

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between January 16, 2026, 12:00 a.m., and February 2, 2026, 11:59 p.m. are included in this, the February 15, 2026, issue of the *Utah State Digest*.

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

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least March 17, 2026. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through June 17, 2026, 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: Repeal and Reenact

Rule or section number:

R68-14

Filing ID: 57771

Agency Information

1. Title catchline:	Agriculture and Food, Plant Industry	
Building:	Taylorsville State Office Building, South Building, 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	
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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 or section catchline:
R68-14. Quarantine Pertaining to Spongy Moth - Lymantria Dispar
4. Purpose of the new rule or reason for the change:
The Department of Agriculture and Food (department) is amending this rule to remove redundant and irrelevant information. The department reviewed this rule and found the requirements listed for the quarantines are not current practice and the department does not and has not enforced an interior quarantine for spongy moth for over ten years.
5. Summary of the new rule or change:
The proposed changes to this rule enhance clarity and remove redundant information, reflecting current department practices. The department is filing this rule as a repeal and reenact to clarify the rule's purpose and eliminate redundant definitions. The changes remove the information that apply for an interior quarantine. The changes also revise the Regulated Articles section (the new R68-14-5) to clearly define the articles placed under quarantine and specify the conditions that regulate an item. The changes rewrite the exterior quarantine restrictions in active voice to clarify requirements. Finally, the proposed changes revise the Violations section (the new R68-14-7) to improve clarity and remove redundant language on non-compliance.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The department does not anticipate an impact on the state's budget. Because the spongy moth is not in Utah, the interior quarantines are obsolete, and their removal will not alter the state's budget.

B. Local governments:

The proposed changes will not have an impact on local governments because it does not administer or participate in this quarantine.

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

The department determines there is no fiscal impact on small businesses.

Because the spongy moth is not present in Utah and the interior quarantine has been inactive for over ten years, the removal of these requirements does not impose any new costs or change existing business expenditures.

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

The department determines there is no fiscal impact on non-small businesses.

Because the spongy moth is not present in Utah and the interior quarantine has been inactive for over ten years, the removal of these requirements does not impose any new costs or change existing business expenditures.

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 department determines no fiscal impact on other persons.

Since the spongy moth is not present in Utah, the removal of inactive interior quarantine requirements does not impose costs or provide savings for other persons.

F. Compliance costs for affected persons:

The compliance costs are not changing.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$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, Kelly Pehrson, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Subsection 4-2-103(1)(k)	Section 4-35-109	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 03/17/2026

10. This rule change MAY become effective on: 03/24/2026

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:	Kelly Pehrson, Commissioner	Date:	01/15/2026
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number: R156-46b **Filing ID:** 57787

Agency Information

1. Title catchline:	Commerce, Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84114-6741	
Contact persons:		
Name:	Phone:	Email:
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Lauren Harvey	801-530-6628	laureneharvey@utah.gov
Kirsten Shumway	801-530-6628	klshumway@utah.gov

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

General Information

2. Rule or section catchline:

R156-46b. Division Utah Administrative Procedures Act Rule

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

This filing is based on a review of this rule by Division of Professional Licensing (Division) managers and legal analysts, Commerce administrative law judges, and counsel for the Division.

The proposed amendments update this rule by updating citations and clarifying the procedures for informal adjudicative proceedings, removing obsolete or unneeded provisions, and making formatting changes consistent with the Rulewriting Manual for Utah.

The proposed amendments also designate additional categories of adjudicative proceedings to be conducted informally under Title 63G, Chapter 4, Utah Administrative Procedures Act (UAPA).

5. Summary of the new rule or change:

The proposed amendments update, streamline, and clarify this rule by updating citations, renumbering sections, making formatting changes consistent with the Rulewriting Manual for Utah, and by deleting the following obsolete or unnecessary provisions:

- 1) Section R156-46b-201 is deleted in its entirety because designating proceedings as formal is not necessary under UAPA Subsection 63G-4-202(2).
- 2) Section R156-46b-202 is renumbered to R156-46b-201, with Subsection (2)(b)(iv) amended to delete the provision for hunting guide or outfitter proceedings because the Division no longer administers those registrations.
- 3) Section R156-46b-403 is renumbered to R156-46b-203, with Subsection (2) deleted and replaced with language that more clearly establishes the deadlines for a person to submit a request for a hearing, and with other subsections amended to clarify that a hearing is permitted for citation proceedings, and a hearing is required for proceedings terminating a licensee's Utah Professionals Health Program contract or agreement.

The proposed amendments also amend Section R156-46b-202 (now numbered R156-46b-201) to update citations and to designate the following categories of adjudicative proceedings as informal adjudicative proceedings under UAPA:

- 1) proceedings against a controlled substance licensee under Subsection 58-37-6(4)(d), to suspend a controlled substance license simultaneously with the institution of proceedings under Stion 58-37-6(4);
- 2) proceedings under Subsection 58-63-502(2) for a security officer failing to carry or display a copy of their license as required by statute;
- 3) proceedings against a health care services platform registered under Title 58, Chapter 90, Health Care Services Platform;
- 4) proceedings for violating Subsection 58-1-501(2)(a)(viii) by practicing or attempting to practice a profession requiring licensure by any form of action or communication which is false, misleading, deceptive, or fraudulent;
- 5) proceedings for violating Subsection 58-1-501(2)(a)(xii) by acting as a supervisor without meeting the qualification requirements for that position that are defined by statute or rule;
- 6) proceedings under Subsection R156-1-501(7) for failing to comply with an investigative subpoena or an order regarding an investigative subpoena;
- 7) proceedings under Subsection R156-1-501(9) for failing as an exam candidate or exam proctor, grader, or administrator, to comply with the Division Exam Policies and Procedures, dated 12/29/2023;
- 8) proceedings for the Utah Professionals Health Program, including under Section 58-4a-107; and
- 9) certain proceedings conducted in accordance with Title 58, Occupations and Professions for immediate suspension or revocation of a license.

Finally, new Section R156-46b-301 is added to clarify the procedures for the hearing that is required under Subsection 58-47b-503(8) or 58-47b-503.1(6) if the Division suspends a license or registration without notice.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

The proposed amendments that designate certain categories of adjudicative proceedings as informal adjudicative proceedings in accordance with UAPA are expected to create savings to the state budget, because the streamlined UAPA procedures for these types of cases will still protect the rights of the parties under UAPA but reduce the time and cost required for these proceedings.

The full fiscal impact cannot be estimated because the data necessary to determine how many of these violations will occur and then result in adjudicative proceedings is unavailable, and because the benefits the parties may experience from any resulting reduction in costs will vary widely depending on the circumstances of each violation and the individual characteristics of each party.

The remainder of the proposed amendments are expected to have no measurable fiscal impact on the state budget because they only update and clarify this rule and will not change existing state government practices or procedures.

