instructor reimbursement is paid is established by Subsection 15A-1-209(5)(c). These funds are 85% of the revenue derived from fees collected by compliance agencies from the issuance of building permits This amendment changes neither the total percentage transferred to the Division from the compliance agencies, nor the fees charged for building permits. A local government that acts as a compliance agency and issues building permits will continue to transfer 85% of the revenue derived from the fees collected from those permits.

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

The proposed amendments will have no impact on small businesses. This amendment does not change the fees charged for building permits to small businesses.

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

The proposed amendment will have no impact on non-small businesses. The source of the funds from which the instructor reimbursement is paid is established by Subsection 15A-1-209(5)(c). These funds are 85% of the revenue derived from fees collected by compliance agencies from the issuance of building permits.

This amendment changes neither the total percentage transferred to the Division from the compliance agencies nor the fees charged for building permits.

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

The proposed amendment will have no impact on persons other than small businesses, non-small businesses, state, or local government-entities. The source of the funds from which the instructor reimbursement is paid is established by Subsection 15A-1-209(5)(c) . These funds are 85% of the revenue derived from fees collected by compliance agencies from the issuance of building permits.

This amendment changes neither the total percentage transferred to the Division from compliance agencies nor the fees charged for building permits.

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

The amendment will reduce the costs associated with retaining building permit instructors and will be more reflective of current market rates. By more closely reflecting market rates, retaining instructors will not require Committee approval as frequently, reducing overall 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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

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

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Subsection 15A-1-204(6)
Section 15A-1-205		

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)		
A) Comments will be accepted until:	10/31/2024	
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
10/04/2024	2:00 PM	160 East 300 South - Conference Room 475 Salt Lake City, Utah and also via Google Meet link below Google Meet joining info Video call link: https://meet.google.com/eyw-zgpk-hwa Or dial: (US) +1 314-325-6481 PIN: 853 925 725# More phone numbers: https://tel.meet/eyw-zgpk-hwa?pin=6286685690226

9. This rule change MAY become effective on:	11/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Mark Steinagel, Division Director	Date:	09/05/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: New	
Rule or Section Number: R277-333	Filing ID: 56799

Agency Information

1. Title catchline:	Education, Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state:	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:
R277-333. Registered Apprenticeship Program for Teachers
3. Purpose of the new rule or reason for the change:
This rule is being created as a result of H.B. 208 passed in the 2024 General Session. This new rule seeks to create a pathway for a prospective educator to earn a professional license through an apprenticeship program, operated in conjunction with Local Education Agencies (LEAs) and Institutions of Higher Education. The US Department of Labor (DOL) registered the apprenticeship program on July 16, 2024, and Utah has received a one-time \$1,900,000 grant from the DOL to fund the apprenticeship program.
4. Summary of the new rule or change:
The new rule establishes the rules for LEAs seeking to take part in the apprenticeship program, including requirements for eventual licensing and pay for apprentices and mentors.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget: This proposed rule is not expected to have fiscal impact on state government revenues or expenditures. This program was created by H.B. 208 (2024), and the Utah State Board of Education (USBE) believes the fiscal impacts for USBE, Institutions of Higher Education (IHEs), and LEAs were captured in the fiscal note to H.B. 208 (2024).
B) Local governments: This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This program was created by H.B. 208 (2024), and USBE believes the fiscal impacts for USBE, IHEs, and LEAs were captured in the fiscal note to H.B. 208 (2024).
C) Small businesses ("small business" means a business employing 1-49 persons): This proposed rule is not expected to have fiscal impacts on small business revenues or expenditures. This only affects USBE, LEAs, and IHEs.
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 <i>agency</i>): This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects USBE, IHEs, and LEAs.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?): There are no compliance costs for affected persons. This program was created by H.B. 208 (2024), and USBE believes the fiscal impacts for USBE, IHEs, and LEAs were captured in the fiscal note to H.B. 208 (2024).
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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-6-201(3)(a)
Section 53E-6-206		

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)
A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title: Angie Stallings, Deputy Superintendent of Policy	Date: 09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment
Rule or Section Number: R277-419 Filing ID: 56800

Agency Information

1. Title catchline:	Education, Administration
Building:	Board of Education
Street address:	250 E 500 S
City, state:	Salt Lake City, UT

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:
R277-419. Pupil Accounting
3. Purpose of the new rule or reason for the change:
This rule is being amended as a result of the passage of H.B. 82 in the 2024 General Session.
4. Summary of the new rule or change:
The amendments specifically update Section R277-419-2, changing the definition of "YIC". Currently the rule states that "YIC" means "Youth in Custody." The revised language will state that "YIC" means "Youth in Care" and will reflect current state statute.

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. This is an update to language only and the Utah State Board of Education (USBE) believes any fiscal impacts for USBE and Local Education Agencies (LEAs) were captured in the fiscal note to H.B. 82 (2024).
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This is an update to language only and USBE believes any fiscal impacts for USBE and LEAs were captured in the fiscal note to H.B. 82 (2024).
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small business revenues or expenditures. This only affects USBE and LEAs.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects USBE and LEAs.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for affected persons. This is an update to language only and USBE believes any fiscal impacts for USBE and LEAs were captured in the fiscal note to H.B. 82 (2024).

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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 regulatory impact analysis.

Citation Information

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

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53F-2-102(7)
Subsection 53E-3-501(1)(e)	Subsection 53E-3-602(2)	Subsection 53E-3-301(3)(d)
Section 53G-4-404		

Public Notice Information

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

A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024

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

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING:	Amendment		
Rule or Section Number:	R277-468	Filing ID:	56801

Agency Information

1. Title catchline:	Education, Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT	
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:
R277-468. Parents Review of Public Education Curriculum and Review of Complaint Process
3. Purpose of the new rule or reason for the change:
This rule is being amended in order to add an "Oversight Category".
4. Summary of the new rule or change:
The amendments specifically add an Oversight Category 2 in Section R277-468-1 of the rule and update terminology consistent with recent legislation.

