

Effective 5/10/2016

58-1-106 Division -- Duties, functions, and responsibilities.

- (1) The duties, functions, and responsibilities of the division include the following:
 - (a) prescribing, adopting, and enforcing rules to administer this title;
 - (b) investigating the activities of any person whose occupation or profession is regulated or governed by the laws and rules administered and enforced by the division;
 - (c) subpoenaing witnesses, taking evidence, and requiring by subpoena duces tecum the production of any books, papers, documents, records, contracts, recordings, tapes, correspondence, or information relevant to an investigation upon a finding of sufficient need by the director or by the director's designee;
 - (d) taking administrative and judicial action against persons in violation of the laws and rules administered and enforced by the division, including the issuance of cease and desist orders;
 - (e) seeking injunctions and temporary restraining orders to restrain unauthorized activity;
 - (f) complying with Title 52, Chapter 4, Open and Public Meetings Act ;
 - (g) issuing, refusing to issue, revoking, suspending, renewing, refusing to renew, or otherwise acting upon any license;
 - (h) preparing and submitting to the governor and the Legislature an annual report of the division's operations, activities, and goals;
 - (i) preparing and submitting to the executive director a budget of the expenses for the division;
 - (j) establishing the time and place for the administration of examinations; and
 - (k) preparing lists of licensees and making these lists available to the public at cost upon request unless otherwise prohibited by state or federal law.
- (2) The division may not include home telephone numbers or home addresses of licensees on the lists prepared under Subsection (1)(k), except as otherwise provided by rules of the division made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (3)
 - (a) The division may provide the home address or home telephone number of a licensee on a list prepared under Subsection (1) upon the request of an individual who provides proper identification and the reason for the request, in writing, to the division.
 - (b) A request under Subsection (3)(a) is limited to providing information on only one licensee per request.
 - (c) The division shall provide, by rule, what constitutes proper identification under Subsection (3)(a).

Amended by Chapter 238, 2016 General Session