

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT

Filed December 03, 2024, 12:00 a.m. through December 16, 2024, 11:59 p.m.

Number 2025-01
January 01, 2025

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

Unless otherwise noted, all information presented in this publication is in the public domain and may be reproduced, reprinted, and redistributed as desired. Materials incorporated by reference retain the copyright asserted by their respective authors. Citation to the source is requested.

Utah state digest.

Semimonthly.

1. Delegated legislation--Utah--Digests. I. Utah. Office of Administrative Rules.

KFU440.A73S7
348.792'025--DDC 85-643197

TABLE OF CONTENTS

EXECUTIVE DOCUMENTS	1
PROCLAMATION	
2024-13E	1
NOTICES OF PROPOSED RULES	2
GOVERNMENT OPERATIONS, DEBT COLLECTION	
R21-3. Debt Collection Through Administrative Offset.....	3
AGRICULTURE AND FOOD, REGULATORY SERVICES	
R70-101. Bedding, Upholstered Furniture, and Quilted Clothing.....	5
EDUCATION, ADMINISTRATION	
R277-113. LEA Fiscal and Auditing Policies.....	7
R277-114. Response to Compliance and Related Issues.....	10
R277-123. Process for Members of the Public to Report Violations of Statute and Board Rule	12
R277-306. Educator Preparation Programs for School Psychologists, Audiologists, Speech-Language Pathologists, Speech-Language Technicians, Counselors, and School Social Workers	15
R277-325. Public Education Exit and Engagement Surveys	18
R277-419. Pupil Accounting	21
R277-702. Procedures for the Utah High School Completion Diploma	23
R277-722. Procedures for the Focused Graduation Pathway	25
R277-927. Teacher and Student Success Act (TSSA) Program	28
GOVERNOR, CRIMINAL AND JUVENILE JUSTICE (STATE COMMISSION ON)	
R356-12. Public Safety Portal Data Reporting	30
NATURAL RESOURCES; OIL, GAS AND MINING BOARD	
R641-109-300. Notice	32
NATURAL RESOURCES; OIL, GAS AND MINING; OIL AND GAS	
R649-1-1. Definitions.....	34
R649-9. Exploration and Production Recycling Facilities	36
NATURAL RESOURCES, WILDLIFE RESOURCES	
R657-5. Taking Big Game	39
R657-45. Wildlife License, Permit, and Certificate of Registration Forms and Terms.....	41
R657-62. Drawing Application Procedures	43

TABLE OF CONTENTS

PUBLIC SAFETY, CRIMINAL INVESTIGATIONS AND TECHNICAL SERVICES, CRIMINAL IDENTIFICATION	
R722-310. Regulation of Bail Bond Recovery and Enforcement Agents	45
R722-330. Licensing of Private Investigators.....	47
NOTICES OF 120-DAY (EMERGENCY) RULES.....	50
PUBLIC SAFETY, EMERGENCY MEDICAL SERVICES	
R911-5. Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards	50
FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION	54
AGRICULTURE AND FOOD, ANIMAL INDUSTRY	
R58-12. Record Keeping and Carcass Identification at Meat Exempt Custom Cut Establishments	54
R58-13. Custom Exempt Slaughter.....	55
R58-25. Aerial Hunting Permits and Licenses.....	56
AGRICULTURE AND FOOD, PLANT INDUSTRY	
R68-2. Utah Commercial Feed Act Governing Feed.....	57
EDUCATION, ADMINISTRATION	
R277-306. Educator Preparation Programs for School Psychologists, Audiologists, Speech-Language Pathologists, Speech-Language Technicians, Counselors, and School Social Workers	58
R277-325. Public Education Exit and Engagement Surveys	59
INSURANCE, ADMINISTRATION	
R590-283. Defrayment of State-Required Benefits	60
NATURAL RESOURCES; FORESTRY, FIRE AND STATE LANDS	
R652-160. Department of Natural Resources Wilderness Rules.....	61
PUBLIC SAFETY, CRIMINAL INVESTIGATIONS AND TECHNICAL SERVICES, CRIMINAL IDENTIFICATION	
R722-400. Silver Alert Notification System	62
NOTICES OF FIVE-YEAR EXPIRATIONS	63
NATURAL RESOURCES, STATE PARKS	
R651-101. Adjudicative Proceedings	63
NOTICES OF RULE EFFECTIVE DATES	64

EXECUTIVE DOCUMENTS

Under authority granted by the Utah Constitution and various federal and state statutes, the Governor periodically issues **EXECUTIVE DOCUMENTS**, which can be categorized as either Executive Orders, Proclamations, and Declarations. Executive Orders set policy for the executive branch; create boards and commissions; provide for the transfer of authority; or otherwise interpret, implement, or give administrative effect to a provision of the Constitution, state law or executive policy. Proclamations call special or extraordinary legislative sessions; designate classes of cities; publish states-of-emergency; promulgate other official formal public announcements or functions; or publicly avow or cause certain matters of state government to be made generally known. Declarations designate special days, weeks or other time periods; call attention to or recognize people, groups, organizations, functions, or similar actions having a public purpose; or invoke specific legislative purposes (such as the declaration of an agricultural disaster).

The Governor's Office staff files **EXECUTIVE DOCUMENTS** that have legal effect with the Office of Administrative Rules for publication and distribution.

PROCLAMATION

WHEREAS, since the close of the 2024 General Session of the 65th Legislature of the state of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the state of Utah provides that the governor may, by proclamation, convene the Senate into Extraordinary Session; and

NOW, THEREFORE, I, Spencer J. Cox, governor of the state of Utah, by virtue of the authority vested in me by the Constitution and Laws of the state of Utah, do by this Proclamation call the Senate only of the 65th Legislature of the state of Utah into the 13th Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 18th day of December 2024, at 4:00 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the state of Utah since the close of the 2024 General Session of the Legislature of the state of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done at the Utah State Capitol in Salt Lake City, Utah, this 17th day of December 2024.

(State Seal)

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

2024-13E

End of the Executive Documents Section

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 December 03, 2024, 12:00 a.m., and December 15, 2023, 11:59 p.m. are included in this, the January 01, 2025, issue of the *Utah State Digest*.

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

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least January 31, 2025. 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 May 01, 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:

R21-3

Filing ID: 56975

Agency Information

1. Title catchline:	Government Operations, Debt Collection	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W, Floor 1	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 141001	
City, state and zip:	Salt Lake City, UT 84114-1001	
Contact persons:		
Name:	Phone:	Email:
Paul Bowers	385-321-2131	paulb@utah.gov
Van Christensen	801-808-0698	vhchristensen@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:

R21-3. Debt Collection Through Administrative Offset

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

This rule, as it's currently written, does not impose any time limit by which an Injured Spouse claim must be submitted following a tax levy. The Office of State Debt Collection (OSDC) believes the deadline should be 21 days, which would bring this rule to align with the same time limit by which debtors must request a hearing to dispute a levy, per Section 63A-3-305.

OSDC doesn't believe it was ever intended for this particular action to have no time limit. OSDC also determined that terminology updates were necessary upon review of this rule.

4. Summary of the new rule or change:

The change is to clarify that Injured Spouse claims must be submitted in a timely manner.

After levying a tax refund, OSDC only retains the funds for a limited time before distributing them. This has always been OSDC's procedure, and it says so on the Injured Spouse form posted on OSDC's website but was not in the rule.

Not having a submission deadline in rule for these claims has forced OSDC to refund money which OSDC is no longer in possession of, which puts the agency in a difficult position.

Also, OSDC is proposing making corrections to update the verbiage from "garnishment" to "levy" since the current language is technically incorrect.

Additionally, style and formatting changes were made according to the Rulewriting Manual for Utah.

Fiscal Information

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

A) State budget:

This proposed rule change may have a small positive effect on the state's budget, although the exact amount of extra revenue is impossible to predict. There is no way to know in advance how many claims, if any, will be filed past the proposed deadline in any given tax season. OSDC is completely self-funded.

NOTICES OF PROPOSED RULES

This rule change will not have an impact on any fees that are charged or collected. Similarly, there are no identified savings as a result of this rule change. There may be a small increase in retained revenue from claims that are denied due to untimeliness and therefore, do not need to be refunded.

B) Local governments:

This proposed rule change is not anticipated to have a fiscal impact on local governments.

OSDC does not charge fees for its services to any government entities. Therefore, none of the changes being proposed will provide any additional costs or savings to local governments.

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

This proposed rule change is not anticipated to have a fiscal impact on small businesses.

OSDC does not charge fees for its services to any businesses. Therefore, none of the changes being proposed will alter how OSDC currently carries out its duties.

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

This proposed rule change is not anticipated to have a fiscal impact on non-small businesses. OSDC does not charge fees for its services to any businesses. Therefore, none of the changes being proposed will alter how OSDC currently carries out its duties.

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

This proposed rule change is not anticipated to have a fiscal impact on other persons. OSDC does not charge fees for its services to any of these entities. Therefore, none of the changes being proposed will alter how OSDC currently carries out its duties.

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

This rule change is not expected to create a compliance cost for any person. This rule change clarifies pre-existing operations and will not change any fees or interest charged.