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 oversight framework categorization is part of the Utah State Board of Education's (USBE) effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The oversight framework categorization is part of the USBE effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.
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. This only affects USBE and Local Education Agencies (LEAs).
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or

expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.

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

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

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

There are no compliance costs for affected persons. The oversight framework categorization is part of the Utah State Board of Education's (USBE) effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule.

This categorization does not add any requirements or resources in and of itself.

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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 regulatory impact analysis.

Citation Information

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

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

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

A) Comments will be accepted until:	10/31/2024
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9. This rule change MAY become effective on:	11/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING:	Amendment		
Rule or Section Number:	R277-701	Filing ID:	56802

Agency Information

1. Title catchline:	Education, Administration		
Building:	Board of Education		
Street address:	250 E 500 S		
City, state:	Salt Lake City, UT		
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:	R277-701. Early College Programs
3. Purpose of the new rule or reason for the change:	This rule is being amended as a result of the passage of H.B. 493 in the 2024 General Session.
4. Summary of the new rule or change:	The amendments specifically add a provision referencing new requirements for Local Education Agencies (LEAs) to contract with eligible institutions for Concurrent Enrollment courses and adding an Oversight Category consistent with Rule R277-111.

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 Utah State Board of Education (USBE) believes that fiscal impacts were captured in the fiscal note for H.B. 493 (2024) and there are no other measurable fiscal impacts created as a result of this rule for USBE or LEAs.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. USBE believes that fiscal impacts were captured in the fiscal note for H.B. 493 (2024) and there are no other measurable fiscal impacts created as a result of this rule for USBE or LEAs.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only impacts USBE and LEAs.

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

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

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

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

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

There are no compliance costs for affected persons. USBE believes that fiscal impacts were captured in the fiscal note for H.B. 493 (2024) and there are no other measurable fiscal impacts created as a result of this rule for USBE or LEAs.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 regulatory impact analysis.

Citation Information

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

Article X, Section 3	Subsection 53E-3-401(4)	Section 53F-2-408.5
Section 53F-2-409		

Public Notice Information

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

A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024

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

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:	R277-705	Filing ID: 56803
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Agency Information

1. Title catchline:	Education, Administration		
Building:	Board of Education		
Street address:	250 E 500 S		
City, state:	Salt Lake City, UT		
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:	R277-705. Secondary School Completion and Diplomas
3. Purpose of the new rule or reason for the change:	This rule is being amended as a result of the passage of H.B. 82 in the 2024 General Session.
4. Summary of the new rule or change:	The amendments specifically update Section 2, changing the definition of "YIC". Currently the rule states that "YIC" means "Youth in Custody." The revised language will state that "YIC" means "Youth in Care".

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. This is an update to language only and the Utah State Board of Education (USBE) believes any fiscal impacts for USBE and Local Education Agencies (LEAs) were captured in the fiscal note to H.B. 82 (2024).

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This is an update to language only and USBE believes any fiscal impacts for USBE and LEAs were captured in the fiscal note to H.B. 82 (2024).

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects USBE and LEAs.

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

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

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

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

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

There are no compliance costs for affected persons. This is an update to language only and USBE believes any fiscal impacts for USBE and LEAs were captured in the fiscal note to H.B. 82 (2024).

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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 regulatory impact analysis.

Citation Information

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

Article X, Section 3	Subsection 53E-3-501(1)(b)	Subsection 53E-3-401(4)
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Public Notice Information

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

A) Comments will be accepted until:	10/31/2024
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9. This rule change MAY become effective on:	11/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:	R277-709	Filing ID: 56804
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Agency Information

1. Title catchline:	Education, Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT	
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:
R277-709. Education Programs Serving Youth in Custody

3. Purpose of the new rule or reason for the change:
This rule is being amended as a result of the passage of H.B. 82 in the 2024 General Session.

4. Summary of the new rule or change:
The amendments specifically change the definition of "YIC". Currently the rule states that "YIC" means "Youth in Custody." The revised language will state that "YIC" means "Youth in Care".

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. This is an update to language only and the Utah State Board of Education (USB E) believes any fiscal impact for USB E and Local Education Agencies (LEAs) were captured in the fiscal note to H.B. 82 (2024).

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This is an update to language only and USB E believes any fiscal impact for the USB E and LEAs were captured in the fiscal note to H.B. 82 (2024).

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects USB E and LEAs.

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

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

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

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

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

There are no compliance costs for affected persons. This is an update to language only and USB E believes any fiscal impacts for the USB E and LEAs were captured in the fiscal note to H.B. 82 (2024).

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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-503(2)(b)

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/31/2024

9. This rule change MAY become effective on:	11/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING:	Repeal		
Rule or Section Number:	R277-715	Filing ID:	56805

Agency Information

1. Title catchline:	Education, Administration		
Building:	Board of Education		
Street address:	250 E 500 S		
City, state:	Salt Lake City, UT		
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:
R277-715. Out-of-School Time Program Standards
3. Purpose of the new rule or reason for the change:
This rule is being repealed because there is no longer any funding provided for the "Out-of-School Time Program".
4. Summary of the new rule or change:
This rule is no longer necessary because legislative funding for the program has been discontinued.

