

HB0361S03 compared with HB0361

~~{Omitted text}~~ shows text that was in HB0361 but was omitted in HB0361S03

inserted text shows text that was not in HB0361 but was inserted into HB0361S03

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1 ~~{Opioid-}~~ Drug Overdose Training Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jason E. Thompson

Senate Sponsor:

2

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses training and education concerning ~~{opioid-}~~ drug overdose ~~{events and related~~
6 ~~treatment}~~ recognition.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ defines terms;

9 ▶ requires the Division of Integrated Healthcare within the Department of Health and
10 Human Services to create training and educational materials regarding recognizing a drug
11 overdose;

12 ▶ requires an alcohol training and education seminar to include , for certain trainees, the ~~{subjects~~
13 ~~of recognizing an opioid-related}~~ drug overdose ~~{and administering an opioid antagonist}~~ training and
14 educational materials created by the Division of Integrated Healthcare; ~~{and}~~

15 ▶ provides that the receipt of the drug overdose training and educational materials does not
16 create or increase liability for the individual who receives them; and

17 ▶ makes technical and conforming changes.

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Money Appropriated in this Bill:

None

Other Special Clauses:

None

AMENDS:

26B-5-102 , as last amended by Laws of Utah 2024, Chapters 250, 420 , as last amended by Laws of Utah 2024, Chapters 250, 420

26B-5-205 , as last amended by Laws of Utah 2023, Chapter 371 and renumbered and amended by Laws of Utah 2023, Chapter 308 , as last amended by Laws of Utah 2023, Chapter 371 and renumbered and amended by Laws of Utah 2023, Chapter 308

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 26B-5-102 is amended to read:

26B-5-102. Division of Integrated Healthcare -- Office of Substance Use and Mental Health -- Creation -- Responsibilities.

(1)

(a) The Division of Integrated Healthcare shall exercise responsibility over the policymaking functions, regulatory and enforcement powers, rights, duties, and responsibilities outlined in state law that were previously vested in the Division of Substance Abuse and Mental Health within the department, under the administration and general supervision of the executive director.

(b) The division is the substance abuse authority and the mental health authority for this state.

(c) There is created the Office of Substance Use and Mental Health within the division.

(d) The office shall exercise the responsibilities, powers, rights, duties, and responsibilities assigned to the office by the executive director.

(2) The division shall:

(a)

(i) educate the general public regarding the nature and consequences of substance use by promoting school and community-based prevention programs;

(ii) render support and assistance to public schools through approved school-based substance abuse education programs aimed at prevention of substance use;

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- (iii) promote or establish programs for the prevention of substance use within the community setting through community-based prevention programs;
- 49 (iv) cooperate with and assist treatment centers, recovery residences, and other organizations that provide services to individuals recovering from a substance use disorder, by identifying and disseminating information about effective practices and programs;
- 53 (v) promote integrated programs that address an individual's substance use, mental health, and physical health;
- 55 (vi) establish and promote an evidence-based continuum of screening, assessment, prevention, treatment, and recovery support services in the community for individuals with a substance use disorder or mental illness;
- 58 (vii) evaluate the effectiveness of programs described in this Subsection (2);
- 59 (viii) consider the impact of the programs described in this Subsection (2) on:
 - 60 (A) emergency department utilization;
 - 61 (B) jail and prison populations;
 - 62 (C) the homeless population; and
 - 63 (D) the child welfare system; and
- 64 (ix) promote or establish programs for education and certification of instructors to educate individuals convicted of driving under the influence of alcohol or drugs or driving with any measurable controlled substance in the body;
- 67 (b)
 - (i) collect and disseminate information pertaining to mental health;
 - 68 (ii) provide direction over the state hospital including approval of the state hospital's budget, administrative policy, and coordination of services with local service plans;
 - 71 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to educate families concerning mental illness and promote family involvement, when appropriate, and with patient consent, in the treatment program of a family member;
 - 75 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to direct that an individual receiving services through a local mental health authority or the Utah State Hospital be informed about and, if desired by the individual, provided assistance in the completion of a declaration for mental health treatment in accordance with Section 26B-5-313; and

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(v) to the extent authorized and in accordance with statute, make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:

82 (A) create a certification for targeted case management;

83 (B) establish training and certification requirements;