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 Government Operations, Marvin Dodge, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Section 63A-3-310

Public Notice Information

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

A) Comments will be accepted until: 01/31/2025

9. This rule change MAY become effective on: 02/07/2025

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:	Van Christensen, Division Director	Date:	12/16/2024
---	------------------------------------	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:	R70-101	Filing ID: 56972
--------------------------------	---------	-------------------------

Agency Information

1. Title catchline:	Agriculture and Food, Regulatory Services	
Building:	Taylorsville State Office Buildings, South Bldg., Floor 2	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	Ambermbrown@Utah.gov
Kelly Pehrson	801-982-2200	Kwpehrson@Utah.gov
Travis Waller	801-982-2200	Twaller@Utah.gov

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

General Information

2. Rule or section catchline:

R70-101. Bedding, Upholstered Furniture, and Quilted Clothing

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

In an effort to proactively address potential confusion regarding the online sales requirements, the Department of Agriculture and Food is amending this rule to provide enhanced clarity. The proposed changes will help various stakeholders understand and comply with the requirements upon their implementation in May 2025.

4. Summary of the new rule or change:

This amendment clarifies a definition, exemptions for a wholesaler and manufacturer from supplying a sample label, provides additional clarification for the online sales requirements.

It also aligns a violation with the intent of the original rule to align with Section 4-10-112.

Fiscal Information**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A) State budget:**

The proposed changes are only for clarification and will not change the state's budget.

B) Local governments:

The proposed changes are only for clarification and will not change local governments.

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

The proposed changes are only for clarification and will not change small businesses.

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

The proposed changes are only for clarification and will not change 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**):

A person's cost will not change because the proposed changes clarify the requirements and don't change the costs.

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

The compliance costs for this program are not changing and the proposed changes are only for clarification.

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

Citation Information

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

Section 4-10-103

Public Notice Information

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

A) Comments will be accepted until: 01/31/2025

9. This rule change MAY become effective on: 02/07/2025

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

Agency Authorization Information

Agency head or designee and title:	Craig Buttars, Commissioner	Date:	12/09/2024
---	-----------------------------	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:	R277-113	Filing ID: 56980
--------------------------------	----------	-------------------------

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:	
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov	

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

General Information

2. Rule or section catchline:

R277-113. LEA Fiscal and Auditing Policies

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

This rule is being amended due to H.B. 29 and H.B. 261 in the 2024 General Session, requiring a Public Education Hotline process that receives all types of concerns and is not limited to only financial concerns (i.e. fraud, waste, and abuse).

4. Summary of the new rule or change:

The amendments specifically remove the requirement in Section R277-113-6 for a Local Education Agency (LEA) governing board to provide a hotline independent from administration.

NOTICES OF PROPOSED RULES

The amendments also make updates to Section R277-113-8, requiring LEAs to submit reimbursements for federal programs at a minimum of semi-annually. This will ensure that the Utah State Board of Education (USBE) is able to monitor these programs in a timely manner and also mitigate against the risk of losing unused funds where reimbursements aren't timely submitted.

Section R277-113-11 is also added, specifying the requirements for LEA Recordkeeping for Flexible Use of Restricted Funds.

Fiscal Information

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

A) State budget:

This rule change is not expected to have fiscal impact on state government revenues or expenditures. The amendments do not affect the USBE or other state government budgets because they only apply to LEA requirements.

B) Local governments:

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

While these amendments change LEA requirements, they do not add costs or change revenues for LEAs. The removal of the requirement to provide a hotline independent of administration simply facilitates an LEA response to a hotline complaint; complaints about the LEA's administration can be made to the USBE or other state entities and this is current practice based on existing state statute.

The requirement to submit reimbursements for federal programs in a timely manner is intended to maximize LEA revenues by ensuring they apply for all funds they are eligible for and allow unused funds to be redistributed in the timeliest manner. This does not add costs for LEAs because they are already required to submit reimbursements for federal funds.

The addition of the LEA recordkeeping for flexible use of restricted funds is due to the removal of the sunset of Section 53F-2-209 in the special legislative session.

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 LEAs and the USBE.

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

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

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

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

This only impacts the USBE and LEAs.

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

There are no compliance costs for affected persons.

This only affects the USBE and LEAs. While these amendments change LEA requirements, they do not add costs or change revenues for LEAs.

The removal of the requirement to provide a hotline independent of administration simply facilitates an LEA response to a hotline complaint; complaints about the LEA's administration can be made to the USBE or other state entities and this is current practice based on existing state statute.

The requirement to submit reimbursements for federal programs in a timely manner is intended to maximize LEA revenues by ensuring they apply for all funds they are eligible for and allow unused funds to be redistributed in the timeliest manner. This does not add costs for LEAs because they are already required to submit reimbursements for federal funds.

The addition of the LEA recordkeeping for flexible use of restricted funds is due to the removal of the sunset of Section 53F-2-209 in the special legislative session.

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-3-501(1)(e)
----------------------	-------------------------	----------------------------

Public Notice Information

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

A) Comments will be accepted until:	01/31/2025
--	------------

9. This rule change MAY become effective on:	02/07/2025
---	------------

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:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-114	Filing ID: 56981
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:
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information		
2. Rule or section catchline:	R277-114. Response to Compliance and Related Issues	
3. Purpose of the new rule or reason for the change:	This rule is being amended in order to comply with federal law. This rule does not apply to federal programs, with the exception of the section referencing appeals, which require staff to place a Local Education Agency (LEA) on corrective action as soon as non-compliance is identified.	
4. Summary of the new rule or change:	The amendments specifically clarify that, except for Section R277-114-6 (Corrective Action Appeals), this rule does not apply to the oversight of federal programs. The amendments also add an oversight Category 4 for this rule.	

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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself. The clarification about which parts of the rule apply to federal programs does not add costs or affect revenues for the USBE, it simply clarifies for stakeholders which parts of this rule are applicable for federal programs.	
B) Local governments:	This rule change is not expected to have fiscal impact on local government 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself. LEAs will not incur increased costs or have effects to their revenues because this change is simply a clarification of which parts of this rule are applicable to federal programs.	

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

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

This only applies to the 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 applies to the USBE and LEAs.

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

There are no compliance costs for affected persons. 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 the USBE resulting from this rule.

This categorization does not add any requirements or resources in and of itself. LEAs and the USBE will not incur increased costs or have effects to their revenues because this change is simply a clarification of which parts of this rule are applicable to federal programs.

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	Subsection 53E-3-401(4)
Section 53F-1-104		

Public Notice Information

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

A) Comments will be accepted until:	01/31/2025
--	------------

9. This rule change MAY become effective on:	02/07/2025
---	------------

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:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number: R277-123 **Filing ID:** 56982

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:	
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov	

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

General Information

2. Rule or section catchline:

R277-123. Process for Members of the Public to Report Violations of Statute and Board Rule

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

This rule is being amended due to H.B. 261 and H.B. 29 in the 2024 General Session. The amendments specifically require a hotline that supports all types of concerns, not just those related to fraud, waste, and abuse (i.e. financial) and places the hotline related requirements at the state level and local level in proximity, which is more transparent and efficient.

4. Summary of the new rule or change:

The amendments move the requirement for a Local Education Agency (LEA) to have a hotline from Rule R277-113 to this Rule R277-123.

The amendments also update the processes the Utah State Board of Education's (USBE) Internal Audit Department will follow after receiving hotline complaints.

Additionally, this rule has been categorized for oversight purposes as Category 2, or Exempt.

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 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 the USBE resulting from this rule.

This categorization does not add any requirements or resources in and of itself. The USBE believes any fiscal impact from the hotline requirements were captured in the fiscal notes to H.B. 261 and H.B. 29 and the rule does not add any additional costs for the USBE or LEAs.

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 the USBE resulting from this rule.

This categorization does not add any requirements or resources in and of itself. The USBE believes any fiscal impact from the hotline requirements were captured in the fiscal notes to H.B. 261 and H.B. 29 and this rule does not add any additional costs for the 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 applies to the 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 applies to the USBE and LEAs.

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

There are no compliance costs for affected persons. 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 the USBE resulting from this rule.

This categorization does not add any requirements or resources in and of itself. The USBE believes any fiscal impact from the hotline requirements were captured in the fiscal notes to H.B. 261 and H.B. 29 and this rule does not add any additional costs for the USBE or LEAs.

NOTICES OF PROPOSED RULES

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	Subsections 53E-3-401(4) and (8)	
----------------------	----------------------------------	--

Public Notice Information

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

A) Comments will be accepted until:	01/31/2025
--	------------

9. This rule change MAY become effective on:	02/07/2025
---	------------

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:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment	
----------------------------------	--

Rule or Section Number:	R277-306	Filing ID: 56983
--------------------------------	----------	-------------------------

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:
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:

R277-306. Educator Preparation Programs for School Psychologists, Audiologists, Speech-Language Pathologists, Speech-Language Technicians, Counselors, and School Social Workers

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

This rule is being amended in order to make several technical updates to this rule's requirements.

4. Summary of the new rule or change:

The amendments specifically add an oversight Category 3.

In addition, the amendments update the requirement that candidates in school psychologist preparation programs are to follow 2020 National Association of School Psychologists Professional Standards, and candidates in school counselor preparation programs are prepared to meet the 2019 American School Counselor Association Professional Standards and Competencies.