B. Local governments:

The Division does not anticipate any cost or savings to local governments from these proposed amendments because local governments are not required to comply with or enforce this rule.

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

The proposed amendments are not expected to impact small businesses because the amendments merely clarify and update this rule and update Division procedures and will not alter the price or quantity of any exchanges involving small businesses.

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

The proposed amendments are not expected to impact non-small businesses because the amendments merely clarify and update this rule and update Division procedures and will not alter the price or quantity of any exchanges involving non-small businesses.

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

The proposed amendments that designate certain categories of adjudicative proceedings as informal adjudicative proceedings in accordance with UAPA may create savings for persons who have allegedly engaged in unlawful or unprofessional conduct in the categories being designated as informal adjudicative proceedings, because the streamlined UAPA procedures for these types of cases will still protect the rights of these persons under UAPA and Utah law but will reduce the time and cost required for these proceedings.

However, the full fiscal impact cannot be estimated because the data necessary to determine how many of these cases will occur and then result in adjudicative proceedings is unavailable, and because the benefits the parties may experience from any resulting reduction in costs will vary widely depending on the circumstances of each case and the individual characteristics of each person.

The remainder of the proposed amendments are expected to have no fiscal impact on other persons because they only update and clarify this rule.

F. Compliance costs for affected persons:

As described in Box 6A for state budget and Box 6E for other persons, no compliance costs are expected for affected persons because the proposed amendments will uphold the rights of the parties while lowering the financial and time burden of adjudicative proceedings and will clarify and update this rule.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Subsection 63G-4-102(6)	Subsection 58-1-106(1)(a)	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 03/17/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.):

Date:	Time:	Place (physical address or URL):
03/05/2026	9:30 AM	Physical/Anchor Meeting: Heber M. Wells Building 160 E 300 S, 4th Floor, Room 402 Salt Lake City UT Online (Google Meet) joining info: Video call link: meet.google.com/pwp-fqqv-nha Phone Numbers: (US) +1 316-500-7518 PIN: 630 384 599#

10. This rule change MAY become effective on: 03/24/2026

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:	Deborah Blackburn, Assistant Division Director	Date:	01/29/2026
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:	R156-55a	Filing ID: 57745
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Agency Information

1. Title catchline:	Commerce, Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84114-6741	
Contact persons:		
Name:	Phone:	Email:
Allyson Pettley	801-530-6720	apettley@utah.gov

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

General Information

2. Rule or section catchline:

R156-55a. Utah Construction Trades Licensing Act Rule

3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	HB 442 (2025 General Session), HB 28 (2025 General Session), HB 483 (2024 General Session)
4. Purpose of the new rule or reason for the change:	
<p>The Division of Professional Licensing (Division) proposes the following amendments to update the Rule R156-55a, the Utah Construction Trades Licensing Act Rule (the Rule).</p> <p>The purpose of these changes are:</p> <ol style="list-style-type: none"> 1) to reformat sections without substantive change for purposes of clarity (the "Reformatting Changes"); 2) to reflect legislative changes made during the 2024 and 2025 General Sessions (the "Mandatory Changes"); and 3) to limit the installation of swimming pools to B100 and R100 licensees ("Swimming Pool Installation"). 	
5. Summary of the new rule or change:	
<p>Reformatting Changes.</p> <p>The proposed rule reformats Section R156-55a-301 to eliminate the use of tables. The Division has received feedback from the community, the Construction Services Commission, and its own technicians regarding the tables currently used in Section R156-55a-301 to define the scope of the various contractor and trade licenses under Title 58, Chapter 55.</p> <p>It was determined that these tables should be converted into paragraph form. The proposed draft eliminates all tables from Section R156-55a-301 and converts them into paragraph form over five new sections: R156-55a-301a through R156-55a-301e as follows:</p> <p>Section 301a: Contractor Licenses Required Under Subsection 58-55-301(2) Section 301b: Trade Licenses Required Under Subsection 58-55-301(2) Section 301c: Specialty Contractors Licensed Under Subsection 58-55-301(2)(x) Section 301d: Reserved for Future Use Section 301e: Activities Exempt for Licensing</p> <p>With the exception of those subsections expressly noted in this summary, the proposed reformatting of the tables from Section R156-55a-301 into paragraph form does not impact the scope of work (or the exempt status for work) of any license, licensee, or license class. Those exceptions are as follows:</p> <p>The S440 Sign Installation Contractors' scope of work reflects an updated definition term "minor electrical work" as required by HB 28 (2025).</p> <p>The S350 HVAC Contractors license will be eliminated and, under the processes described in this proposed rule, will be converted to H100 HVAC Contractor licenses as required by HB 442 (2025).</p> <p>Swimming pool installation shall be eliminated from the scope of work for S330 Landscape and Recreation Contractors. Swimming pool installation will be expressly limited to the scopes of work for B100 General Contractors and R100 Residential Contractors.</p> <p>Mandatory Changes.</p> <p>The proposed rule reflects legislative changes to Title 58, Chapter 55.</p> <p>HB 28 (2025): On-Premise Sign Installation Amendment. HB 28 (2025) amended Title 58, Chapter 55, to clarify the definition of "minor electrical work," particularly as it relates to S440 Sign Installation Contractors.</p> <p>Under the amendment, appropriate licensing is still required to install, alter, change, repair, or remove electrical components and systems. The amendment, however, clarifies that minor electrical work incidental to a mechanical or service installation within 10 feet from an existing outlet or disconnect that does not exceed 120 volts and 20 amperes is exempt from that requirement, particularly with regard to "the installation, maintenance, or repair of on-premise signs."</p> <p>The Division regulates sign installation contractors under the S440 license. The scope of this license is found in the proposed Subsection R156-55a-301c(16) and has been amended to reflect the changes under 2025 HB 28.</p>	

HB 442 (2025) Construction Trades Licensing Amendments (H100 HVAC Contractor Designation).

HB 442 (2025) amended Title 58, Chapter 55, by imposing experience and examination requirements on HVAC Contractors.

Previously, the Division regulated HVAC contractors and qualifiers as specialty contractors under Subsection 58-55-301(2)(x). Like other specialty contractors under Subsection 58-55-301(2)(x), HVAC contractors and qualifiers did not have unique experience and exam requirements prior to the legislation.

To enact HB 442 (2025), the proposed amendment removes the S350 HVAC Contractor specialty license and, in its place, introduces the H100 HVAC Contractor license in Subsection R156-55a-301a(6). This subsection replaces the S350 specialty license and moves its scope of work to the H100 license.

The proposed rule requires H100 licensees to meet the experience and examination conditions of HB 442 (2025) through H100 Qualifiers. These qualifiers are natural persons who have met the statute's examination and experience requirements.