84 (C) specify the types of services each certificate holder is qualified to provide;

85 (D) specify the type of supervision under which a certificate holder is required to operate; and

87 (E) specify continuing education and other requirements for maintaining or renewing certification;

89 (c)

(i) consult and coordinate with local substance abuse authorities and local mental health authorities regarding programs and services;

91 (ii) provide consultation and other assistance to public and private agencies and groups working on substance use and mental health issues;

93 (iii) promote and establish cooperative relationships with courts, hospitals, clinics, medical and social agencies, public health authorities, law enforcement agencies, education and research organizations, and other related groups;

96 (iv) promote or conduct research on substance use and mental health issues, and submit to the governor and the Legislature recommendations for changes in policy and legislation;

99 (v) receive, distribute, and provide direction over public funds for substance use and mental health services;

101 (vi) monitor and evaluate programs provided by local substance abuse authorities and local mental health authorities;

103 (vii) examine expenditures of local, state, and federal funds;

104 (viii) monitor the expenditure of public funds by:

105 (A) local substance abuse authorities;

106 (B) local mental health authorities; and

107 (C) in counties where they exist, a private contract provider that has an annual or otherwise ongoing contract to provide comprehensive substance abuse or mental health programs or services for the local substance abuse authority or local mental health authority;

111 (ix) contract with local substance abuse authorities and local mental health authorities to provide a comprehensive continuum of services that include community-based services for individuals

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- involved in the criminal justice system, in accordance with division policy, contract provisions, and the local plan;
- 115 (x) contract with private and public entities for special statewide or nonclinical services, or services for individuals involved in the criminal justice system, according to division rules;
- 118 (xi) review and approve each local substance abuse authority's plan and each local mental health authority's plan in order to ensure:
- 120 (A) a statewide comprehensive continuum of substance use services;
- 121 (B) a statewide comprehensive continuum of mental health services;
- 122 (C) services result in improved overall health and functioning;
- 123 (D) a statewide comprehensive continuum of community-based services designed to reduce criminal risk factors for individuals who are determined to have substance use or mental illness conditions or both, and who are involved in the criminal justice system;
- 127 (E) compliance, where appropriate, with the certification requirements in Subsection (2)(h); and
- 129 (F) appropriate expenditure of public funds;
- 130 (xii) review and make recommendations regarding each local substance abuse authority's contract with the local substance abuse authority's provider of substance use programs and services and each local mental health authority's contract with the local mental health authority's provider of mental health programs and services to ensure compliance with state and federal law and policy;
- 135 (xiii) monitor and ensure compliance with division rules and contract requirements; and
- 137 (xiv) withhold funds from local substance abuse authorities, local mental health authorities, and public and private providers for contract noncompliance, failure to comply with division directives regarding the use of public funds, or for misuse of public funds or money;
- 141 (d) ensure that the requirements of this part are met and applied uniformly by local substance abuse authorities and local mental health authorities across the state;
- 143 (e) require each local substance abuse authority and each local mental health authority, in accordance with Subsections 17-43-201(5)(b) and 17-43-301(6)(a)(ii), to submit a plan to the division on or before May 15 of each year;
- 146 (f) conduct an annual program audit and review of each local substance abuse authority and each local substance abuse authority's contract provider, and each local mental health authority and each local mental health authority's contract provider, including:
- 149 (i) a review and determination regarding whether:

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- 150 (A) public funds allocated to the local substance abuse authority or the local mental health authorities
are consistent with services rendered by the authority or the authority's contract provider, and with
outcomes reported by the authority's contract provider; and
- 154 (B) each local substance abuse authority and each local mental health authority is exercising sufficient
oversight and control over public funds allocated for substance use disorder and mental health
programs and services; and
- 157 (ii) items determined by the division to be necessary and appropriate;
- 158 (g) define "prevention" by rule as required under Title 32B, Chapter 2, Part 4, Alcoholic Beverage and
Substance Abuse Enforcement and Treatment Restricted Account Act;
- 160 (h)
- (i) train and certify an adult as a peer support specialist, qualified to provide peer supports services to an
individual with:
- 162 (A) a substance use disorder;
- 163 (B) a mental health disorder; or
- 164 (C) a substance use disorder and a mental health disorder;
- 165 (ii) certify a person to carry out, as needed, the division's duty to train and certify an adult as a peer
support specialist;
- 167 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:
- 169 (A) establish training and certification requirements for a peer support specialist;
- 170 (B) specify the types of services a peer support specialist is qualified to provide;
- 171 (C) specify the type of supervision under which a peer support specialist is required to operate; and
- 173 (D) specify continuing education and other requirements for maintaining or renewing certification as a
peer support specialist; and
- 175 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:
- 177 (A) establish the requirements for a person to be certified to carry out, as needed, the division's duty to
train and certify an adult as a peer support specialist; and
- 179 (B) specify how the division shall provide oversight of a person certified to train and certify a peer
support specialist;
- 181 (i) collaborate with the State Commission on Criminal and Juvenile Justice to analyze and provide
recommendations to the Legislature regarding:
- 183 (i) pretrial services and the resources needed to reduce recidivism;