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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself. The amendments clarify which standards that school psychologist and school counselor candidates should use and do not add costs to the USBE or any other state agency.

The 2019 updates to the American School Counselor Association Professional Standards "outline the mindsets and behaviors school counselors need to meet the rigorous demands of the school counseling profession" (<https://www.schoolcounselor.org/getmedia/a8d59c2c-51de-4ec3-a565-a3235f3b93c3/SC-Competencies.pdf>) and do not add time requirements or educational attainment over the previous standards and therefore do not have an increased fiscal impact.

The 2020 National Association of School Psychologists Professional Standards similarly are "a unified set of national principles that guide professional practices, credentialing, graduate preparation, and ethical behavior of effective school psychologists" (<https://www.nasponline.org/standards-and-certification>).

Adopting these standards allows the USBE and LEAs to align with current industry standards and practices but this does not add additional educational requirements or credentialing time for school counselors, and therefore, the USBE does not believe it carries any additional fiscal impact.

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's effort through Rule R77-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by the USBE resulting from this rule.

NOTICES OF PROPOSED RULES

This categorization does not add any requirements or resources in and of itself. The amendments clarify which standards that school psychologist and school counselor candidates should use and do not add costs for Local Education Agencies (LEAs).

The 2019 updates to the American School Counselor Association Professional Standards "outline the mindsets and behaviors school counselors need to meet the rigorous demands of the school counseling profession" (<https://www.schoolcounselor.org/getmedia/a8d59c2c-51de-4ec3-a565-a3235f3b93c3/SC-Competencies.pdf>) and do not add time requirements or educational attainment over the previous standards and therefore do not have an increased fiscal impact.

The 2020 National Association of School Psychologists Professional Standards similarly are "a unified set of national principles that guide professional practices, credentialing, graduate preparation, and ethical behavior of effective school psychologists" (<https://www.nasponline.org/standards-and-certification>).

Adopting these standards allows the USBE and LEAs to align with current industry standards and practices but this does not add additional educational requirements or credentialing time for school counselors, and therefore, the USBE does not believe it carries any additional fiscal impact.

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

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

The 2019 updates to the American School Counselor Association Professional Standards "outline the mindsets and behaviors school counselors need to meet the rigorous demands of the school counseling profession" (<https://www.schoolcounselor.org/getmedia/a8d59c2c-51de-4ec3-a565-a3235f3b93c3/SC-Competencies.pdf>) and do not add time requirements or educational attainment over the previous standards and therefore, do not have an increased fiscal impact.

The 2020 National Association of School Psychologists Professional Standards similarly are "a unified set of national principles that guide professional practices, credentialing, graduate preparation, and ethical behavior of effective school psychologists" (<https://www.nasponline.org/standards-and-certification>).

Adopting these standards allows the USBE and LEAs to align with current industry standards and practices but this does not add additional educational requirements or credentialing time for school counselors, and therefore, the USBE does not believe it carries any additional fiscal impact.

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 the USBE and LEAs.

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

There are no compliance costs for affected persons. The oversight framework categorization is part of the USBE's 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself. The amendments clarify which standards that school psychologist and school counselor candidates should use and do not add costs for the USBE or LEAs.

The 2019 updates to the American School Counselor Association Professional Standards "outline the mindsets and behaviors school counselors need to meet the rigorous demands of the school counseling profession"

(<https://www.schoolcounselor.org/getmedia/a8d59c2c-51de-4ec3-a565-a3235f3b93c3/SC-Competencies.pdf>) and do not add time requirements or educational attainment over the previous standards and therefore do not have an increased fiscal impact.

The 2020 National Association of School Psychologists Professional Standards similarly are "a unified set of national principles that guide professional practices, credentialing, graduate preparation, and ethical behavior of effective school psychologists" (<https://www.nasponline.org/standards-and-certification>).

Adopting these standards allows the USBE and LEAs to align with current industry standards and practices but this does not add additional educational requirements or credentialing time for school counselors, and therefore, the USBE does not believe it carries any additional fiscal impact.

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-6-201
----------------------	-------------------------	-------------------

Public Notice Information

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

A) Comments will be accepted until:	01/31/2025
--	------------

9. This rule change MAY become effective on:	02/07/2025
---	------------

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:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

NOTICES OF PROPOSED RULES

NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-325	Filing ID: 56984
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:
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov
Please address questions regarding information on this notice to the persons listed above.		
General Information		
2. Rule or section catchline:	R277-325. Public Education Exit and Engagement Surveys	
3. Purpose of the new rule or reason for the change:	This rule is being amended in order to make several technical changes and to add clarification to the requirements related to survey administration.	
4. Summary of the new rule or change:	The amendments specifically add an oversight Category 3, add clarification to the definition "Educator", and make several technical changes to the language, including the removal of a duplicate website address that references the incorporated documents. In addition, the amendments add clarifying language to the requirements for administering surveys in Section 4. For the two incorporated documents referenced in this rule, the language on the question regarding gender has been updated to meet the policy requirements.	
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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself. The clarifications of the definition of educator and technical changes do not add costs for the USBE or any other state entity, it simply provides clarity for Local Education Agencies (LEAs) in administering the legislatively required surveys.	
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's 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 the USBE resulting from this rule.	

This categorization does not add any requirements or resources in and of itself. The clarifications of the definition of educator and technical changes do not add costs for LEAs; it simply provides clarity for LEAs in administering the legislatively required surveys.

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

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

This only affects the USBE 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 the USBE and LEAs.

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

There are no compliance costs for affected persons. The oversight framework categorization is part of the USBE's 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 the USBE resulting from this rule.

This categorization does not add any requirements or resources in and of itself. The clarifications of the definition of educator and technical changes do not add costs for LEAs or the USBE; it simply provides clarity for LEAs in administering the legislatively required surveys.

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

NOTICES OF PROPOSED RULES

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 53G-11-304 Section 53E-3-401

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)	USBE Educator Engagement Survey
Publisher	Utah State Board of Education
Issue Date	October 2024

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

Official Title of Materials Incorporated (from title page)	USBE Educator Exit Survey
Publisher	Utah State Board of Education
Issue Date	October 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: 01/31/2025

9. This rule change MAY become effective on:	02/07/2025
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:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
------------------------------------	---	-------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment
Rule or Section Number: R277-419 Filing ID: 56985

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:
Elisse Newey	801-538-7550	elisse.newey@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 in order to reinstate a Local Education Agency's (LEA) ability to convert up to five days at the beginning of the year for a kindergarten pre-assessment.
4. Summary of the new rule or change:
The amendments specifically add an oversight Category 4, and also add language allowing an LEA the ability to convert up to five days at the beginning of the year for a kindergarten pre-assessment.

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 this rule.
This categorization does not add any requirements or resources in and of itself. The change to again allow up to five days of kindergarten pre-assessment towards the 180 required days of instruction does not add costs or adjust revenues for USBE.
The impacts are programmatic in nature.
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's 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 this rule.
This categorization does not add any requirements or resources in and of itself. LEAs do not incur additional costs by including up to five kindergarten assessment days. The effects are programmatic and allow kindergarten instruction to be tailored to meet the needs of incoming kindergarteners.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures.
This only affects the USBE 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 the USBE and LEAs.

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

There are no compliance costs for affected persons. The oversight framework categorization is part of the USBE's 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself.

LEAs and the USBE do not incur additional costs by including up to five kindergarten assessment days. The effects are programmatic and allow kindergarten instruction to be tailored to meet the needs of incoming kindergarteners.

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:	01/31/2025
--	------------

9. This rule change MAY become effective on:	02/07/2025
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:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or Section Number:	R277-702	Filing ID: 56986

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:
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov

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

General Information

2. Rule or section catchline:
R277-702. Procedures for the Utah High School Completion Diploma
3. Purpose of the new rule or reason for the change:
This rule is being amended in order to align with a new Rule R277-722, Procedures for the Focused Graduation Pathway. Rule R277-722 created a new pathway to graduation and Rule R277-702, the general graduation rule, needs to now include reference to the new pathway and a reference to the new rule number.
(EDITOR'S NOTE: The proposed new Rule R277-722 is under ID 56988 in this issue, January 1, 2025, of the Digest.)
4. Summary of the new rule or change:
The amendments specifically clarify the requirements related to the Focused Graduation Pathway program.

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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself.
The changes provide for students enrolling in the new Focused Graduation Pathway program under Rule R277-722 to be able to take a High School Equivalency (HSE), which is generally the General Education Development (GED) exam and does not add costs for the USBE or Local Education Agencies (LEAs).

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's 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself.

The changes provide for students enrolling in the new Focused Graduation Pathway program under Rule R277-722 to be able to take a HSE, which is generally the GED exam and does not add costs for the 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 affects the 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 the USBE and LEAs.

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

There are no compliance costs for affected persons. The oversight framework categorization is part of the USBE's 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself.

The changes provide for students enrolling in the new Focused Graduation Pathway program under Rule R277-722 to be able to take a HSE, which is generally the GED exam and does not add costs for the 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-3-501(1)(b)	Section 53E-3-401
----------------------	----------------------------	-------------------

Public Notice Information

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

A) Comments will be accepted until:	01/31/2025
--	------------

9. This rule change MAY become effective on: 02/07/2025

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:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: New

Rule or Section Number:	R277-722	Filing ID: 56988
--------------------------------	----------	-------------------------

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:
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov

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

General Information**2. Rule or section catchline:**

R277-722. Procedures for the Focused Graduation Pathway

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

This rule is being created to establish the requirements for a pathway to graduation that is based on the General Education Development (GED) test.