Fiscal Information

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

A) State budget:

This proposed repeal is not expected to have fiscal impact on state government revenues or expenditures. The legislature has discontinued funding for this program, so there are no fiscal impacts for the Utah State Board of Education (USBE), Local Education Agencies (LEAs), or other entities associated with repealing this rule.

B) Local governments:

This proposed repeal is not expected to have fiscal impact on local governments' revenues or expenditures. The legislature has discontinued funding for this program, so there are no fiscal impacts for USBE, LEAs, or other entities associated with repealing this rule.

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

This proposed repeal is not expected to have fiscal impact on small businesses' revenues or expenditures. The legislature has discontinued funding for this program, so there are no fiscal impacts for USBE, LEAs, or other entities associated with repealing this rule.

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 proposed repeal is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The legislature has discontinued funding for this program, so there are no fiscal impacts for USBE, LEAs, or other entities associated with repealing this rule.

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

There are no compliance costs for affected persons. The legislature has discontinued funding for this program, so there are no fiscal impacts for USBE, LEAs, or other entities associated with repealing this rule.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 regulatory impact analysis.

Citation Information

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

Article X, Section 3	Subsection 53E-3-401(4)	Section 53E-3-508
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Public Notice Information

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

A) Comments will be accepted until:	10/31/2024
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9. This rule change MAY become effective on:	11/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING:	Repeal		
Rule or Section Number:	R277-718	Filing ID:	56806

Agency Information

1. Title catchline:	Education, Administration		
Building:	Board of Education		
Street address:	250 E 500 S		
City, state:	Salt Lake City, UT		
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:
R277-718. Out-of-School Time Program Quality Improvement Grants
3. Purpose of the new rule or reason for the change:
This rule is being repealed because there is no longer any funding provided for "Out-of-School Time Program Quality Improvement Grants".

4. Summary of the new rule or change:

This rule is no longer necessary because legislative funding for the grants was discontinued as of June 30, 2024.

Fiscal Information

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

A) State budget:

This proposed repeal is not expected to have fiscal impact on state government revenues or expenditures. The legislature has discontinued funding for this program, so there are no fiscal impact for the Utah State Board of Education (USBE), Local Education Agencies (LEAs), or other entities associated with repealing this rule.

B) Local governments:

This proposed repeal is not expected to have fiscal impact on local governments' revenues or expenditures. The legislature has discontinued funding for this program, so there are no fiscal impact for USBE, LEAs, or other entities associated with repealing this rule.

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

This proposed repeal is not expected to have fiscal impact on small businesses' revenues or expenditures. The legislature has discontinued funding for this program, so there are no fiscal impact for USBE, LEAs, or other entities associated with repealing this rule.

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 legislature has discontinued funding for this program, so there are no fiscal impacts for USBE, LEAs, or other entities associated with repealing this rule.

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

There are no compliance costs for affected persons. The legislature has discontinued funding for this program, so there are no fiscal impacts for USBE, LEAs, or other entities associated with repealing this rule.

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

Regulatory Impact Table

Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027

State Government	\$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 regulatory impact analysis.

Citation Information

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

Article X, Section 3	Section 53E-3-401	Section 53F-5-210
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Public Notice Information

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

A) Comments will be accepted until:	10/31/2024
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9. This rule change MAY become effective on:	11/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING:	Repeal		
Rule or Section Number:	R277-928	Filing ID:	56807

Agency Information

1. Title catchline:	Education, Administration		
Building:	Board of Education		
Street address:	250 E 500 S		
City, state:	Salt Lake City, UT		
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:
R277-928. High-Need Schoos Grants

3. Purpose of the new rule or reason for the change:
This rule is being repealed because there is no longer any funding provided for "High-Need School" grants.
4. Summary of the new rule or change:
This rule is no longer necessary because the legislature recently repealed Section 53F-5-212, which leaves no funding for the "High-Need Schools" grants.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal is not expected to have fiscal impact on state government revenues or expenditures. The legislature has discontinued funding for this program, so there are no fiscal impact for the Utah State Board of Education (USBE), Local Education Agencies (LEAs), or other entities associated with repealing this rule.
B) Local governments:
This proposed repeal is not expected to have fiscal impact on local governments' revenues or expenditures. The legislature has discontinued funding for this program, so there are no fiscal impact for USBE, LEAs, or other entities associated with repealing this rule.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed repeal is not expected to have fiscal impact on small businesses' revenues or expenditures. The legislature has discontinued funding for this program, so there are no fiscal impact for USBE, LEAs, or other entities associated with repealing this rule.
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 <i>agency</i>):
This proposed repeal is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The legislature has discontinued funding for this program, so there are no fiscal impact for USBE, LEAs, or other entities associated with repealing this rule.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for affected persons. The legislature has discontinued funding for this program, so there are no fiscal impact for USBE, LEAs, or other entities associated with repealing this rule.
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 regulatory impact analysis.

Citation Information

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

Article X, Section 3	Subsection 53E-3-401(4)	Section 53F-5-212
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Public Notice Information

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

A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:	R357-5	Filing ID: 56757
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Agency Information