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- 184 (ii) county jail and county behavioral health early-assessment resources needed for an individual
convicted of a class A or class B misdemeanor; and
- 186 (iii) the replacement of federal dollars associated with drug interdiction law enforcement task forces
that are reduced;
- 188 (j) establish performance goals and outcome measurements for a mental health or substance use
treatment program that is licensed under Chapter 2, Part 1, Human Services Programs and Facilities,
and contracts with the department, including goals and measurements related to employment and
reducing recidivism of individuals receiving mental health or substance use treatment who are
involved with the criminal justice system;
- 194 (k) annually, on or before November 30, submit a written report to the Judiciary Interim Committee,
the Health and Human Services Interim Committee, and the Law Enforcement and Criminal Justice
Interim Committee, that includes:
- 197 (i) a description of the performance goals and outcome measurements described in Subsection (2)(j);
and
- 199 (ii) information on the effectiveness of the goals and measurements in ensuring appropriate and
adequate mental health or substance use treatment is provided in a treatment program described in
Subsection (2)(j);
- 202 (l) collaborate with the Administrative Office of the Courts, the Department of Corrections, the
Department of Workforce Services, and the Board of Pardons and Parole to collect data on
recidivism in accordance with the metrics and requirements described in Section 63M-7-102;
- 206 (m) at the division's discretion, use the data described in Subsection (2)(l) to make decisions regarding
the use of funds allocated to the division to provide treatment;
- 208 (n) annually, on or before August 31, submit the data collected under Subsection (2)(l) and any
recommendations to improve the data collection to the State Commission on Criminal and Juvenile
Justice to be included in the report described in Subsection 63M-7-204(1)(x);
- 212 (o) publish the following on the division's website:
- 213 (i) the performance goals and outcome measurements described in Subsection (2)(j); and
- 215 (ii) a description of the services provided and the contact information for the mental health and
substance use treatment programs described in Subsection (2)(j) and residential, vocational and life
skills programs, as defined in Section 13-53-102;[~~and~~]