4. Summary of the new rule or change:

The new rule specifies the procedures for Local Education Agencies (LEAs) and individual schools wanting to implement the Focused Graduation Pathway program.

It also clarifies criteria for students who may be eligible for the program.

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 rule provides guidelines and procedures for the potential Focused Graduation Pathway (FGP) program.

While the Utah State Board of Education (USBE) resources could potentially be used for an educational specialist Full Time Equivalent (FTE) to administer the program, the program has not yet been started and this rule itself does not require any costs for the USBE.

B) Local governments:

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

This program is optional but requires developing policies and procedures and designating an FGP coordinator to oversee the program for a Local Education Agency (LEA)/school.

The USBE estimates this would be an additional duty stipend or similar portion of an FTE, at a cost of \$10,000 annually per participating LEA; however, the USBE cannot provide a total cost estimate as the program has not yet been started.

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

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

This only affects the USBE 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 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 the USBE and LEAs.

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

There are no compliance costs for affected persons. This program is optional but requires developing policies and procedures and designating an FGP coordinator to oversee the program for an LEA/school.

The USBE estimates this would be an additional duty stipend or similar portion of an FTE, at a cost of \$10,000 annually per participating LEA; however, the USBE cannot provide a total cost estimate as the program has not yet been started.

While the USBE resources could potentially be used for an educational specialist FTE to administer the program, the program has not yet been started and this rule itself does not require any costs for the USBE.

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

Regulatory Impact Table

Fiscal Cost	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)	Section 53E-3-401
----------------------	----------------------------	-------------------

Public Notice Information

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

A) Comments will be accepted until:	01/31/2025
--	------------

9. This rule change MAY become effective on: 02/07/2025

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:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-927	Filing ID: 56987
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:
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov
Please address questions regarding information on this notice to the persons listed above.		
General Information		
2. Rule or section catchline:	R277-927. Teacher and Student Success Act (TSSA) Program	
3. Purpose of the new rule or reason for the change:	This rule is being amended in order to make several technical updates and clarifications.	
4. Summary of the new rule or change:	The amendments specifically add an oversight Category 2 for this rule, clarify the definition of "capital expenditures" in Section R277-927-2, and update language in Section R277-927-3 related to how the state average teacher salary is determined for the Teacher and Student Success Act (TSSA) program.	
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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself. The changes to clarify how teacher salary is calculated and clarify capital expenditures do not affect Local Education Agency (LEA) distributions or incur costs for the USBE. The teacher salary calculation applies to how LEAs are able to use the funds and follows current LEA practice.	
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's 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself. The changes to clarify how teacher salary is calculated and clarify capital expenditures do not affect LEA distributions or incur costs for the USBE. The teacher salary calculation applies to how LEAs are able to use the funds and follows current LEA practice.	

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

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

This only applies to the 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 applies to LEAs and the USBE.

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

There are no compliance costs for affected persons. The oversight framework categorization is part of the USBE's 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself.

The changes to clarify how teacher salary is calculated and clarify capital expenditures do not affect LEA distributions or incur costs for the USBE. The teacher salary calculation applies to how LEAs are able to use the funds and follows current LEA 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

NOTICES OF PROPOSED RULES

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-2-416
Section 53G-7-1304	Section 53G-7-1306	

Public Notice Information

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

A) Comments will be accepted until:	01/31/2025
9. This rule change MAY become effective on:	02/07/2025

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:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: New		
Rule or Section Number:	R356-12	Filing ID: 56970

Agency Information

1. Title catchline:	Governor, Criminal and Juvenile Justice (State Commission on)		
Building:	Utah State Capitol, Senate Building		
Street address:	350 N State Street		
City, state	Salt Lake City, UT		
Mailing address:	PO Box 142330		
City, state and zip:	Salt Lake City, UT 84114-2330		
Contact persons:			
Name:	Phone:	Email:	
Angelo Perillo	801-538-1047	aperillo@utah.gov	

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

General Information

2. Rule or section catchline:
R356-12. Public Safety Portal Data Reporting
3. Purpose of the new rule or reason for the change:
In 2022, the Legislature passed H.B. 403, Justice Reinvestment Initiative Modifications, which required the Commission on Criminal and Juvenile Justice to oversee the creation and management of a database that would be the repository for all of the information and data required to be reported to the Commission.
In Section 63A-16-1002, the Commission was given rulemaking authority to create rules regarding how the data described in the statute would be provided to the Commission.

4. Summary of the new rule or change:

The purpose of this rule is to establish requirements and procedures for collecting the data, described in Subsection 63A-16-1002(4), that is to be included in the Public Safety Portal.

Fiscal Information**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A) State budget:**

This rule will not have any effect on the state budget because it only clarifies the process by which agencies are currently providing data to the Commission.

B) Local governments:

This rule will not have any effect on local governments because it only clarifies the process by which agencies are currently providing data to the Commission.

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

This rule will not have any effect on small businesses because it does not apply to small businesses and only clarifies the process by which agencies are currently providing data to the Commission.

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

This rule will not have any effect on non-small businesses because it does not apply to non-small businesses and only clarifies the process by which agencies are currently providing data to the Commission.

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 will not have any effect on persons other than small businesses, non-small businesses, state, or local government entities because it does not apply to persons other than small businesses, non-small businesses, state, or local government entities and only clarifies the process by which agencies are currently providing data to the Commission.

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

There will be no compliance costs for affected persons because the rule does not create new procedures for providing data rather it clarifies the process by which agencies are currently providing data to the Commission.

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

NOTICES OF PROPOSED RULES

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

This rule will have no fiscal impact on any entities and the Executive Director of the Commission on Criminal and Juvenile Justice, Tom Ross, 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 63A-16-1002(6)(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:

01/31/2025

9. This rule change MAY become effective on:

02/07/2025

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:	Tom Ross, Executive Director	Date:	12/04/2024
---	------------------------------	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:

R641-109-300

Filing ID: 56976

Agency Information

1. Title catchline:	Natural Resources; Oil, Gas and Mining Board		
Building:	Department of Natural Resources		
Street address:	1594 W North Temple		
City, state:	Salt Lake City, UT		
Mailing address:	1594 W North Temple, Suite 1210		
City, state and zip:	Salt Lake City, UT 84116		
Contact persons:			
Name:	Phone:	Email:	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:

R641-109-300. Notice

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

This change aims to modernize noticing requirements and reduce costs associated with mailing supplies and staff time for printing and mailing notices.

4. Summary of the new rule or change:

This change allows notices of proceedings to be sent via email or US mail, removing the requirement to mail findings of fact and conclusions of law to all parties.

Fiscal Information**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A) State budget:**

There is a total of one state agency, the Division of Oil, Gas and Mining, that will be associated with this proposed rule change. There is an estimated savings of \$20,000 per year from the reduction of printing materials and staff time.

B) Local governments:

No local government costs or savings are anticipated, since this rule only applies to the Board and Division.

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

No small business costs or savings are anticipated, since this rule only applies to the Board and Division.

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

No non-small business costs or savings are anticipated, since this rule only applies to the Board and Division.

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

This rule change will not affect persons other than state governments.

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

There will be no compliance costs for oil and gas operators.

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 PROPOSED RULES

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

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

Citation Information

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

Section 40-6-1 et seq.

Public Notice Information

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

A) Comments will be accepted until: 01/31/2025

9. This rule change MAY become effective on: 02/26/2025

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:	Mick Thomas, Director	Date:	12/13/2024
---	-----------------------	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number: R649-1-1 **Filing ID:** 56977

Agency Information

1. Title catchline:	Natural Resources; Oil, Gas and Mining; Oil and Gas		
----------------------------	---	--	--

Building:	Department of Natural Resources		
------------------	---------------------------------	--	--

Street address:	1594 West North Temple		
------------------------	------------------------	--	--

City, state:	Salt Lake City, UT		
---------------------	--------------------	--	--

Mailing address:	1594 West North Temple, Suite 1210		
-------------------------	------------------------------------	--	--

City, state and zip:	Salt Lake City, UT 84116		
-----------------------------	--------------------------	--	--

Contact persons:

Name:	Phone:	Email:
--------------	---------------	---------------

Natasha Ballif	801-589-5486	natashaballif@utah.gov
----------------	--------------	------------------------

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

General Information

2. Rule or section catchline:

R649-1-1. Definitions

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

H.B. 310 from the 2019 General Session modified the definition of solid waste, which moved waste recycling to another agency.

This rule amendment will remove any definitions related to waste recycling and add new definitions that are specific to recycling facilities.

4. Summary of the new rule or change:

Rule R649-1 establishes definitions for terms used within the Title R649 rules. This rule amendment removes definitions related to waste recycling and adds new definitions that are specific to recycling facilities.

Fiscal Information**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A) State budget:**

There is a total of one state agency, the Division of Oil, Gas and Mining, that will be associated with this proposed rule change.

There is no estimated cost to the state as these amendments are administrative in nature.

B) Local governments:

No local government costs or savings are anticipated, since this rule impacts oil and gas operators, the Division, and the Board.