Experience Requirements. HB 442 (2025) added Subsection 58-55-302(3)(n)(ii) to require HVAC Contractors. The proposed rule clarifies that the experience requirements cannot be general construction in nature but focus on HVAC specifically.

Examination Requirements. HB 442 (2025) added Subsection 58-55-302(3)(n)(ii) to require the Division to establish examination requirements for H100 Qualifiers.

In addition to the Utah Contractor Business and Law Examination (which is required for all qualifiers) and the proposed Subsection R156-55a-302g(3) requires H100 qualifiers to pass the Utah HVAC written examination.

Grandfathering. To facilitate the transition from S350 to H100, a grandfather clause is being proposed. An active qualifier in good standing for an S350 on 01/01/2026 will be deemed an "Interim H100 Qualifier." This interim status may remain until 11/30/2027.

Interim qualifiers seeking to become regular H100 qualifiers only need to be certified natural gas technicians (even if the business for which they are the qualifier does not do gas work).

It is the Division's plan that by 12/01/2027 all H100 qualifiers will be certified natural gas technicians in compliance with Subsection 58-55-102(30).

Gas Work.

Under the new statute, all HVAC Contractors are allowed to do work on gas lines. To ensure public safety, the proposed rule clarifies that any person doing work on a gas line (whether as an H100 or not) must be a journeyman plumber, master plumber, or have been certified to work on gas lines through a program like the one offered by Rocky Mountain Gas Association. Likewise, as stated previously, H100 qualifiers will need to be gas certified.

HB 483 (2024) Construction Trade Amendments (Handyman Exemption).

In HB 483 (2024), the Legislature expanded the handyman exemption to projects with a maximum cost of \$3,000 to a maximum \$7,000.

In addition to reflecting that change the proposed rule updates both the handyman and non-handyman insurance requirements to \$1,000,000 per incident and \$3,000,000 total.

Swimming Pool Installation.

Currently, the installation of swimming pools can be done under one of three licenses:

- 1) The B100 General Contractor License,
- 2) the R100 Residential Contractor License, and
- 3) the S330 Landscape and Recreation Specialty Contractor License.

After an increase in investigative cases showing financial harm from job abandonment, dangerous workmanship issues, and substantial engineering deficiencies relating to swimming pool installation, the Division, working with the Construction Services Commission, discussed potential regulatory solutions. It was determined that the majority of complaints relating to swimming pool installation arose from S330 specialty licensees.

The Commission and the Division believe limitations on subcontracting by specialty licensees are a likely reason for the disproportionate number of these complaints. An S330 license is a specialty license defined under Subsection 58-55-301(2)(x).

These specialty licenses are designed for contractors focused on specific and discrete areas of construction work. Consequently, they are generally not allowed to subcontract work outside their specialized area. Due to the nature of their scope of work, however, special exceptions are made that allow S330 licensees to hire electrical and plumbing subcontractors.

Conversely, under Subsections 58-55-102(26) and 58-55-102(42), B100 and R100 licensees may subcontract any portion of a project to any other qualified contractor.

The Commission and the Division agree that while some pool installations can be safely and competently performed within the scope of an S330 license, modern pool construction frequently exceeds the allowable scope of that specialty area. This is especially true when unforeseen difficulties arise on a project.

In these instances, when a project does not go as intended, B100 and R100 licensees can subcontract expertise in all areas of construction including engineers, carpenters, masons, concrete specialists, and excavators to remedy any unforeseen issue.

S330 licensees, however, cannot subcontract beyond their very limited exceptions and consequently must leave homeowners and businesses to find, retain, and coordinate the necessary professionals to remedy issues with the project.

Based on those findings, the proposed rule establishes that the installation of swimming pools can only be done by B100 General Contractors and R100 Residential Contractors. These licensees have the ability to appropriately subcontract the requisite plumbing, electrical, and other specialty work necessary to complete modern swimming pool installations. Given the costs involved in the installation of swimming pools, the potential liability that arises when pools are improperly installed, and the unique scope of construction that requires subcontracting work from plumbers, electricians, excavators, concrete specialists, etc., the Division and the Commission agree that the general contractor scopes of practice are the only appropriate license classifications for swimming pool installation.

Fiscal Information

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

A. State budget:

Reformatting Changes.
The reformatting of Section R156-55-301 by eliminating the use of tables and instead using paragraphs makes no substantive change to the scope, interpretation, or enforcement of the rule and consequently has no anticipated cost or savings to the State budget.

Mandatory Changes.
All costs relating to the mandatory changes required by legislative actions found in HB 28 (2025), HB 442 (2025), and HB 483 (2024) (including the costs or savings of implementing necessary rule changes) are part of the fiscal notes to those pieces of legislation. The proposed changes to this rule, consequently, have no anticipated cost or savings to the state budget beyond what was disclosed in the legislations' fiscal notes.
The fiscal note relating to HB 28 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0028.html>.
The fiscal note relating to HB 442 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0442.html>.
The fiscal note relating to HB 483 (2024) can be found at <https://le.utah.gov/~2024/bills/static/HB0483.html>

Swimming Pool Installation.
Limiting swimming pool installation to B100 and R100 licensees does not alter either interpretation or enforcement under the rule but merely redefines the licensing required for swimming pool installation. Consequently, there is no anticipated cost or savings to the state budget.

B. Local governments:

Reformatting Changes.
The reformatting of Section R156-55-301 by eliminating the use of tables and instead using paragraphs makes no substantive change to the scope, interpretation, or enforcement of this rule and consequently has no anticipated cost or savings to local governments.

Mandatory Changes.
All costs relating to the mandatory changes required by legislative actions found in HB 28 (2025), HB 442 (2025), and HB 483 (2024) (including the costs or savings of implementing necessary rule changes) are part of the fiscal notes to those pieces of legislation. The proposed changes to the rule, consequently, have no anticipated cost or savings to local governments beyond what was disclosed in the legislations' fiscal notes

The fiscal note relating to HB 28 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0028.html>.
 The fiscal note relating to HB 442 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0442.html>.
 The fiscal note relating to HB 483 (2024) can be found at <https://le.utah.gov/~2024/bills/static/HB0483.html>

Swimming Pool Installation.

Limiting swimming pool installation to B100 and R100 licensees does not create costs or savings to local governments.

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

Reformatting Changes.

The reformatting of Section R156-55-301 by eliminating the use of tables and instead using paragraphs makes no substantive change to the scope, interpretation, or enforcement of the rule and consequently has no anticipated cost or savings to small businesses.

Mandatory Changes.

All costs relating to the mandatory changes required by legislative actions found in HB 28 (2025), HB 442 (2025), and HB 483 (2024) (including the costs or savings of implementing necessary rule changes) are part of the fiscal notes to those pieces of legislation. The proposed changes to the rule, consequently, have no anticipated cost or savings to small businesses beyond what was disclosed in the legislations' fiscal notes.