1. Title catchline:	Governor, Economic Opportunity		
Building:	World Trade Center		
Street address:	60 E South Temple, Suite 300		
City, state:	Salt Lake City, UT		
Mailing address:	60 E South Temple, Suite 300		
City, state and zip:	Salt Lake City, UT 84111		
Contact persons:			
Name:	Phone:	Email:	
Greg Jeffs	801-368-1957	gjeffs@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R357-5. Motion Picture Incentive Rule
3. Purpose of the new rule or reason for the change:
The purpose of this change is to clarify the meaning of the rule and how it will be applied.
4. Summary of the new rule or change:
The amendment adds the definition of "Above-The-Line", establishes minimum motion picture budget level for Community Film Incentive Program, clarifies what constitutes "Significant percentage of cast and crew from Utah", and explains how this rule applies to reality television.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no new aggregate anticipated costs or savings to the state budget. The rule is clarifying how the Governor's Office of Economic Opportunity (GOEO) will continue to carry out this statutorily mandated program.
B) Local governments:
There is no new aggregate anticipated cost of savings to local governments because local governments are not required to comply with or enforce this rule.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no new aggregate anticipated cost or savings to small businesses because participation in the program is optional and this proposed rule does not create new obligations for small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no new aggregate anticipated cost or savings to non-small businesses because participation in the program is optional and this proposed rule does not create new obligations 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):
There is no new aggregate anticipated cost or savings to other persons because participation in the program is optional and this proposed rule does not create new obligations for small businesses.
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 new compliance costs for affected persons because participation in the program is optional.
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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Governor's Office of Economic Opportunity, Ryan Starks, 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 63N-8-104(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: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Ryan Starks, Executive Director	Date:	08/27/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment
Rule or Section Number: R590-79-3 **Filing ID:** 56792

Agency Information

1. Title catchline:	Insurance, Administration		
Building:	Taylorsville State Office Building		
Street address:	4315 S 2700 W		
City, state	Taylorsville, UT		
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 or section catchline:
R590-79-3. Definitions
3. Purpose of the new rule or reason for the change:
During a five-year review of this rule, the Insurance Department discovered two definitions that needed to be updated.
4. Summary of the new rule or change:
This filing updates the definitions of "generic name" and "non-guaranteed element" to be consistent with other rules that deal with life insurance.

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. The change merely updates a definition and will have no fiscal impact on any person.
B) Local governments:
There is no anticipated cost or savings to local governments. The change merely updates a definition and will have no fiscal impact on any person.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The change merely updates a definition and will have no fiscal impact on any person.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. The change merely updates a definition and will have no fiscal impact on any person.
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 any other persons. The change merely updates a definition and will have no fiscal impact on any person.
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 any affected persons. The change merely updates a definition and there are no costs associated with the definition.
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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Insurance Department, Jonathan T. Pike, 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 31A-2-201	Section 31A-22-425	Section 31A-23a-402
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Public Notice Information

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

A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	09/10/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:	R590-229	Filing ID: 56793
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Agency Information

1. Title catchline:	Insurance, Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
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 or section catchline:
 R590-229. Annuity Disclosure

3. Purpose of the new rule or reason for the change:
During a five-year review of this rule, the Insurance Department discovered a definition that is now defined in statute, and a hyphenation error.
4. Summary of the new rule or change:
This filing removes the definition of "direct response solicitation," which is defined in Section 31A-1-301, and removes the hyphen in "non-guaranteed" in Subsection R590-229-5(2)(c)(iii) to be consistent with the rest of the rule.

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. The amendment merely removes a definition and fixes a spelling error. These changes will have no fiscal impact on any person.
B) Local governments:
There is no anticipated cost or savings to local governments. The amendment merely removes a definition and fixes a spelling error. These changes will have no fiscal impact on any person.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The amendment merely removes a definition and fixes a spelling error. These changes will have no fiscal impact on any person.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. The amendment merely removes a definition and fixes a spelling error. These changes will have no fiscal impact on any person.
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 any other persons. The amendment merely removes a definition and fixes a spelling error. These changes will have no fiscal impact on any person.
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 any affected persons. The amendment merely removes a definition and fixes a spelling error. These changes do not require compliance, and there are no costs associated with the changes.
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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 Insurance Department, Jonathan T. Pike, 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 31A-2-201	Section 31A-22-425	
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Public Notice Information

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

A) Comments will be accepted until: 10/31/2024

9. This rule change MAY become effective on: 11/07/2024

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

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	09/10/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment	
Rule or Section Number: R614-1-4	Filing ID: 56794

Agency Information

1. Title catchline:	Labor Commission, Occupational Safety and Health	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state:	Salt Lake City UT	
Mailing address:	PO Box 146600	
City, state and zip:	Salt Lake City UT 84114-6600	

Contact persons:		
Name:	Phone:	Email:
Holly Lawrence	801-530-6494	hlawrence@utah.gov
Floyd Johnson	801-530-6898	fjohnsion@utah.gov
Chris Hill	801-530-6113	chill@utah.gov

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

General Information

2. Rule or section catchline:
R614-1-4. Incorporation of Federal Standards

<p>3. Purpose of the new rule or reason for the change:</p> <p>The purposes of these amendments to Utah's Occupational Safety and Health (UOSH) rules are to update the rule to ensure UOSH is enforcing the most current 29 CFR 1910.1200 standards.</p> <p>Revisions to the hazard communication standard would make employers hazard communication programs more worker-protective, efficient, and effective through standardizing practices nationally and internationally.</p>
<p>4. Summary of the new rule or change:</p> <p>The proposed amendment:</p> <ol style="list-style-type: none"> 1. Federal Register Vol. 89, No. 98, Monday, May 20, 2024, Rules and Regulations, pages 44144 to and including 44461, "Hazard Communication Standard; Final Rule" is incorporated by reference. a. Amends the Hazard Communication Standard (HCS) to conform to the Globally Harmonized System of Classification and Labelling of Chemicals (GHS), to address issues that arose during the implementation of the 2012 update to the HCS, and to provide better alignment with other U.S. agencies and international trading partners, while enhancing the effectiveness of the standard. b. Revises criteria for classification of certain health and physical hazards. c. Revises provisions for labels (including provisions addressing the labeling of small containers and the relabeling of chemicals that have been released for shipment). d. Includes new provisions relating to concentrations or concentration ranges being claimed as trade secrets. e. Includes technical amendments related to the contents of safety data sheets (SDSs). f. Includes related revisions to definitions of terms used in the HCS.