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

There are 303 small business oil and gas operators (for a complete listing of NAICS codes used in this analysis, please contact the agency) in the state of Utah.

It is anticipated that this rule amendment will have no fiscal impact as these definitions are purely administrative.

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

There are a total of four non-small business oil and gas operators (for a complete listing of NAICS codes used in this analysis, please contact the agency) in the state of Utah.

It is anticipated that this rule amendment will have no fiscal impact as these definitions are purely administrative.

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

This rule change will not affect persons other than small businesses, businesses, or local governments as this rule only applies to small and non-small business operators and the Division of Oil, Gas and Mining.

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

There will be no additional compliance costs for oil and gas operators as these changes are administrative.

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

NOTICES OF PROPOSED RULES

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

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

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

Citation Information

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

Section 40-6-1 et seq.

Public Notice Information

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

A) Comments will be accepted until: 01/31/2025

9. This rule change MAY become effective on: 02/26/2025

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:	Mick Thomas, Director	Date:	12/13/2024
------------------------------------	-----------------------	-------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number: R649-9 **Filing ID:** 56978

Agency Information

1. Title catchline:	Natural Resources; Oil, Gas and Mining; Oil and Gas		
Building:	Department of Natural Resources		
Street address:	1594 W North Temple		
City, state:	Salt Lake City, UT		
Mailing address:	1594 W North Temple, Suite 1210		
City, state and zip:	Salt Lake City, UT 84116		
Contact persons:			
Name:	Phone:	Email:	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:

R649-9. Exploration and Production Recycling Facilities

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

H.B. 310 from the 2019 General Session modified the definition of solid waste, which moved waste recycling to another agency.

This rule change will remove any waste recycling regulatory language and focuses only on the recycling and reuse of produced water.

4. Summary of the new rule or change:

Rule R649-9 establishes requirements for the recycling and reuse of produced water during oil and gas production to minimize the volume of waste and use of freshwater.

Fiscal Information

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

A) State budget:

There is a total of one state agency, the Division of Oil, Gas and Mining, that will be associated with this proposed rule change.

There is no estimated cost to the state as these amendments are administrative in nature, removing solid waste operations while maintain the existing regulatory requirements for recycling operations.

B) Local governments:

No local government costs or savings are anticipated, since this rule impacts oil and gas operators, the Division, and the Board.

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

There are 303 small business oil and gas operators (for a complete listing of NAICS codes used in this analysis, please contact the agency) in the state of Utah. It is anticipated that this rule amendment will have a neutral fiscal impact on businesses, as existing recycling operators will remain under Division regulatory jurisdiction.

New recycling facility operators will be required to comply with permit and reclamation bonding requirements; however, the total fiscal impact cannot be estimated due to the uncertainty of the number of new operators.

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

There are a total of four non-small business oil and gas operators (for a complete listing of NAICS codes used in this analysis, please contact the agency) in the state of Utah. It is anticipated that this rule amendment will have a neutral fiscal impact on businesses, as existing recycling operators will remain under Division regulatory jurisdiction.

New recycling facility operators will be required to comply with permit and reclamation bonding requirements; however, the total fiscal impact cannot be estimated due to the uncertainty of the number of new operators.

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

This rule change will not affect persons other than small businesses, businesses, or local governments as this rule only applies to small and non-small business operators and the Division of Oil, Gas and Mining.

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

There is required reclamation bonding for operators, however, the amount is dependent on many factors, including site design and geography of the site and cannot be broadly estimated.

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

NOTICES OF PROPOSED RULES

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:

Section 40-6-1 et seq.

Public Notice Information

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

A) Comments will be accepted until:

01/31/2025

9. This rule change MAY become effective on:

02/26/2025

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:	Mick Thomas, Director	Date:	12/13/2024
------------------------------------	-----------------------	-------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:

R657-5

Filing ID: 56991

Agency Information

1. Title catchline:	Natural Resources, Wildlife Resources		
Building:	DNR Complex		
Street address:	1594 W North Temple		
City, state:	Salt Lake City, UT 84416		
Mailing address:	PO Box 146301		
City, state and zip:	Salt Lake City, UT 84414-6301		
Contact persons:			
Name:	Phone:	Email:	
Staci Coons	801-450-3093	stacicoons@utah.gov	

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

General Information**2. Rule or section catchline:**

R657-5. Taking Big Game

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

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

4. Summary of the new rule or change:

The proposed amendments to this rule:

- 1) add "Antler Point Restriction" into definitions;
- 2) add "Point" into definitions;
- 3) add the criteria for an Antler Point Restrictions on Buck Deer Hunts; and
- 4) add other technical corrections as needed.

Fiscal Information**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A) State budget:**

The amendments to Rule R657-5 are administrative in nature, DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.

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

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

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

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

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

The proposed rule amendments do not have the potential to impact other persons that hunt big game in Utah, nor is a service required of them.

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

DWR has determined that this amendment may not create additional costs for those individuals wishing to hunt big game in Utah because it simply adds the ability to have an Antler Point Restricted hunt in Utah.

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

NOTICES OF PROPOSED RULES

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:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

Citation Information

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

Section 23A-2-304

Section 23A-2-305

Public Notice Information

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

A) Comments will be accepted until:

01/31/2025

9. This rule change MAY become effective on:

02/07/2025

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:	J. Shirley, Division Director	Date:	12/16/2024
---	-------------------------------	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:

R657-45

Filing ID: 56989

Agency Information

1. Title catchline:	Natural Resources, Wildlife Resources		
Building:	DNR Complex		
Street address:	1594 W North Temple		
City, state:	Salt Lake City, UT 84416		
Mailing address:	PO Box 146301		
City, state and zip:	Salt Lake City, UT 84414-6301		
Contact persons:			
Name:	Phone:	Email:	
Staci Coons	801-450-3093	stacicoons@utah.gov	

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

General Information

2. Rule or section catchline:

R657-45. Wildlife License, Permit, and Certificate of Registration Forms and Terms

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

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

4. Summary of the new rule or change:

The proposed amendments to this rule place the rule in line with Section 23A-1-103 which clarifies residency in Utah is six consecutive months immediately preceding the purchase of a license or application of a license, permit, or tag.

Fiscal Information

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

A) State budget:

The amendments to Rule R657-45 are administrative in nature, DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.

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

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

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

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

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

The proposed rule amendments do not have the potential to impact other persons that hunt in Utah, nor is a service required of them.

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

DWR has determined that this amendment may not create additional costs for those individuals wishing to hunt in Utah because it simply clarifies what determines resident or non-resident status.

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

NOTICES OF PROPOSED RULES

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:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

Citation Information

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

Section 23A-2-304

Section 23A-2-305

Public Notice Information

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

A) Comments will be accepted until:

01/31/2025

9. This rule change MAY become effective on:

02/07/2025

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:

J. Shirley, Division Director

Date:

12/16/2024

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:

R657-62

Filing ID: 56990

Agency Information

1. Title catchline:	Natural Resources, Wildlife Resources		
Building:	DNR Complex		
Street address:	1594 W North Temple		
City, state:	Salt Lake City, UT 84416		
Mailing address:	PO Box 146301		
City, state and zip:	Salt Lake City, UT 84414-6301		
Contact persons:			
Name:	Phone:	Email:	
Staci Coons	801-450-3093	stacicoons@utah.gov	

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

General Information

2. Rule or section catchline:

R657-62. Drawing Application Procedures

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

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

4. Summary of the new rule or change:

The proposed amendments to this rule:

- 1) sets the criteria for youth permit unutilized allocation conversion;
- 2) aligns residency requirements with Section 23A-1-103;
- 3) requires hunters to apply for general season buck deer or dedicated hunter buck deer permits, historically applicants have been able to apply for both; and
- 4) makes technical corrections as needed.

Fiscal Information

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

A) State budget:

The amendments to Rule R657-62 are administrative in nature, the DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.

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

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

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

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

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

The proposed rule amendments do not have the potential to impact other persons that hunt big game in Utah, nor is a service required of them.

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

DWR has determined that this amendment may not create additional costs for those individuals wishing to hunt big game in Utah because it simply clarifies residency requirements, and the redistribution of youth deer permits.

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

NOTICES OF PROPOSED RULES

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

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

Citation Information

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

Section 23A-2-304	Section 23A-2-305	
-------------------	-------------------	--

Public Notice Information

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

A) Comments will be accepted until:	01/31/2025
--	------------

9. This rule change MAY become effective on:	02/07/2025
---	------------

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:	J. Shirley, Division Director	Date:	12/16/2024
---	-------------------------------	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment	
Rule or Section Number:	R722-310

Agency Information

1. Title catchline:	Public Safety, Criminal Investigations and Technical Services, Criminal Identification
Building:	Taylorsville State Office Building
Street address:	4315 S 2700 W
City, state:	Taylorsville, UT 84129
Mailing address:	4315 S 2700 W, Suite 1300
City, state and zip:	Taylorsville, UT 84129

Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Nicole Borgeson	801-281-5072	nshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:

R722-310. Regulation of Bail Bond Recovery and Enforcement Agents

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

This filing is being submitted as a result of the passage of H.B. 532 during the 2024 General Session. The bill combined the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board and renamed the board as the Bail Bond Recovery and Private Investigator Licensure Board.

