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# Utah State Legislature

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September 7, 2012

Speaker Rebecca Lockhart, Chair  
President Michael G. Waddoups, Vice-Chair  
Legislative Management Committee  
Utah State Capitol Complex  
Salt Lake City, Utah 84114

**Subject: Rulemaking of the Title and Escrow Commission**

Dear Speaker Lockhart and President Waddoups:

In its September 4, 2012 meeting, the Administrative Rules Review Committee received a report from the Title and Escrow Commission regarding its recent administrative rulemaking efforts.

During the discussion of a draft administrative rule presented, the committee questioned whether, in carrying out its responsibilities, the Title and Escrow Commission is fulfilling the proper role of government. The following questions were raised:

1. Are state title and escrow statutes too restrictive?
2. Are title and escrow statutes regulating beyond those measures needed to protect citizens?
3. Do title and escrow statutes reflect the proper role of government when regulating an industry?

The committee voted unanimously to request that the Legislative Management Committee assign to the Business and Labor Interim Committee a review of current statutes regarding the functions of the Title and Escrow Commission to determine whether changes should be made to assure that the Commission fulfills the role envisioned by the Legislature.

Thank you for your consideration of this important matter.

Sincerely,

*Howard Stephenson*  
Howard A. Stephenson, Senate Chair  
Administrative Rules Review Committee

*Curtis Oda*  
Curtis Oda, House Chair  
Administrative Rules Review Committee