Fiscal Information

<p>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</p>
<p>A) State budget:</p> <p>UOSH's enforcement of the proposed amendment will not result in additional costs or savings to the state budget. The changes to the HCS involve costs and costs savings mainly for manufacturers, importers and distributors.</p>
<p>B) Local governments:</p> <p>Local governments have no administration or enforcement obligations under the proposed amendment. The changes to the HCS involve costs and costs savings mainly for manufacturers, importers and distributors.</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p> <p>The changes to the HCS will involve costs and costs savings mainly for manufacturers, importers and distributors. The estimated costs and cost savings resulting from the revisions to the HCS consist of five main categories:</p> <ol style="list-style-type: none"> (1) the cost of reclassifying affected chemicals and revising the corresponding SDSs and labels to achieve consistency with the reclassification (per changes to Appendix B of 29 CFR 1910.1200), and the cost of revising SDSs and labels to conform with new precautionary statements and other new mandatory language in the appendices to the HCS (per changes to Appendices C and D); (2) the cost of management familiarization and other management-related costs (associated with all the revisions of the standard); (3) the cost of training employees as necessitated by the changes to the HCS [see paragraph (h)(1) of the 2012 HCS]; (4) the cost savings resulting from the new released-for-shipment provision [revisions to paragraph (f)(11) of 29 CFR 1910.1200]; and (5) the cost savings from limiting labeling requirements for certain very small containers [proposed paragraph (f)(12) of 29 CFR 1910.1200]. <p>The first three categories are considered to be one-time costs and the last two categories are cost savings that would accrue to employers annually.</p> <p>Some changes specifically affect certain establishment groupings that manufacture aerosols, desensitized explosives, and flammable gases.</p> <p>Other changes affect certain manufacturers of hazardous chemicals that are packaged in small containers and manufacturers of chemicals that are not immediately distributed after being released for shipment.</p>

There are approximately 2,490 small business entities in Utah that will be affected by the revisions to the HCS; however, the changes to the HCS are not considered a significant regulatory action. The Occupational Safety and Health Administration (OSHA) provides that the revisions will not likely have a national "annual effect on the economy of \$200 million or more."

OSHA also provides that "nor is the final standard a major rule under the Congressional Review Act because this rule will not result in:

- (1) an annual effect on the economy of \$100 million or more;
- (2) a major increase in costs or prices for consumers, individual industries, federal, state, or local government agencies, or geographic regions; nor
- (3) significant adverse effects on competition, employment, investment, productivity, or innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

As stated above, the estimated cost savings for some entities are a result from the new released-for-shipment provision [revisions to paragraph (f)(11)] of the revised HCS (total cost savings of approximately \$614,103 for combined affected NAICS) and limiting labeling requirements for certain very small containers [proposed paragraph (f)(12)] (total cost savings of approximately \$45,765 for combined affected NAICS).

The costs are associated with reclassifying affected chemicals, revising corresponding SDSs and labels (total costs of approximately \$104,117 for combined affected NAICS), and familiarization and training on the revised HCS (total costs of approximately \$34,467 for combined affected NAICS).

A full breakdown of costs and cost savings for affected industries is available upon request from UOSH.

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

The changes to the HCS will involve costs and costs savings mainly for manufacturers, importers and distributors. The estimated costs and cost savings resulting from the revisions to the HCS consist of five main categories:

- (1) the cost of reclassifying affected chemicals and revising the corresponding SDSs and labels to achieve consistency with the reclassification (per changes to Appendix B of 29 CFR 1910.1200), and the cost of revising SDSs and labels to conform with new precautionary statements and other new mandatory language in the appendices to the HCS (per changes to Appendices C and D);
- (2) the cost of management familiarization and other management-related costs (associated with all the revisions of the standard);
- (3) the cost of training employees as necessitated by the changes to the HCS [see paragraph (h)(1) of the 2012 HCS];
- (4) the cost savings resulting from the new released-for-shipment provision [revisions to paragraph (f)(11) of 29 CFR 1910.1200]; and
- (5) the cost savings from limiting labeling requirements for certain very small containers [proposed paragraph (f)(12) of 29 CFR 1910.1200].

The first three categories are considered to be one-time costs and the last two categories are cost savings that would accrue to employers annually.

Some changes specifically affect certain establishment groupings that manufacture aerosols, desensitized explosives, and flammable gases. Other changes affect certain manufacturers of hazardous chemicals that are packaged in small containers and manufacturers of chemicals that are not immediately distributed after being released for shipment.

There are approximately 238 non-small business entities in Utah that will be affected by the revisions to the HCS; however, the changes to the HCS are not considered a significant regulatory action.

The Occupational Safety and Health Administration (OSHA) provides that the revisions will not likely have a national "annual effect on the economy of \$200 million or more." OSHA also provides that "nor is the final standard a major rule under the Congressional Review Act because this rule will not result in:

- (1) an annual effect on the economy of \$100 million or more;
- (2) a major increase in costs or prices for consumers, individual industries, federal, state, or local government agencies, or geographic regions; nor
- (3) significant adverse effects on competition, employment, investment, productivity, or innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

As stated above, the estimated cost savings for some entities are a result from the new released-for-shipment provision [revisions to paragraph (f)(11)] of the revised HCS (total cost savings of approximately \$12,776 for combined affected NAICS) and limiting labeling requirements for certain very small containers [proposed paragraph (f)(12)] (total cost savings of approximately \$9,205 for combined affected NAICS).