4. Summary of the new rule or change:

This bill adds a definition of "board" as the newly combined Bail Bond Recovery and Private Investigator Licensure Board; updates language regarding adjudicative proceedings conducted by the newly combined board; and includes clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

Fiscal Information

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

A) State budget:

The proposed rule is not expected to have any fiscal impact on state budgets. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

B) Local governments:

The proposed rule is not expected to have any fiscal impact on local governments. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

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

The proposed rule is not expected to have any fiscal impact on small businesses. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

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

The proposed rule is not expected to have any fiscal impact on non-small businesses. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

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 rule is not expected to have any fiscal impacts on persons other than small businesses, non-small businesses, state, or local government entities. This rule filing addresses the combination of the Private Investigator Hearing and Licensure

NOTICES OF PROPOSED RULES

Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

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

The proposed rule is not expected to result in any compliance costs for affected persons. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

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 Department of Public Safety, Jess L. Anderson, 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 53-11-103(5)

Public Notice Information

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

A) Comments will be accepted until:

01/31/2025

9. This rule change MAY become effective on: 02/07/2025

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 Ricks, BCI Division Director	Date:	12/12/2024
---	------------------------------------	--------------	------------

NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R722-330	Filing ID: 56973
Agency Information		
1. Title catchline:	Public Safety, Criminal Investigations and Technical Services, Criminal Identification	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT 84129	
Mailing address:	4315 S 2700 W, Suite 1300	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Nicole Borgeson	801-281-5072	nshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information		
2. Rule or section catchline:	R722-330. Licensing of Private Investigators	
3. Purpose of the new rule or reason for the change:	This filing is being submitted as a result of the passage of H.B. 532 during the 2024 General Session. The bill combined the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board and renamed the board as the Bail Bond Recovery and Private Investigator Licensure Board.	
4. Summary of the new rule or change:	This bill adds a definition of "board" as the newly combined Bail Bond Recovery and Private Investigator Licensure Board; updates language regarding adjudicative proceedings conducted by the newly combined board; and includes clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.	

Fiscal Information		
5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:		
A) State budget:	The proposed rule is not expected to have any fiscal impact on state budgets. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.	
B) Local governments:	The proposed rule is not expected to have any fiscal impact on local governments. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.	
C) Small businesses ("small business" means a business employing 1-49 persons):	The proposed rule is not expected to have any fiscal impact on small businesses. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.	

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

The proposed rule is not expected to have any fiscal impact on non-small businesses. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

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 rule is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

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

The proposed rule is not expected to result in any compliance costs for affected persons. This rule filing addresses the combination of the Private Investigator Hearing and Licensure Board and the Bail Bond Recovery Licensure Board into one board, now named the Bail Bond Recovery and Private Investigator Licensure Board, as well as addressing clerical and formatting changes to ensure compliance with the Rulewriting Manual for Utah guidelines.

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 Department of Public Safety, Jess L. Anderson, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Sections 53-9-101 through 53-9-119

Public Notice Information

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

A) Comments will be accepted until:	01/31/2025
--	------------

9. This rule change MAY become effective on:	02/07/2025
---	------------

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 Ricks, BCI Division Director	Date:	12/12/2024
---	------------------------------------	--------------	------------

End of the Notices of Proposed Rules Section

NOTICES OF 120-DAY (EMERGENCY) RULES

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

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

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

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

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

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

NOTICE OF EMERGENCY (120-DAY) RULE		
Rule or Section Number:	R911-5	Filing ID: 56971
Effective Date:	12/04/2024	

Agency Information		
1. Title catchline:	Public Safety, Emergency Medical Services	
Building:	Calvin Rampton Building	
Street address:	4501 S 2700 W	
City, state	Taylorsville, UT 84129	
Mailing address:	PO Box 141775	
City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information		
2. Rule or section catchline:	R911-5. Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards	
3. Purpose of the new rule or reason for the change:	This rule was moved from the Department of Health and Human Services to the Department of Public Safety in July 2024.	

Upon further review of the language in the current rule, the Bureau of Emergency Medical Services (BEMS) has determined that it is not compliant with Title 63G, Chapter 4, the Administrative Procedures Act, and violates due process rights of licensees who have had action taken against their licenses.

In addition, this rule change ensures consistency with formatting and language throughout the rule and ensures compliance with the Rulewriting Manual for Utah guidelines.

4. Summary of the new rule or change:

Rule R911-5 is repealed and reenacted with the following changes:

- 1) clarifies the role of the Peer Review Board (PRB) in informal administrative hearings, clearly states that hearings before the PRB are informal, adds a procedure for reconsideration of the PRB's order, increases due process by designating the board as the trier of fact, removes the authority of the BEMS bureau chief to override the PRB recommendations, adds language that the PRB's decision is subject to judicial review, required licensee to be notified of hearing date when results of investigation will be presented to the PRB, makes license sanctions proceedings consistent with Utah administrative procedures act Section 63G-4-101, defines mitigating and aggravating circumstances the PRB may consider, and clarifies meaning of probation, suspension and revocation of licenses;
- 2) reorganizes licensing of CRT's into its own subsection and changes languages to be consistent throughout this rule and statute;
- 3) removes Utah specific references to convictions prohibiting licensure to increase safety by allowing BEMS to consider out of state convictions, and adds provisions allowing BEMS to deny registered sex offenders from being licensed as emergency medical personnel; and
- 4) Removes redundant and outdated references to statute, expands the number of definitions applicable from the statutory definitions, adds cheating on licensure exams as a basis for license sanctions, adds language that conduct which endangers public safety regardless of criminal conviction may be basis for license sanction, and removes language allowing licensure individuals convicted of felony sex offenses and other non-expungable violent felonies after 15 years.

5A) The agency finds that regular rulemaking would:

- cause an imminent peril to the public health, safety, or welfare;
- cause an imminent budget reduction because of budget restraints or federal requirements; or
- place the agency in violation of federal or state law.

B) Specific reasons and justifications for this finding:

This rule was moved from the Department of Health and Human Services to the Department of Public Safety in July 2024.

Upon further review of this rule, the BEMS has determined that the language is not compliant with Title 63G, Chapter 4, and violates due process rights of licensees who have had action taken against their EMS licenses.

This rule filing addresses compliance issues and ensures that the BEMS is no longer in violation of state law.

Fiscal Information

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

A) State budget:

The proposed rule is not expected to have any fiscal impact on the state budget because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.

B) Local governments:

The proposed rule is not expected to have any fiscal impact on local governments because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.

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

The proposed rule is not expected to have any fiscal impact on small businesses because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.

NOTICES OF 120-DAY (EMERGENCY) RULES

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

The proposed rule is not expected to have any fiscal impact on persons other than small businesses, state, or local government entities because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.

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

The proposed rule is not expected to result in any compliance costs for affected persons because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.

F) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

This rule is not expected to have any fiscal impacts on businesses. The rule amendment addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, which will protect and ensure due process rights of individuals who have had action taken against their EMS licenses. Jess L. Anderson, Commissioner of the Department of Public Safety

Citation Information

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

Section 53-2d-101.1

Incorporations by Reference Information

8. 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)	Course Coordinator Manual
Publisher	Bureau of Emergency Medical Services, Utah Department of Public Safety
Issue Date	October 15, 2024
Issue or Version	2024

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

Official Title of Materials Incorporated (from title page)	EMT Student Handbook
Publisher	Bureau of Emergency Medical Services, Utah Department of Public Safety
Issue Date	October 2024
Issue or Version	2024

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

Official Title of Materials Incorporated (from title page)	National EMS Scope of Practice Model 2019
Publisher	National Highway Traffic Safety Administration
Issue Date	February 2019
Issue or Version	2019

D) This rule adds or updates the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	EMS Recertification Guide
Publisher	National Registry of Emergency Medical Technicians
Issue Date	2024
Issue or Version	Version 2024.01

E) This rule adds or updates the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Highlights of the 2020 American Heart Association Guidelines for CPR and ECC
Publisher	American Heart Association
Issue Date	October 2020
Issue or Version	2020

F) This rule adds or updates the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	2002 National Guidelines For Educating EMS Instructors
Publisher	National Association of EMS Educators, U.S. Department of Transportation, and U.S. Department of Health and Human Services
Issue Date	November 2001
Issue or Version	2002

G) This rule adds or updates the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Training Officer Manual
Publisher	Bureau of Emergency Medical Services, Utah Department of Public Safety
Issue Date	October 2024
Issue or Version	2024

H) This rule adds or updates the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Standards and Guidelines for the Accreditation of Educational Programs in the Emergency Medical Services Professions
Publisher	Commission on Accreditation of Allied Health Education Programs
Issue Date	January 1, 2024

Agency Authorization Information

Agency head or designee and title:	Darin Bushman, Director	Date:	12/04/2024
------------------------------------	-------------------------	-------	------------

End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

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

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R58-12	Filing ID: 52904
Effective Date:	12/16/2024	

Agency Information

1. Title catchline:	Agriculture and Food, Animal Industry	
Building:	Taylorsville State Office Building, South Bldg., Floor 2	
Street address:	4315 S.2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Noel McSpadden	801-520-4313	nmcspaddenjr@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Amber Brown	385-245-5222	amberbrown@utah.gov

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

General Information

2. Rule catchline:
R58-12. Record Keeping and Carcass Identification at Meat Exempt Custom Cut Establishments
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 4-32-109 gives the Department of Agriculture and Food (Department) rulewriting authority concerning the functions, powers, and duties for the administration and enforcement of Title 4, Chapter 32, Utah Meat and Poultry Products Inspection and Licensing Act.
This rule addresses the recording keeping requirements of each animal slaughtered under Rule R58-13, Custom Exempt Slaughter.