The fiscal note relating to HB 28 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0028.html>.

The fiscal note relating to HB 442 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0442.html>.

The fiscal note relating to HB 483 (2024) can be found at <https://le.utah.gov/~2024/bills/static/HB0483.html>

Swimming Pool Installation.

Limiting swimming pool installation to B100 and R100 licensees will require current S330 Landscape and Recreation Specialty contractors who install swimming pools to add a B100 or R100 classification to their existing license. There are currently approximately 6,000 S330 active licensees. The S330 license covers a broad range of activities. The Division does not maintain data on the specific number of S330 licensees who also provide or specialize in swimming pool installation. Nevertheless, based on investigative trends, complaint data, and consultation with the Commission, the Division believes that no more than 5%, or 300 of S330 licensees engage in swimming pool installation.

The Division believes approximately 80% of the estimated 300 S330 licensees who engage in swimming pool installation would be classified as small businesses having up to 49 employees. The Division therefore estimates that the total number of S330 licensees operating as small businesses and engaging in swimming pool installation to be approximately 240 licensees.

These 240 S330 licensees would need to add a B100 or R100 license. The fee for adding a license classification is \$175.

Additionally, an S330 licensee would be required to take the examination required under Subsection 58-55-302(1)(c)(ii). This exam is \$85, which brings the total cost per license to \$260.

Thus, the total anticipated cost for the 240 small business S330 licensees to convert to B100 or R100 licenses is estimated to be a one-time state-wide expense of \$62,400.

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

Reformatting Changes.

The reformatting of Section R156-55-301 by eliminating the use of tables and instead using paragraphs makes no substantive change to the scope, interpretation, or enforcement of the rule and consequently has no anticipated cost or savings to non-small businesses.

Mandatory Changes.

All costs relating to the mandatory changes required by legislative actions found in HB 28 (2025), HB 442 (2025), and HB 483 (2024) (including the costs or savings of implementing necessary rule changes) are part of the fiscal notes to those pieces of legislation. The proposed changes to this rule, consequently, have no anticipated cost or savings to non-small businesses beyond what was disclosed in the legislation's fiscal notes.

The fiscal note relating to HB 28 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0028.html>.

The fiscal note relating to HB 442 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0442.html>.

The fiscal note relating to HB 483 (2024) can be found at <https://le.utah.gov/~2024/bills/static/HB0483.html>

Swimming Pool Installation.

Limiting swimming pool installation to B100 and R100 licensees will require current S330 Landscape and Recreation Specialty contractors who install swimming pools to add a B100 or R100 classification to their existing license. There are currently approximately 6,000 S330 active licensees. The S330 license covers a broad range of activities and the Division does not maintain data on the specific number of S330 licensees who provide or specialize in swimming pool installation.

Nevertheless, based on investigative trends, complaint data, and consultation with the Commission, the Division believes that no more than 5%, or 300 of S330 licensees engage in swimming pool installation.

The Division believes approximately 20% of the estimated 300 S330 licensees who engage in swimming pool installation would be classified as non-small businesses having more than 49 employees. The Division therefore, estimates that the total number of S330 licensees operating as non-small businesses and engaging in swimming pool installation to be approximately 60 licensees.

These 60 S330 licensees would need to add a B100 or R100 license. The fee for adding a license classification is \$175.

Additionally, an S330 licensee would be required to take the examination required under Utah Code Subsection 58-55-302(1)(c)(ii). This exam is \$85; which brings the total cost per license to \$260.

Thus, the total anticipated cost for the 60 non-small business S330 licensees to convert to B100 or R100 licenses is estimated to be a one-time state-wide expense of \$15,600.

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**):

Reformatting Changes.

The reformatting of Section R156-55-301 by eliminating the use of tables and instead using paragraphs makes no substantive change to the scope, interpretation, or enforcement of the rule and consequently has no anticipated cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

Mandatory Changes.

All costs relating to the mandatory changes required by legislative actions found in HB 28 (2025), HB 442 (2025), and HB 483 (2024) (including the costs or savings of implementing necessary rule changes) are part of the fiscal notes to those pieces of legislation. The proposed changes to this rule, consequently, have no anticipated cost or savings to persons other than small businesses, non-small businesses, state, or local government entities beyond what was disclosed in the legislation's fiscal notes. The fiscal note relating to HB 28 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0028.html>. The fiscal note relating to HB 442 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0442.html>. The fiscal note relating to HB 483 (2024) can be found at <https://le.utah.gov/~2024/bills/static/HB0483.html>

Swimming Pool Installation.

Consumers seeking to have swimming pools installed will likely see, at most, a *de minimis* change to the overall project cost to offset the minor cost individual S330 contractors must pay to convert to an R100 or B100 license under the proposed rule (\$260 per contractor).

Conversely, a typical complaint underlying an eventual agency action relating to swimming pool installation will run well over \$20,000 in damages. Even when agency action is successful against the contractor, monetary recovery by the consumer is often unlikely. The Division believes that the heightened standards proposed by the rule change, as well as the ability for all swimming pool installers to retain adequate subcontractors to navigate unforeseen circumstances, will reduce the total damages to consumers by \$20,000 year-over-year. The Division believes these savings will exceed the one-time costs incurred by S330 contractors within four years.

F. Compliance costs for affected persons:

Reformatting Changes.

The reformatting of Section R156-55-301 by eliminating the use of tables and instead using paragraphs makes no substantive change to the scope, interpretation, or enforcement of the rule and consequently has no new compliance costs for affected persons.

Mandatory Changes.

All costs relating to the mandatory changes that required by legislative actions found in HB 28 (2025), HB 442 (2025), and HB 483 (2024) (including the costs or savings of implementing necessary rule changes) are part of the fiscal notes to those pieces

of legislation. The proposed changes to the rule, consequently, have no compliance costs for affected persons beyond what was disclosed in the legislation's fiscal notes.

The fiscal note relating to HB 28 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0028.html>.

The fiscal note relating to HB 442 (2025) can be found at <https://le.utah.gov/~2025/bills/static/HB0442.html>.

The fiscal note relating to HB 483 (2024) can be found at <https://le.utah.gov/~2024/bills/static/HB0483.html>

Swimming Pool Installation.