The costs are associated with reclassifying affected chemicals, revising corresponding SDSs and labels (total costs of approximately \$13,419 for combined affected NAICS), and familiarization and training on the revised HCS (total costs of approximately \$5,689 for combined affected NAICS).

A full breakdown of costs and cost savings for affected industries is available upon request from UOSH.

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**):

Changes to this rule will not result in additional costs or savings to persons other than small businesses, non-small businesses, state, or local government entities.

The changes to the HCS involve costs and costs savings mainly for manufacturers, importers and distributors.

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

Changes to this rule will not result in additional compliance costs or savings for affected persons. The changes to the HCS involve costs and costs savings mainly for manufacturers, importers and distributors.

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	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$138,584	\$0	\$0
Non-Small Businesses	\$19,108	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$157,692	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	-\$659,868	-\$659,868	-\$659,868
Non-Small Businesses	-\$21,980	-\$21,980	-\$21,980
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	-\$681,848	-\$681,848	-\$681,848
Net Fiscal Benefits	-\$524,156	-\$681,848	-\$681,848

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

The Commissioner of the Utah Labor Commission, Jaceson R. Maughan, has reviewed and approved this regulatory impact analysis. This rule will not have a significant fiscal impact on businesses.

To remain at least as effective as Federal OSHA and be able to retain Utah's State-Plan status, and to keep the employees of the state safe, these changes to this rule, specifically the incorporation of Federal Register Vol. 89, No. 98, Monday, May 20, 2024, Rules and Regulations, pages 44144 to and including 44461, "Hazard Communication Standard; Final Rule," must be adopted.

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 34A, Chapter 6		
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Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds or updates the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Federal Register Vol. 89, No. 98
Publisher	US Government
Issue Date	May 20, 2024

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/31/2024

9. This rule change MAY become effective on:	11/07/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Jacson R. Maughan, Commissioner	Date:	09/10/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: New		
Rule or Section Number:	R650-103	Filing ID: 56790

Agency Information

1. Title catchline:	Natural Resources, Outdoor Recreation	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state:	Salt Lake City, UT	
Mailing address:	1594 W North Temple, Suite 100	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
India Nielsen Barfuss	385-268-2570	indianielsen@utah.gov
Tara Mckee	801-870-8504	tmckee@utah.gov
JC Bailey	801-538-7351	jcbailey@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R650-103. Fiscal Emergency Contingent Management of Federal Lands
3. Purpose of the new rule or reason for the change:
The purpose of this new rule is to create a priority list of federal areas that may remain open in the case of a federal government shutdown.
This rule is being created under the Division of Outdoor Recreation/Department of Natural Resources following creation of the Division; this rule previously existed under the Office of Outdoor Recreation/Governor's Office of Economic Development.

4. Summary of the new rule or change:

This rule creates a priority list of national parks, national monuments, national forests, and national recreation areas in the state that might remain open in the case of a federal government shutdown.

The Division of Outdoor Recreation has a statutory obligation to create and review this priority list annually based on economic impact and recreational value of the areas.

Fiscal Information

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

A) State budget:

There are no anticipated costs or savings to the state budget associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor's Office of Economic Opportunity, and the Division of Outdoor Recreation, under the Department of Natural Resources, and the content of this rule is unaltered.

B) Local governments:

There are no anticipated costs or savings to local governments associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor's Office of Economic Opportunity, and the Division of Outdoor Recreation, under the Department of Natural Resources, and the content of this rule is unaltered.

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

There are no anticipated costs or savings to small businesses associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor's Office of Economic Opportunity, and the Division of Outdoor Recreation, under the Department of Natural Resources, and the content of this rule is unaltered.

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

There are no anticipated costs or savings to non-small businesses associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor's Office of Economic Opportunity, and the Division of Outdoor Recreation, under the Department of Natural Resources, and the content of this rule is unaltered.

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

There are no anticipated costs or savings to persons other than small businesses, state, or local government entities associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor's Office of Economic Opportunity, and the Division of Outdoor Recreation, under the Department of Natural Resources, and the content of this rule is unaltered.

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

There are no anticipated compliance costs associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor's Office of Economic Opportunity, and the Division of Outdoor Recreation, under the Department of Natural Resources, and the content of this rule is unaltered.

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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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:

Title 79, Chapter 7, Part 6		
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Public Notice Information

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

A) Comments will be accepted until:	10/31/2024
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9. This rule change MAY become effective on:	11/07/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Jason Curry, Director	Date:	08/26/2024
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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 October 31, 2024.

From the end of the 30-day waiting period through January 29, 2025, 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 SUBSTANTIVE CHANGE

TYPE OF FILING: CPR (Change in Proposed Rule)		
Rule or Section Number:	R307-315	Filing ID: 56483
Date of Previous Publication (Only for CPRs): 05/15/2024		

Agency Information

1. Title catchline:	Environmental Quality, Air Quality	
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Ryan Bares	801-536-4216	rbares@utah.gov
Erica Pryor	385-499-3416	epryor1@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R307-315. NO _x Emission Controls for Natural Gas-Fired Boilers 2.0-5.0 MMBtu
3. Purpose of the new rule or reason for the change:
Based on feedback received during the public comment period, as well as in additional stakeholder meetings, the Division of Air Quality (Division) is proposing changes to provide clarifying language for the applicability and compliance of Rule R307-315.
4. Summary of the new rule or change:
The proposed amendments remove some definitions and provides additional language intended to clarify compliance and applicability of Rule R307-315. These amendments include: 1) adjusting the proposed carbon monoxide limit, 2) removing the definitions of "modification" and "construction" to clarify the intent and applicability of the rule, 3) clarifying the applicability language after the removal of these definitions, 4) adding in CO testing specifications, and 5) extending the implementation timeline to November 1, 2024. (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the May 15, 2024, issue of the Utah State Bulletin, on page 24. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no anticipated costs or savings to the state budget as the amendments will have no impact on how the Division functions. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule..