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 public comments regarding this rule over the last five years.

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

The Department would like to keep this rule to provide record keeping requirements for custom exempt slaughter and as part of the cooperative agreement between the Department and the USDA, Food Safety Inspection Service (FSIS), and in order to maintain our at least equal status. The Department is required to have this rule in place for custom exempt slaughter which also includes record keeping and carcass identification. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Craig Buttars, Commissioner	Date:	12/16/2024
---	-----------------------------	--------------	------------

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R58-13	Filing ID:	52469
Effective Date:	12/16/2024		

Agency Information

1. Title catchline:	Agriculture and Food, Animal Industry		
Building:	Taylorsville State Office Building, South Bldg., Floor 2		
Street address:	4315 S 2700 W		
City, state	Taylorsville, UT		
Mailing address:	PO Box 146500		
City, state and zip:	Salt Lake City, UT 84114-6500		

Contact persons:

Name:	Phone:	Email:
Noel McSpadden	801-520-4313	nmcspaddenjr@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Amber Brown	385-245-5222	amberbrown@utah.gov

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

General Information

2. Rule catchline:
R58-13. Custom Exempt Slaughter
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 4-32-107 authorizes the Department of Agriculture and Food (Department) to issue rules regarding applications for an exemption from inspections for custom slaughtering.
The Department plans to revise this rule in the spring of 2025 to ensure compliance with the revised Section 4-32-109 which provides rulewriting authority concerning the functions, powers, and duties, and the administration and enforcement of Title 4, Chapter 32, Utah Meat and Poultry Products Inspection and Licensing Act.
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:

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

The Department has not received any public comments regarding this rule over the last five years.

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

During the Department's review of this rule, the Department identified changes in various sections of Title 4, Chapter 32, Utah Meat and Poultry Products Inspection Act which may require applicable information in this rule to be updated. This rule, as it is currently written, provides information regarding inspection exemptions for custom slaughter as defined in Subsection 4-32-105(11) and outlined in Section 4-32-106. Although changes are needed to this rule, the department would like this rule to continue to provide the applicable rules required in Sections 4-32-107 and 4-32-108. Therefore, this rule should be continued.

After the 2025 General Session, the Department plans to revise this rule to align with the updated information in Title 4, Chapter 32, Utah Meat and Poultry Products Inspection Act.

Agency Authorization Information

Agency head or designee and title:	Craig Buttars, Commissioner	Date:	12/16/2024
------------------------------------	-----------------------------	-------	------------

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R58-25	Filing ID: 52470
Effective Date:	12/16/2024	

Agency Information

1. Title catchline:	Agriculture and Food, Animal Industry	
Building:	Taylorsville State Office Building, South Bldg., Floor 2	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	

Contact persons:

Name:	Phone:	Email:
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Amber Brown	385-245-5222	amberbrown@utah.gov
Leann Hunting	801-982-2242	leannhunting@utah.gov

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

General Information

2. Rule catchline:
R58-25. Aerial Hunting Permits and Licenses

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 4-23-106(7) gives the Department of Agriculture and Food (Department) rulewriting authority regarding aerial hunting specifically when the Department issues a use permit to a private person who needs to protect land, water, wildlife, livestock, domesticated animals, human life, or crops.

Subsection 4-23-106(3) authorizes a rule to provide the requirements for licensing and qualifications for the pilot and aircraft used in aerial hunting.
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 public comments regarding this rule within the last five years.

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

The Department maintains Section 4-23-106 to ensure the responsible and regulated use of aerial hunting in Utah. Legislation revised the statute a couple of years ago to reflect the state's sole authority over this practice, authorizing the Department as the only agency in Utah to issue aerial hunting permits and licenses. This program plays a vital role in protecting Utah's agricultural interests and public safety by allowing for the controlled take of predatory animals that threaten livestock, crops, domesticated animals, wildlife, human life, and land and water resources.

This rule establishes clear requirements and procedures for obtaining these permits and licenses, ensuring accountability, and minimizing risks associated with aerial hunting. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Craig Buttars, Commissioner	Date:	12/16/2024
---	-----------------------------	--------------	------------

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R68-2	Filing ID:	56759
Effective Date:	12/09/2024		

Agency Information

1. Title catchline:	Agriculture and Food, Plant Industry	
Building:	Taylorsville State Office Buildings, South Bldg., Floor 2	
Street address:	4315 S.2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	

Contact persons:

Name:	Phone:	Email:
Amber Brown	385-245-5222	Ambermbrown@Utah.gov
Kelly Pehrson	801-982-2200	Kwpehrson@Utah.gov
Robert Hougaard	801-982-2305	rhougaard@Utah.gov

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

General Information

2. Rule catchline:
R68-2. Utah Commercial Feed Act Governing Feed
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 4-12-103 gives the Department of Agriculture and Food (Department) rulemaking authority to make and enforce this rule to administer and enforce Title 4, Chapter 12, Utah Commercial Feed Act.
Also, Subsection 4-12-102(4)(a)(iii) authorizes this rule regarding any unadulterated commodity, and Subsection 4-12-105(3) authorizes this rule regarding a label to use a collective term for a group of ingredients.
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 public comments regarding the continuation of this rule over the last five years.

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

This rule provides the authority to enforce and administer the Utah Commercial Feed Act which oversees the manufacturing, labeling, and selling of feed for animals in the state. This rule aligns with national standards determined by the Association of American Feed Control Officials to ensure manufacturers have clear, accurate, and consistent information about animal feed, including pet foods.

This rule also provides detailed requirements for stakeholders to review and understand when involved with animal feed operations which aligns with the authority to enforce the Utah Commercial Feed Act. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Craig Buttars, Commissioner	Date:	12/09/2024
---	-----------------------------	--------------	------------

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-306	Filing ID:	55157
Effective Date:	12/16/2024		

Agency Information

1. Title catchline:	Education, Administration		
Building:	Board of Education		
Street address:	250 E 500 S		
City, state	Salt Lake City, UT 84111		
Mailing address:	PO Box 144200		
City, state and zip:	Salt Lake City, UT 84114-4200		
Contact persons:			
Name:	Phone:	Email:	
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R277-306. Educator Preparation Programs for School Psychologists, Audiologists, Speech-Language Pathologists, Speech-Language Technicians, Counselors, and School Social Workers
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 Subsection 53E-6-201(3)(a), which allows the Board to establish criteria for obtaining educator licenses.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no public comments received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

This rule is necessary for continuation in order to establish standards for educator preparation programs for School Psychologists; Audiologists; Speech-Language Pathologists; Speech-Language Technicians; School Counselors; and School Social Workers. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-325	Filing ID: 53413
Effective Date:	12/16/2024	

Agency Information

1. Title catchline:	Education, Administration		
Building:	Board of Education		
Street address:	250 E 500 S		
City, state	Salt Lake City, UT 84111		
Mailing address:	PO Box 144200		
City, state and zip:	Salt Lake City, UT 84114-4200		
Contact persons:			
Name:	Phone:	Email:	
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:	R277-325. Public Education Exit and Engagement Surveys
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 53G-11-304, which requires the Board to make rules for the creation and administration of a public education exit survey.	
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 in order to adopt minimum standards for local education agencies (LEAs) to administer a public education exit and engagement survey; and adopt a model public education exit and engagement survey for use by LEAs. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee and title:	Elisse Newey, Deputy Superintendent of Policy	Date:	12/16/2024
---	---	--------------	------------

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-283	Filing ID: 55256
Effective Date:	12/16/2024	

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 catchline:
R590-283. Defrayment of State-Required Benefits
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
Section 31A-22-642 authorizes the insurance commissioner to write rules that set the minimum coverage standards for the treatment of autism spectrum disorder.
Section 31A-30-118 authorizes the insurance commissioner to write rules regarding the administration and submission of defrayment payments under the provisions of 45 CFR 155.170.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department of Insurance (Department) has received no written comments that were specifically supportive or opposed to this rule in the past five years.
However, the Department did receive comments from a health insurance industry association and a health insurer that suggested changes to this rule and the template insurers use when requesting a defrayment payment. The Department did not implement all suggested changes, but it did work with both commenters to ensure the rule's ultimate form was acceptable to all parties.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Defrayment payments related to the costs of mandated benefits under the ACA are required by 45 CFR 155.170. This rule prescribes the process that insurers and the Department must follow to ensure payments are distributed accurately and properly. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	12/16/2024
------------------------------------	---	-------	------------

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R652-160	Filing ID: 51707
Effective Date:	12/03/2024	

Agency Information

1. Title catchline:	Natural Resources; Forestry, Fire and State Lands	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state	Salt Lake City, UT 84114-5703	
Mailing address:	1594 W North Temple, Ste 3520	
City, state and zip:	Salt Lake, City UT 84114-5703	
Contact persons:		
Name:	Phone:	Email:
Emily Hawley	385-441-6667	ehawley@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	R652-160. Department of Natural Resources Wilderness Rules	
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	Rule R652-160 implements Section 63L-7-101, the Utah Wilderness Act, which authorizes the Department of Natural Resources to make rules to govern the protection of wilderness.	
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	The Division of Forestry, Fire and State Lands has not received any written comments in support or opposition to this rule since the last five-year review.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	This rule is necessary for compliance with statute, as it implements requirements for wilderness. Therefore, this rule should be continued. As there have been no comments in opposition to this rule, the agency has not responded to such comments.	