As stated in boxes D and E, an S330 contractor who performs swimming pool installations will expend approximately \$260 in one-time licensing costs.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	(\$62,400)	\$0	\$0	\$0	\$0
Non-Small Businesses	(\$15,600)	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	(\$78,000)	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$20,000	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$20,000	\$0	\$0	\$0	\$0
Net Fiscal Benefits	(\$58,000)	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-55-101
Subsection 58-55-308(1)(a)	Subsection 58-55-102(39)(a)	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 03/17/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.):

Date:	Time:	Place (physical address or URL):
02/18/2026	2:30 PM	Anchor Meeting: Heber M. Wells Building Room 402 160 E 300 S Salt Lake City UT 84111

		Google Meet joining info Video call link: https://meet.google.com/oiz-rifg-efw Or dial: (US) +1 307-461-9404 PIN: 926 980 527#
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10. This rule change MAY become effective on:	03/24/2026
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Mark Steinagel, Division Director	Date:	12/19/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or section number:	R162-2c	Filing ID: 57786

Agency Information

1. Title catchline:	Commerce, Real Estate	
Building:	Heber M Wells	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 146711	
City, state and zip:	Salt Lake City, UT 84114-6711	
Contact persons:		
Name:	Phone:	Email:
Justin Barney	801-530-6603	justinbarney@utah.gov
Tyler Huff	801-530-6284	tylerhuff@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R162-2c. Utah Residential Mortgage Practices and Licensing Rules
4. Purpose of the new rule or reason for the change:
The purpose of this filing is to reduce the barriers to obtaining a mortgage license and update this rule to better adhere to the Rulewriting Manual for Utah.
5. Summary of the new rule or change:
This filing would lower the amount of Utah-specific prelicensing education required to qualify for licensure as mortgage loan originator from 15 hours to 5 hours.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The Division of Real Estate (Division) has the staff and budget in place to administer the proposed rule amendment.
The proposed change is not expected to impact the state's budget by either increasing costs or generating savings.

After conducting a thorough analysis, the Division has determined that the proposed rule amendment will not result in any cost or savings to the state budget.

B. Local governments:

Local governments are not required to comply with or enforce the Utah Residential Mortgage Practices and Licensing Rules.

Because compliance is not required of local governments, the proposed rule amendment will not result in a fiscal impact to local governments.

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

The Division believes and understands that no small businesses currently offer a Utah-specific prelicensing mortgage loan originator course to prospective Utah mortgage loan originators. Therefore, the proposed rule amendment will not result in a fiscal impact to small businesses.

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

Several non-small businesses currently offer a 15-hour Utah-specific prelicensing mortgage loan originator course. If the proposed rule is adopted, the Division expects that these non-small businesses will change and adapt to offer a five-hour Utah-specific prelicensing course at a lower cost to students.

The average cost per student for a 15-hour course is \$160.

The average cost per applicant for a five-hour course is \$100.

The Division estimates that 800 individuals will apply for licensure as a Utah mortgage loan originator during that portion of fiscal year 2026 when the proposed rule amendment would be in effect.

For fiscal years 2027 through 2030, the Division estimates 1,200 applications each year.

As a result, the Division estimates the costs and benefits to non-small businesses as described in the Regulatory Impact Summary Table (below).

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 amendment does not create new obligations for persons other than small businesses, non-small businesses, state, or local government entities, nor does it increase the cost associated with any existing obligation.

After conducting a thorough analysis, the Division has determined that the proposed rule amendment will result in costs savings from lower prices for a five-hour course (to students who pay for education required for licensure).

These students are persons other than small businesses, non-small businesses, state, or local government entities.

F. Compliance costs for affected persons:

Mortgage license applicants are persons affected by the proposed rule amendment. The proposed rule amendment would lower the number of hours of Utah-specific prelicensing education required of applicants from 15 hours to 5 hours, lowering the barrier to entry to the business of residential mortgage loans.

The Division estimates that the cost of a 15-hour course is \$160 and a 5-hour course is \$100.

If the proposed rule amendment is adopted, a mortgage license applicant would benefit from the lower cost of 5 hours of required education, rather than 15 hours.

Other than the cost savings for the shorter course, there are no compliance costs for affected persons.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$128,000	\$192,000	\$192,000	\$192,000	\$192,000
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$128,000	\$192,000	\$192,000	\$192,000	\$192,000
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$80,000	\$120,000	\$120,000	\$120,000	\$120,000
Other Persons (Applicants)	\$48,000	\$72,000	\$72,000	\$72,000	\$72,000
Total Fiscal Benefits	\$128,000	\$192,000	\$192,000	\$192,000	\$192,000
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Executive Director of the Commerce Department, Maragret W. Busse, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Subsection 61-2c-103(3)	Subsection 61-2c-203(1)	Section 61-2c-202
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 03/17/2026

10. This rule change MAY become effective on: 03/24/2026

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:	Leigh Veillette, Director Division of Real Estate	Date:	12/18/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING:	New	
Rule or section number:	R357-48	Filing ID: 57788

Agency Information

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

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

General Information

2. Rule or section catchline:	
R357-48. Affordable Housing Infrastructure Grant Rule	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	HB 502 (2025 General Session)
4. Purpose of the new rule or reason for the change:	
The Governor's Office of Economic Opportunity (GOEO) is required by Section 72-2-503 to make a rule that "shall develop a process for the prioritization of grant proposals."	
This new rule will fulfill this requirement.	
5. Summary of the new rule or change:	
This rule states the required content for grant applications, methodology for selecting grants, grant reporting requirements, and methodology for awarding grants.	
(EDITOR'S NOTE: A corresponding 120-day (emergency) Rule R357-48, ID 57789, that is effective as of 02/06/2026, will be published in the March 1, 2026, issue of the Bulletin.)	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:	
A. State budget:	
None--There are no anticipated costs or savings for this rule. This is because all costs associated with the Affordable Housing Infrastructure Grant were anticipated and covered by HB 502, passed in the 2025 General Session.	
The fiscal note for HB 502 (2025) stated, in relevant part: "The bill could also increase the Governor's Office of Economic Opportunity's expenditures from the Transportation Investment Fund by \$55,000 ongoing beginning in FY 2026 to provide staff support for the grant fund and \$15,000 one-time in FY 2026 for system development."	
B. Local governments:	
None--There are no anticipated costs or savings for this rule because local governments are not required to apply for the grant.	
Additionally, for those who do choose to apply, this rule only requires submitting documents that are needed for completing the grant and proving eligibility.	
C. Small businesses ("small business" means a business employing 1-49 persons):	
None--There are no anticipated costs or savings for this rule because small businesses are not required to apply for the grant.	
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):	
None--There are no anticipated costs or savings for this rule because non-small businesses are not required to apply for the grant.	

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*):

None--There are no anticipated costs or savings for this rule because others are not required to apply for the grant.

F. Compliance costs for affected persons:

None--There are no anticipated compliance costs for this rule because applying for the grant is not required.