NOTICES OF CHANGES IN PROPOSED RULES

Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315, nor do the changes to the rule result in any functional changes to how the Division implements the rule.

B) Local governments:

There are no anticipated costs or savings to local governments associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule.

Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

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

There are no anticipated costs or savings for small businesses associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule.

Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

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

There are no anticipated costs or savings to non-small businesses associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule.

Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

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

There are no anticipated costs or savings to persons other small businesses, non-small businesses, state, or local government entities associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule.

Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

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 for affected persons associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule.

Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

While the addition of CO testing requirements may result in minor increase in the cost for compliance testing, given the uncertainty in which testing method would be utilized and the timing of the applicability of this rule to each individual affected boiler, this cost cannot be estimated at this time.

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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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, Kim D. 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:

Section 19-2-104	U.S.C. Title 42 Chapter 85 Subchapter I Part A Section 7410 (a)(1) 2 (A)
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Public Notice Information

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

A) Comments will be accepted until: No Formal Comment Period

9. This rule change MAY become effective on: 10/31/2024

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:	Bryce C. Bird, Director, Division of Air Quality	Date:	09/04/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: CPR (Change in Proposed Rule)		
Rule or Section Number:	R307-316	Filing ID: 56484
Date of Previous Publication (Only for CPRs):	05/15/2024	

Agency Information

1. Title catchline:	Environmental Quality, Air Quality
Building:	Multi Agency State Office Building
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state and zip:	Salt Lake City, UT 84114-4820

NOTICES OF CHANGES IN PROPOSED RULES

Contact persons:		
Name:	Phone:	Email:
Ryan Bares	801-536-4216	rbares@utah.gov
Erica Pryor	385-499-3416	epryor1@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R307-316. NO _x Emission Controls for Natural Gas-Fired Boilers Greater Than 5.0 MMBtu
3. Purpose of the new rule or reason for the change:
Based on feedback received during the public comment period, as well as in additional stakeholder meetings, the Division of Air Quality (Division) is proposing changes to provide clarifying language for the applicability and compliance of Rule R307-316.
4. Summary of the new rule or change:
The proposed amendments remove some definitions and provides additional language intended to clarify compliance and applicability of Rule R307-316. These amendments include: 1) adjusting the proposed carbon monoxide limit, 2) removing the definitions of "modification" and "construction" to clarify the intent and applicability of the rule, 3) clarifying the applicability language after the removal of these definitions, 4) adding in CO testing specifications, and 5) extending the implementation timeline to November 1, 2024. (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the May 15, 2024, issue of the Utah State Bulletin, on page 28. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no anticipated costs or savings to the state budget as the amendments will have no impact on how the Division functions. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316, nor do the changes to the rule result in any functional changes to how the Division implements the rule.
B) Local governments:
There are no anticipated costs or savings to local governments associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.
C) Small businesses ("small business" means a business employing 1-49 persons):
There are no anticipated costs or savings for small businesses associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the

original intent of the rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.

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

There are no anticipated costs or savings for non-small businesses associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule.

Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.

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

There are no anticipated costs or savings to persons other small businesses, non-small businesses, state, or local government entities associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule.

Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.

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 for affected persons associated with the amendments. The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule.

Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.

While the addition of CO testing requirements may result in minor increase in the cost for compliance testing, given the uncertainty in which testing method would be utilized and the timing of the applicability of this rule to each individual affected boiler, this cost cannot be estimated at this time.

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	FY2025	FY2026	FY2027
State Government	\$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	FY2025	FY2026	FY2027
State Government	\$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

NOTICES OF CHANGES IN PROPOSED RULES

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Executive Director of the Department of Environmental Quality, Kim D. 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:

Section 19-2-104	U.S.C. Title 42 Chapter 85 Subchapter I Part A Section 7410 (a)(1)2(A)
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Public Notice Information

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

A) Comments will be accepted until: No Formal Comment Period

9. This rule change MAY become effective on: 10/31/2024

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:	Bryce C. Bird, Director, Division of Air Quality	Date:	09/04/2024
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End of the Notices of Changes in Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R277-468	Filing ID: 54890
Effective Date:	09/16/2024	

Agency Information

1. Title catchline:	Education, Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state	Salt Lake City, UT	
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:	R277-468. Parents Review of Public Education Curriculum and Review of Complaint Process	
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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; and Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.	
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	There were no public comments received.	

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

This rule is necessary because it directs a Local Education Agency (LEA) to include parents in the adoption and review of an LEA's primary instructional materials including the review of complaints specific to curriculum materials. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-715	Filing ID:	52344
Effective Date:	09/16/2024		

Agency Information

1. Title catchline:	Education, Administration		
Building:	Board of Education		
Street address:	250 E 500 S		
City, state	Salt Lake City, UT		
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:
R277-715. Out-of-School Time Program Standards
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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-4-301(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Section 53E-3-508, which requires the Board to adopt rules to set standards for high quality out-of-school time programs.
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 sets standards for high quality out-of-school time programs and define the programs required to adopt those standards. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R277-928	Filing ID: 53684
Effective Date:	09/16/2024	