Agency Authorization Information

Agency head or designee and title:	Joel Ferry, Executive Director	Date:	12/03/2024
------------------------------------	--------------------------------	-------	------------

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R722-400	Filing ID: 52305
Effective Date:	12/11/2024	

Agency Information

1. Title catchline:	Public Safety, Criminal Investigations and Technical Services, Criminal Identification	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

City, state	Taylorsville, UT 84129	
Mailing address:	4315 S 2700 W, Suite 1300	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Nicole Borgeson	801-281-5072	nshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R722-400. Silver Alert Notification System
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Section 53-10-704, which states that the Department of Public Safety shall make rules establishing policies, procedures, and a timeline for the request for a silver alert by a law enforcement officer or agency; activation of the silver alert notification system; duration of the silver alert; and cancellation of a silver alert.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received during and since the last five-year review of this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is required by Section 53-10-704, and is necessary to establish policies, procedures and a timeline with regards to the silver alert notification system. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Jason Ricks, BCI Division Director	Date:	12/11/2024
---	------------------------------------	--------------	------------

End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR EXPIRATIONS

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

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

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

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

NOTICE OF EXPIRED RULE		
Rule Number:	R651-101	Filing ID: 56448
Effective Date:	12/12/2024	

Agency Information		
1. Title Catchline:	Natural Resources, State Parks	
Street address:	1594 W North Temple, Suite 116	
City and state:	Salt Lake City, UT	
Contact person(s):		
Name:	Phone:	Email:
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

General Information		
2. Title of rule (catchline):	R651-101. Adjudicative Proceedings	
3. Summary:	The five-year review and notice of continuation was not filed for this rule by the deadline. This rule has expired and will be removed from the <i>Utah Administrative Code</i> .	

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

NOTICES OF RULE EFFECTIVE DATES

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

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

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

Agriculture and Food Conservation Commission

No. 56829 (Amendment) R64-4: Agricultural Water Optimization Program
Published: 11/01/2024
Effective: 12/17/2024

Commerce Consumer Protection

No. 56849 (Amendment) R152-22: Charitable Solicitations Act Rule
Published: 11/01/2024
Effective: 01/01/2025

Professional Licensing

No. 56914 (Amendment) R156-1: General Rule of the Division of Professional Licensing
Published: 11/15/2024
Effective: 12/24/2024

No. 56878 (Amendment) R156-17b: Pharmacy Practice Act Rule
Published: 11/15/2024
Effective: 12/24/2024

No. 56872 (Amendment) R156-44a: Nurse Midwife Practice Act Rule
Published: 11/15/2024
Effective: 12/24/2024

No. 56871 (Amendment) R156-67: Utah Medical Practice Act Rule amendment
Published: 11/15/2024
Effective: 12/24/2024

No. 56902 (Amendment) R156-72: Acupuncture Licensing Act Rule
Published: 11/15/2024
Effective: 12/24/2024

Education

Administration
No. 56840 (Amendment) R277-301: Educator Licensing
Published: 11/01/2024
Effective: 12/10/2024

No. 56841 (Amendment) R277-323: Public Educator Evaluation
Published: 11/01/2024
Effective: 12/10/2024

No. 56842 (Amendment) R277-462: Comprehensive School Counseling Program
Published: 11/01/2024
Effective: 12/10/2024

No. 56843 (Amendment) R277-473: Utah Computer Science Grant
Published: 11/01/2024
Effective: 12/10/2024

No. 56844 (Repeal) R277-603: Autism Awareness Restricted Account Distribution
Published: 11/01/2024
Effective: 12/10/2024

No. 56845 (Amendment) R277-630: Child Sex Abuse and Human Trafficking Prevention Training and Instruction
Published: 11/01/2024
Effective: 12/10/2024

No. 56846 (Amendment) R277-746: Driver Education Programs for Utah Schools
Published: 11/01/2024
Effective: 12/10/2024

Environmental Quality

Air Quality
No. 56636 (Amendment) R307-202: Emission Standards: General Burning
Published: 08/01/2024
Effective: 12/02/2024

No. 56636 (Change in Proposed Rule) R307-202: Emission Standards: General Burning
Published: 11/01/2024
Effective: 12/02/2024

Government Operations

Technology Services
No. 56833 (Amendment) R895-5: Acquisition of Information Technology
Published: 11/01/2024
Effective: 12/10/2024

Governor

Criminal and Juvenile Justice (State Commission on)
No. 56827 (Repeal and Reenact) R356-1: Procedures for the Calculation and Distribution of Funds to Reimburse County Correctional Facilities Housing State Probationary Inmates or State Parole Inmates
Published: 10/15/2024
Effective: 12/10/2024

No. 56838 (New Rule) R356-11: Sentencing Commission
Published: 11/01/2024
Effective: 12/10/2024

Economic Opportunity

No. 56861 (Repeal) R357-12: Fiscal Emergency Contingent Management of Federal Lands
Published: 11/15/2024
Effective: 12/23/2024

NOTICES OF RULE EFFECTIVE DATES

Health and Human Services

Administration

No. 56667 (Amendment) R380-350: Community Health Worker Certification

Published: 08/15/2024

Effective: 12/02/2024

Center for Medical Cannabis

No. 56896 (New Rule) R383-16: Targeted Marketing Requirements

Published: 11/15/2024

Effective: 12/26/2024

Health Care Facility Licensing

No. 56710 (Amendment) R432-100: General Hospital Standards

Published: 09/01/2024

Effective: 12/27/2024

Substance Use and Mental Health

No. 56671 (Amendment) R523-19: Community Mental Health Crisis and Suicide Prevention Training Grant Standards

Published: 08/15/2024

Effective: 12/02/2024

No. 56672 (Amendment) R523-20: Community Firearms Violence and Suicide Prevention Standards

Published: 08/15/2024

Effective: 12/02/2024

Insurance

Administration

No. 56839 (Amendment) R590-164: Electronic Data Interchange Transactions

Published: 11/01/2024

Effective: 12/11/2024

Labor Commission

Industrial Accidents

No. 56907 (Amendment) R612-300: General Method For Computing Medical Fees

Published: 11/15/2024

Effective: 01/01/2025

No. 56904 (Amendment) R612-400: Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund

Published: 11/15/2024

Effective: 01/01/2025

Natural Resources

Outdoor Recreation

No. 56790 (New Rule) R650-103: Fiscal Emergency Contingent Management of Federal Lands

Published: 10/01/2024

Effective: 12/23/2024

Forestry, Fire and State Lands

No. 56917 (New Rule) R652-22: Great Salt Lake Watershed Enhancement Oversight

Published: 11/15/2024

Effective: 12/23/2024

Wildlife Resources

No. 56818 (Amendment) R657-13: Taking Fish and Crayfish

Published: 10/15/2024

Effective: 12/02/2024

Wildlife Resources

No. 56817 (Repeal and Reenact) R657-61: Valuation of Real Property Interests for Purposes of Acquisition or Disposal
Published: 10/15/2024
Effective: 12/02/2024

Public Safety

Administration

No. 56894 (New Rule) R698-13: School Safety
Published: 11/15/2024
Effective: 12/23/2024

Highway Patrol

No. 56880 (New Rule) R714-501: Preliminary Oral Fluid and Portable Breath Testing Standards
Published: 11/15/2024
Effective: 12/23/2024

Criminal Investigations and Technical Services, Criminal Identification

No. 56875 (Amendment) R722-350: Certificate of Eligibility
Published: 11/15/2024
Effective: 12/30/2024

Tax Commission

Property Tax

No. 56782 (Amendment) R884-24P-33: 2025 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-107
Published: 09/15/2024
Effective: 01/01/2025

No. 56782 (Change in Proposed Rule) R884-24P-33: 2025 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-107
Published: 10/15/2024
Effective: 01/01/2025

No. 56820 (Amendment) R884-24P-19: Appraiser Designation Program Pursuant to Utah Code Ann. Sections 59-2-701 and 59-2-702
Published: 10/15/2024
Effective: 01/01/2025

Transportation

Preconstruction

No. 56847 (Amendment) R930-7: Utility Accommodation
Published: 11/01/2024
Effective: 12/11/2024

No. 56848 (Amendment) R930-8: Utility Relocations Required by Highway Projects
Published: 11/01/2024
Effective: 12/11/2024

Workforce Services

Homeless Services

No. 56898 (New Rule) R988-100: Homeless Services General Provisions
Published: 11/15/2024
Effective: 12/26/2024

No. 56899 (Amendment) R988-400: Homeless Shelter Cities Mitigation Restricted Account
Published: 11/15/2024
Effective: 12/26/2024

NOTICES OF RULE EFFECTIVE DATES

End of the Notices of Rule Effective Dates Section