

Superseded 5/10/2016

26-1-5 Rules of department.

- (1) Except in areas regulated by statutory committees created by this title, the department shall have the power to adopt, amend, or rescind rules necessary to carry out the provisions of this title.
- (2) Rules shall have the force and effect of law and may deal with matters which materially affect the security of health or the preservation and improvement of public health in the state, and any matters as to which jurisdiction is conferred upon the department by this title.
- (3) Every rule adopted by the department pursuant to this section, or a committee established under Section 26-1-7 or 26-1-7.5, shall be subject to Title 63G, Chapter 3, Utah Administrative Rulemaking Act and shall become effective at the time and in the manner provided in that act.
- (4) If, at the next general session of the Legislature following the filing of a rule with the legislative research director, the Legislature passes a bill disapproving such rule, the rule shall be null and void.
- (5) The department or a committee created under Section 26-1-7 or 26-1-7.5, may not adopt a rule identical to a rule disapproved under Subsection (4) of this section, before the beginning of the next general session of the Legislature following the general session at which the rule was disapproved.