Agency Information

1. Title catchline:	Education, Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state	Salt Lake City, UT	
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:	R277-928. High-Need Schools Grant	
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 the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Section 53F-5-212, which establishes a grant to hire educators in high-need schools and directs the Board to make rules to govern the application process.	
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 an LEA to apply for the High-Need Schools Grant, and also criteria for determining if an elementary school is a high-need school. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	09/16/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R357-25	Filing ID: 54270
Effective Date:	09/10/2024	

Agency Information

1. Title catchline:	Governor, Economic Opportunity	
Building:	World Trade Center	
Street address:	60 E South Temple, Suite 300	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

City, state	Salt Lake City, UT	
Mailing address:	60 E South Temple, Suite 300	
City, state and zip:	Salt Lake City, UT 84111	
Contact persons:		
Name:	Phone:	Email:
Greg Jeffs	801-368-1957	gjeffs@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R357-25. Rural Coworking and Innovation Center Grant Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 63N-3-504(1) says "the office shall make rules establishing the eligibility and reporting criteria for an entity to receive a grant under this part." This part is the Part 5 Rural Coworking and Innovation Center Grant Program.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been 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 statute says there must be a rule. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Ryan Starks, Executive Director	Date:	09/09/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-23	Filing ID: 55981
Effective Date:	09/16/2024	

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state	Salt Lake City, UT	
Mailing address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84114-3325	
Contact persons:		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@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 catchline:
R414-23. Provider Enrollment
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any written comments in support of or opposition to this rule since its last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary because it implements revalidation requirements for providers to assure quality and cost-effective services. Therefore, this rule should be continued. As there were no comments in opposition to this rule, the Department did not respond to any such comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	09/16/2024
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF RULE EFFECTIVE DATES

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

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

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

Agriculture and Food

Animal Industry

No. 56611 (Amendment) R58-2: Diseases, Inspections, and Quarantines

Published: 08/01/2024

Effective: 09/23/2024

No. 56684 (Repeal and Reenact) R58-15: Collection of Annual Fees for the Wildlife Damage Prevention Act

Published: 08/15/2024

Effective: 09/26/2024

Environmental Quality

Waste Management and Radiation Control, Radiation

No. 56553 (Amendment) R313-15: Reports of Transactions Involving Nationally Tracked Sources

Published: 07/01/2024

Effective: 09/16/2024

No. 56554 (Amendment) R313-22: Special Requirements for a Specific License to Manufacture, Assemble, Repair, or Distribute Commodities, Products, or Devices That Contain Radioactive Material

Published: 07/01/2024

Effective: 09/16/2024

No. 56555 (Amendment) R313-32: Clarifications or Exceptions

Published: 07/01/2024

Effective: 09/16/2024

No. 56556 (Amendment) R313-37: Clarifications or Exceptions

Published: 07/01/2024

Effective: 09/16/2024

Government Operations

Debt Collection

No. 56661 (New Rule) R21-4: Debtor's Request for Credit for Restitution Payments

Published: 08/01/2024

Effective: 09/10/2024

Finance

No. 56550 (Repeal and Reenact) R25-7: Travel-Related Reimbursements for State Travelers

Published: 07/01/2024

Effective: 09/03/2024

Governor

Criminal and Juvenile Justice (State Commission on)

No. 56683 (New Rule) R356-8: Designation of Commission Duties

Published: 08/15/2024

Effective: 09/23/2024

No. 56662 (New Rule) R356-9: Victim Complaints

Published: 08/15/2024

Effective: 09/23/2024

No. 56673 (New Rule) R356-10: Recusal of a Member for a Conflict of Interest

Published: 08/15/2024

Effective: 09/23/2024

Economic Opportunity

No. 56663 (New Rule) R357-47: Economic Assistance Grant Rule

Published: 08/15/2024

Effective: 09/24/2024

Health and Human Services

Population Health, Environmental Health

No. 56273 (New Rule) R392-304: Artificial Swimming Lagoons

Published: 02/01/2024

Effective: 09/08/2024

No. 56273 (Change in Proposed Rule) R392-304: Artificial Swimming Lagoons

Published: 06/01/2024

Effective: 09/08/2024

Insurance

Administration

No. 56654 (Amendment) R590-142: Continuing Education Rule

Published: 08/01/2024

Effective: 09/10/2024

No. 56655 (Amendment) R590-186: Initial and Renewal Agency License

Published: 08/01/2024

Effective: 09/10/2024

No. 56656 (Amendment) R590-238: Captive Insurance Companies

Published: 08/01/2024

Effective: 09/10/2024

No. 56657 (Amendment) R590-273: Continuing Care Provider Rule

Published: 08/01/2024

Effective: 09/10/2024

No. 56658 (Amendment) R590-282: Licensing

Published: 08/1/2024

Effective: 09/10/2024

Title and Escrow Commission

No. 56659 (Amendment) R592-9: Assessment for Title Insurance Recovery, Education, and Research Fund

Published: 08/01/2024

Effective: 09/10/2024

No. 56660 (Amendment) R592-10: Assessment for the Title Licensee Enforcement Restricted Account

Published: 08/01/2024

Effective: 09/10/2024

NOTICES OF RULE EFFECTIVE DATES

National Guard

Administration

No. 56530 (New Rule) R630-1: Gifts to the Utah National Guard

Published: 06/15/2024

Effective: 09/16/2024

Natural Resources

Wildlife Resources

No. 56678 (Amendment) R657-5: Taking Big Game

Published: 08/15/2024

Effective: 09/24/2024

Tax Commission

Property Tax

No. 56561 (Amendment) R884-24P-16: Assessment of Interlocal Cooperation Act Project Entity Properties Pursuant to Utah Code Ann. Section 11-13-302

Published: 07/01/2024

Effective: 09/26/2024

End of the Notices of Rule Effective Dates Section