Additionally, for those who do choose to apply, compliance only requires submitting documents that are needed for completing the grant and proving eligibility.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

The Executive Director of the Governor's Office of Economic Opportunity, Jefferson Moss, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Subsection 72-2-503(4)

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 03/17/2026

10. This rule change MAY become effective on: 03/24/2026

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: Jefferson Moss, Executive Director **Date:** 02/02/2026

NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment**Rule or section number:****R765-165****Filing ID: 57783****Agency Information**

1. Title catchline:	Higher Education (Utah Board of), Administration	
Building:	Utah Board of Higher Education Building, The Gateway	
Street address:	60 S 400 W	
City, state:	Salt Lake City, UT 84101	
Contact persons:		
Name:	Phone:	Email:
Hilary Renshaw	801-646-4784	Hilary.renshaw@ushe.edu
Alison Adams	801-646-4784	Alison.adams@ushe.edu
Geoffrey T. Landward	801-646-4784	Glandward@ushe.edu
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R765-165. Concurrent Enrollment
4. Purpose of the new rule or reason for the change:
The purpose of this filing is to update Rule R765-165 based on Utah Board of Higher Education approved changes to the Concurrent Enrollment requirements. Specifically, the amendments update language throughout the policy to include career and technical education courses into concurrent enrollment requirements, clarify the right of first refusal requirements, amend requirements for LEA employees teaching accelerated foreign language courses, and update the appeals process for instructor qualification approvals.
5. Summary of the new rule or change:
The amendments to Rule R765-165 update concurrent enrollment requirements to include career and technical education courses into concurrent enrollment requirements. Specifically, the amendments update language throughout the policy to include career and technical education courses into concurrent enrollment requirements, clarify the right of first refusal requirements, amend requirements for LEA employees teaching accelerated foreign language courses, and update the appeals process for instructor qualification approvals.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
This rule will not have any fiscal impact on the state budget. The amendments to this rule clarify the role of career and technical education, clarifies the right of first refusal, provides teacher qualifications for advanced language courses, and adjusts the procedures for appeals. These amendments will not have an impact on the state budget.
B. Local governments:
This rule will not have any fiscal impact on local governments. The amendments to this rule clarify the role of career and technical education, clarifies the right of first refusal, provides teacher qualifications for advanced language courses, and adjusts the procedures for appeals.

These amendments will not have an impact on local governments.

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

This rule will not have any fiscal impact on small businesses.

The amendments to this rule clarify the role of career and technical education, clarifies the right of first refusal, provides teacher qualifications for advanced language courses, and adjusts the procedures for appeals.

These amendments will not have an impact on small businesses.

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

This rule will not have any fiscal impact on non-small businesses.

The amendments to this rule clarify the role of career and technical education, clarifies the right of first refusal, provides teacher qualifications for advanced language courses, and adjusts the procedures for appeals.

These amendments will not have an impact on non-small businesses.

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

This rule will not have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities.

The amendments to this rule clarify the role of career and technical education, clarifies the right of first refusal, provides teacher qualifications for advanced language courses, and adjusts the procedures for appeals.

These amendments will not have an impact on persons other than small businesses, non-small businesses, state, or local government entities.

F. Compliance costs for affected persons:

This rule does not impose any compliance costs for affected persons.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:
The Utah Commissioner of Higher Education, Geoffrey Landward, has reviewed and approved this regulatory impact analysis.

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 53E-10-301	Section 53E-10-302	Subsection 53G-10-309(6)
Section 53G-10-103		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.
A. Comments will be accepted until: 03/17/2026

10. This rule change MAY become effective on: 03/24/2026
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: Alison Adams, Board Secretary and Designee	Date: 01/15/2026
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End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends March 17, 2026.

From the end of the 30-day waiting period through June 17, 2026, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: CPR (Change in Proposed Rule)		
Rule or section number:	R156-61	Filing ID: 57657
Date of previous publication (only for CPRs):	12/01/2025	

Agency Information

1. Title catchline:	Commerce, Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84114-6741	
Contact persons:		
Name:	Phone:	Email:
Brian Pedersen	801-530-6651	Bpedersen@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R156-61. Psychologist Licensing Act Rule
4. Purpose of the new rule or reason for the change:
The Division of Professional Licensing (Division) in collaboration with the Behavioral Health Board (Board) is filing this change in proposed rule to correct an error in the found in the revised text.
5. Summary of the new rule or change:
The proposed amendment makes the following change: Subsection R156-61-302a(3)(h)(ii) clarifies that the applicant's internship may be in either school psychology or counseling psychology rather than school counseling and counseling psychology. (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the December 1, 2025, issue of the Utah State Bulletin, on page 41. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The proposed amendments are limited to correcting an error in the previous proposed revised text. As this change is purely clerical and does not alter the substantive intent, meaning, or application of this rule, the Division does not anticipate any fiscal impact on state revenues or expenditures.
B. Local governments:
The proposed amendments are limited to correcting an error in the previous proposed revised text.

NOTICES OF CHANGES IN PROPOSED RULES

As this change is purely clerical and does not alter the substantive intent, meaning, or application of this rule, the Division does not anticipate any fiscal impact on local governments.

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

The proposed amendments are limited to correcting an error in the previous proposed revised text.

As this change is purely clerical and does not alter the substantive intent, meaning, or application of this rule, the Division does not anticipate any fiscal impact on small businesses.

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

The proposed amendments are limited to correcting an error in the previous proposed revised text.

As this change is purely clerical and does not alter the substantive intent, meaning, or application of this rule, the Division does not anticipate any fiscal impact on non-small businesses.

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

The proposed amendments are limited to correcting an error in the previous proposed revised text.

As this change is purely clerical and does not alter the substantive intent, meaning, or application of this rule, the Division does not anticipate any fiscal impact for any persons other than small businesses, non-small businesses, state, or local government entities.

F. Compliance costs for affected persons:

The proposed amendments are limited to correcting an error in the previous proposed revised text.

As this change is purely clerical and does not alter the substantive intent, meaning, or application of this rule, the Division does not anticipate any compliance costs for affected persons.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:
The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-61-101

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.		
A. Comments will be accepted until:		03/17/2026
B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.):		
Date:	Time:	Place (physical address or URL):
02/27/2026	11:00 AM	Anchor Meeting Location: Heber M. Wells Building 160 E 300 S, Room 474 Salt Lake City, UT Google Meet joining info: Video call link: https://meet.google.com/ydn-rpxv-fmw Or dial: (US) +1 619-836-0688 PIN: 761 819 746# More phone numbers: https://tel.meet/ydn-rpxv-fmw?pin=8460310734224

10. This rule change MAY become effective on:	03/24/2026
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:	Jana Johansen, Assistant Division Director	Date:	12/30/2025
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End of the Notices of Changes in Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

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

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R414-320	Filing ID: 56446
Effective date:	01/16/2026	

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 143325	
City, state and zip:	Salt Lake City, UT 84114-3325	
Contact persons:		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R414-320. Medicaid Health Insurance Flexibility and Accountability Demonstration Waiver	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 26B-1-213	This section grants the Department of Health and Human Services (department) the authority to adopt, amend, or resend rules necessary to carry out the provisions of Title 26B, Utah Health and Human Services Code.
Section 26B-3-108	This section requires the department to implement the Medicaid program through administrative rules.

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

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

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

This rule is necessary as it establishes the eligibility requirements for enrollment and the benefits received by Medicaid members under the Health Insurance Flexibility and Accountability Demonstration Waiver, which is Utah's Premium Partnership for Health Insurance. This rule outlines procedures necessary for the administration of this type of Medicaid waiver. Therefore, this rule should be continued.

As the department did not receive any comments in opposition to this rule, it did not respond to any such comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	01/16/2026
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R628-12	Filing ID: 57490
Effective date:	01/26/2026	

Agency Information

1. Title Catchline:	Money Management Council, Administration		
Building:	Utah State Capitol		
Street address:	350 N State Street, Room 180		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 142315		
City, state and zip:	Salt Lake City, UT 84114-2315		
Contact persons:			
Name:	Phone:	Email:	
Candace Castor	801-538-1883	ccastor@utah.gov	

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

General Information

2. Rule catchline:

R628-12. Certification of Qualified Depositories for Public Funds

3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:

Subsection 51-7-3(29)	<p>Defines a qualified depository as an institution that has met the requirements for this chapter and rules of the Money Management Council (Council) to be eligible to receive deposits of public funds.</p> <p>In Subsection 51-7-18(2)(b), it states that the Council may make rules governing the conditions and procedures for maintaining and revoking a financial institution's designation as a qualified depository.</p>
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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 either supporting or opposing this rule have been received since the last five-year review.

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

The Council reviewed this rule for the five-year continuation in their 12/18/2025 meeting. The statute requires that there be rules in place to govern deposits of Utah public funds in Utah financial institutions. This rule is necessary to provide criteria for financial institutions to become qualified to hold Utah public funds. If this rule was not in place, public entities would not be able to use financial institutions to deposit funds. Therefore, this rule should be continued.

No comments in opposition to this rule have been received.

Agency Authorization Information

Agency head or designee and title:	Scott R. Burnett, Council Chair	Date:	12/18/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R628-13	Filing ID:	51528
Effective date:	01/26/2026		

Agency Information

1. Title Catchline:	Money Management Council, Administration		
Building:	Utah State Capitol		
Street address:	350 N State Street, Room 180		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 142315		
City, state and zip:	Salt Lake City, UT 84114-2315		
Contact persons:			
Name:	Phone:	Email:	
Candace Castor	801-538-1883	ccastor@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:	
R628-13. Collateralization of Public Funds	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 51-7-18	Allows the Money Management Council (Council) to make rules requiring collateral on public fund deposits from qualified depositories only in the event that the public funds on deposit are more than the maximum uninsured public funds allotment.
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 either supporting or opposing this rule have been received since the last five-year review.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
The Council reviewed this rule for the five-year continuation in their 12/18/2025 meeting. This rule is necessary to allow the Council to receive collateral in the event that a qualified depository's allotment is reduced or the qualified depository goes over the allotment for reasons described in this rule. Allowing collateral in these instances protects public funds from potential loss. Therefore, this rule should be continued.	
No comments in opposition to this rule have been received.	

Agency Authorization Information

Agency head or designee and title:	Scott R. Burnett, Council Chair	Date:	12/18/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R628-16	Filing ID:	51522
Effective date:	01/26/2026		

Agency Information

1. Title catchline:	Money Management Council, Administration		
Building:	Utah State Capitol		
Street address:	350 N State Street, Room 180		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 142315		
City, state and zip:	Salt Lake City, UT 84114-2315		

Contact persons:			
Name:	Phone:	Email:	
Candace Castor	801-538-1883	ccastor@utah.gov	

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

General Information

2. Rule catchline:
R628-16. Certification as a Dealer

3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 51-7-18	It is stated that the Money Management Council (Council) may make rules governing the conditions and procedures for maintaining and revoking the status of a certified dealer.

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 either supporting or opposing this rule have been received since the last five-year review.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
The Council reviewed this rule for the five-year continuation in their 12/18/2025 meeting. This rule needs to be in place to allow public treasurers that may want to purchase allowable securities to have access to certified dealers that have met minimum requirements to work with public treasurers and have signed that they have read the Utah Money Management Act (Title 51, Chapter 7) and agree to abide by it. Without this rule to provide these minimum requirements, public treasurers would not be able to purchase allowable securities. Therefore, this rule should be continued.
No comments in opposition to this rule have been received.

Agency Authorization Information

Agency head or designee and title:	Scott R. Burnett, Council Chair	Date:	12/18/2025
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR EXPIRATIONS

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

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

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

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

NOTICE OF EXPIRED RULE

Rule Number:	R638-1	Filing ID: 53634
Effective Date:	02/10/2026	

Agency Information

1. Title catchline:	Natural Resources, Geological Survey	
Street address:	1594 W North Temple St	
City, state and zip:	Salt Lake City, UT 84116	
Contact person:		
Name:	Phone:	Email:
Nancy L. Lancaster	801-657-1644	rulesonline@utah.gov

General Information

2. Title of rule (catchline):	R638-1. Acceptance and Maintenance of Confidential Information	
3. Summary:		
The five-year review and notice of continuation was not filed for this rule by the deadline. This rule has expired and will be removed from the Utah Administrative Code.		

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

NOTICES OF RULE EFFECTIVE DATES

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

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

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

Agriculture and Food

Administration

No. 57705 (Amendment) R51-5: Rural Rehabilitation Loans

Published: 01/01/2026

Effective: 02/11/2026

No. 57707 (Repeal) R51-6: Agricultural Advisory Board Electronic Meetings

Published: 01/01/2026

Effective: 02/11/2026

No. 57706 (Amendment) R51-7: Open and Public Meetings Act Electronic Meetings

Published: 01/01/2026

Effective: 02/11/2026

Marketing and Development

No. 57733 (Amendment) R65-1: Utah Apple Marketing Order

Published: 01/01/2026

Effective: 02/11/2026

No. 57734 (Amendment) R65-5: Utah Red Tart and Sour Cherry Marketing Order

Published: 01/01/2026

Effective: 02/11/2026

Alcoholic Beverage Services

Administration

No. 57665 (Amendment) R82-1: Label Approvals

Published: 12/01/2025

Effective: 01/30/2026

Commerce

Professional Licensing

No. 57661 (Amendment) R156-55c: Plumber Licensing Act Rule

Published: 12/01/2025

Effective: 01/15/2026

NOTICES OF RULE EFFECTIVE DATES

Education

Administration

No. 57719 (Repeal) R277-111: Board Oversight Framework

Published: 01/01/2026

Effective: 02/09/2026

No. 57720 (Repeal and Reenact) R277-114: Response to Compliance and Related Issues

Published: 01/01/2026

Effective: 02/09/2026

No. 57721 (Amendment) R277-212: UPPAC Hearing Procedures and Reports

Published: 01/01/2026

Effective: 02/09/2026

No. 57722 (Amendment) R277-213: Request for Licensure Reinstatement and Reinstatement Procedures

Published: 01/01/2026

Effective: 02/09/2026

No. 57723 (Amendment) R277-214: Criminal Background Review

Published: 01/01/2026

Effective: 02/09/2026

No. 57724 (Amendment) R277-216: Surrender of License with UPPAC Investigation Pending

Published: 01/01/2026

Effective: 02/09/2026

No. 57725 (Amendment) R277-477: Distributions of Funds from the Trust Distribution Account and Administration of the School LAND Trust Program

Published: 01/01/2026

Effective: 02/09/2026

No. 57726 (Amendment) R277-484: Data Standards

Published: 01/01/2026

Effective: 02/09/2026

No. 57727 (Amendment) R277-491: School Community Councils

Published: 01/01/2026

Effective: 02/09/2026

No. 57728 (Amendment) R277-600: Student Transportation Standards and Procedures

Published: 01/01/2026

Effective: 02/09/2026

No. 57729 (Amendment) R277-700: The Elementary and Secondary School General Core

Published: 01/01/2026

Effective: 02/09/2026

No. 57730 (Amendment) R277-705: Secondary School Completion and Diplomas

Published: 01/01/2026

Effective: 02/09/2026

No. 57731 (Amendment) R277-716: Alternative Language Services for Utah Students

Published: 01/01/2026

Effective: 02/09/2026

Environmental Quality

Air Quality

No. 57666 (Amendment) R307-101: General Requirements

Published: 12/01/2025

Effective: 02/04/2026

Government Operations

Human Resource Management

No. 57692 (Amendment) R477-1: Definitions

Published: 12/15/2025

Effective: 01/21/2026

No. 57693 (Amendment) R477-7: Leave

Published: 12/15/2025

Effective: 01/21/2026

No. 57694 (Amendment) R477-8: Working Conditions

Published: 12/15/2025

Effective: 01/21/2026

Governor

Economic Opportunity

No. 57696 (Amendment) R357-5: Motion Picture Incentive Rule

Published: 12/15/2025

Effective: 01/28/2026

Health and Human Services

Center for Medical Cannabis

No. 57616 (Amendment) R383-1: Definitions

Published: 11/15/2025

Effective: 01/26/2026

No. 57584 (Repeal and Reenact) R383-2: Electronic Verification System and Inventory Control System

Published: 11/15/2025

Effective: 01/26/2026

No. 57585 (Repeal) R383-3: Medical Cannabis Cards

Published: 11/15/2025

Effective: 01/26/2026

No. 57586 (Repeal) R383-4: Qualified Medical Providers and Qualified Medical Provider Proxies

Published: 11/15/2025

Effective: 01/26/2026

No. 57587 (Repeal and Reenact) R383-6: Pharmacy Medical Providers

Published: 11/15/2025

Effective: 01/26/2026

No. 57588 (Repeal) R383-10: State Central Patient Portal

Published: 11/15/2025

Effective: 01/26/2026

No. 57589 (Amendment) R383-13: Expedited Final Review of Compassionate Use Petitions

Published: 11/15/2025

Effective: 01/26/2026

No. 57640 (Amendment) R383-16: Targeted Marketing Requirements

Published: 12/01/2025

Effective: 01/26/2026

Population Health, Health Promotion and Prevention

No. 57583 (Amendment) R384-324: Tobacco Product, Electronic Cigarette Product, and Nicotine Product Retailer Permit Process

Published: 11/15/2025

Effective: 01/20/2026

NOTICES OF RULE EFFECTIVE DATES

No. 57581 (Amendment) R384-415: Requirements to Sell Electronic Cigarettes

Published: 11/15/2025

Effective: 01/20/2026

Population Health, Environmental Health

No. 57238 (Repeal and Reenact) R392-302: Public Pool Design, Construction, and Operation

Published: 07/01/2025

Effective: 01/26/2026

No. 57238 (Change in Proposed Rule) R392-302: Public Pool Design, Construction, and Operation

Published: 11/15/2025

Effective: 01/26/2026

Family Health, Children with Special Health Care Needs

No. 57641 (New Rule) R398-40: Diapering Supplies Fund

Published: 12/01/2025

Effective: 01/20/2026

Integrated Healthcare

No. 57653 (New Rule) R414-5: Doula Services

Published: 12/01/2025

Effective: 01/20/2026

No. 57652 (Amendment) R414-36: Rehabilitative Mental Health and Substance Use Disorder Services

Published: 12/01/2025

Effective: 01/20/2026

No. 57579 (Amendment) R414-60-5: Limitations

Published: 11/15/2025

Effective: 01/20/2026

Health Care Facility Licensing

No. 57645 (Amendment) R432-35: Background Check-Health Care Facility Licensing

Published: 12/01/2025

Effective: 01/20/2026

Disease Control and Prevention, Laboratory Services

No. 57618 (Amendment) R438-15: Newborn Screening

Published: 11/15/2025

Effective: 02/17/2026

Human Services Program Licensing

No. 57646 (Amendment) R501-18: Recovery Residence Services

Published: 12/01/2025

Effective: 01/26/2026

No. 57647 (Amendment) R501-19: Residential Treatment Programs

Published: 12/01/2025

Effective: 01/26/2026

No. 57648 (Amendment) R501-21: Outpatient Treatment Programs

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Substance Use and Mental Health

No. 57654 (Amendment) R523-7: Designated Examiner, Case Manager Certification and Targeted Case Manager Certification

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No. 57642 (Repeal and Reenact) R523-10: Standards for Methadone Addiction Treatment Providers

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No. 57655 (Amendment) R523-12: On-Premise Alcohol Training and Education Seminar Rules of Administration
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No. 57582 (Repeal and Reenact) R523-17: Behavioral Health Crisis Response Systems Standards
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Insurance

Administration

No. 57704 (Amendment) R590-238: Captive Insurance Companies
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Lieutenant Governor

Elections

No. 57701 (Amendment) R623-4: Processing Partisan Candidate Nomination Petitions
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Natural Resources

Wildlife Resources

No. 57708 (Amendment) R657-42: Fees, Exchanges, Surrenders, Refunds, and Reallocation of Wildlife Documents
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Pardons (Board of)

Administration

No. 57604 (Amendment) R671-315: Pardons
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No. 57606 (Amendment) R671-405: Parole Termination
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End of the Notices of Rule Effective Dates Section