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- (p) consult and coordinate with the Division of Child and Family Services to develop and manage the operation of a program designed to reduce substance use during pregnancy and by parents of a newborn child that includes:
- 222 (i) providing education and resources to health care providers and individuals in the state regarding prevention of substance use during pregnancy;
- 224 (ii) providing training to health care providers in the state regarding screening of a pregnant woman or pregnant minor to identify a substance use disorder; and
- 226 (iii) providing referrals to pregnant women, pregnant minors, or parents of a newborn child in need of substance use treatment services to a facility that has the capacity to provide the treatment services[-] ; and
- 229 (q) create training and educational materials regarding recognizing a drug overdose.
- 230 (3) In addition to the responsibilities described in Subsection (2), the division shall, within funds appropriated by the Legislature for this purpose, implement and manage the operation of a firearm safety and suicide prevention program, in consultation with the Bureau of Criminal Identification created in Section 53-10-201, including:
- 234 (a) coordinating with local mental health and substance abuse authorities, a nonprofit behavioral health advocacy group, and a representative from a Utah-based nonprofit organization with expertise in the field of firearm use and safety that represents firearm owners, to:
- 238 (i) produce and periodically review and update a firearm safety brochure and other educational materials with information about the safe handling and use of firearms that includes:
- 241 (A) information on safe handling, storage, and use of firearms in a home environment;
- 243 (B) information about at-risk individuals and individuals who are legally prohibited from possessing firearms;
- 245 (C) information about suicide prevention awareness; and
- 246 (D) information about the availability of firearm safety packets;
- 247 (ii) procure cable-style gun locks for distribution under this section;
- 248 (iii) produce a firearm safety packet that includes the firearm safety brochure and the cable-style gun lock described in this Subsection (3); and
- 250 (iv) create a suicide prevention education course that:
- 251 (A) provides information for distribution regarding firearm safety education;
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- (B) incorporates current information on how to recognize suicidal behaviors and identify individuals who may be suicidal; and
- 254 (C) provides information regarding crisis intervention resources;
- 255 (b) distributing, free of charge, the firearm safety packet to the following persons, who shall make the firearm safety packet available free of charge:
- 257 (i) health care providers, including emergency rooms;
- 258 (ii) mobile crisis outreach teams;
- 259 (iii) mental health practitioners;
- 260 (iv) other public health suicide prevention organizations;
- 261 (v) entities that teach firearm safety courses;
- 262 (vi) school districts for use in the seminar, described in Section 53G-9-702, for parents of students in the school district; and
- 264 (vii) firearm dealers to be distributed in accordance with Section 76-10-526;
- 265 (c) creating and administering a rebate program that includes a rebate that offers between \$10 and \$200 off the purchase price of a firearm safe from a participating firearms dealer or a person engaged in the business of selling firearm safes in Utah, by a Utah resident; and
- 269 (d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, making rules that establish procedures for:
- 271 (i) producing and distributing the suicide prevention education course and the firearm safety brochures and packets;
- 273 (ii) procuring the cable-style gun locks for distribution; and
- 274 (iii) administering the rebate program.
- 275 (4)
- (a) The division may refuse to contract with and may pursue legal remedies against any local substance abuse authority or local mental health authority that fails, or has failed, to expend public funds in accordance with state law, division policy, contract provisions, or directives issued in accordance with state law.
- 279 (b) The division may withhold funds from a local substance abuse authority or local mental health authority if the authority's contract provider of substance use or mental health programs or services fails to comply with state and federal law or policy.
- 282 (5)

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- (a) Before reissuing or renewing a contract with any local substance abuse authority or local mental health authority, the division shall review and determine whether the local substance abuse authority or local mental health authority is complying with the oversight and management responsibilities described in Sections 17-43-201, 17-43-203, 17-43-303, and 17-43-309.
- 287 (b) Nothing in this Subsection (5) may be used as a defense to the responsibility and liability described in Section 17-43-303 and to the responsibility and liability described in Section 17-43-203.
- 290 (6) In carrying out the division's duties and responsibilities, the division may not duplicate treatment or educational facilities that exist in other divisions or departments of the state, but shall work in conjunction with those divisions and departments in rendering the treatment or educational services that those divisions and departments are competent and able to provide.
- 295 (7) The division may accept in the name of and on behalf of the state donations, gifts, devises, or bequests of real or personal property or services to be used as specified by the donor.
- 298 (8) The division shall annually review with each local substance abuse authority and each local mental health authority the authority's statutory and contract responsibilities regarding:
- 301 (a) use of public funds;
- 302 (b) oversight of public funds; and
- 303 (c) governance of substance use disorder and mental health programs and services.
- 304 (9) The Legislature may refuse to appropriate funds to the division upon the division's failure to comply with the provisions of this part.
- 306 (10) If a local substance abuse authority contacts the division under Subsection 17-43-201(10) for assistance in providing treatment services to a pregnant woman or pregnant minor, the division shall:
- 309 (a) refer the pregnant woman or pregnant minor to a treatment facility that has the capacity to provide the treatment services; or
- 311 (b) otherwise ensure that treatment services are made available to the pregnant woman or pregnant minor.
- 313 (11) The division shall employ a school-based mental health specialist to be housed at the State Board of Education who shall work with the State Board of Education to:
- 315 (a) provide coordination between a local education agency and local mental health authority;
- 317 (b) recommend evidence-based and evidence informed mental health screenings and intervention assessments for a local education agency; and

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- 319 (c) coordinate with the local community, including local departments of health, to enhance and expand
mental health related resources for a local education agency.
- 321 Section 2. Section **26B-5-205** is amended to read:
- 322 **26B-5-205. Alcohol training and education seminar.**
- 25 (1) As used in this section:
- 26 (a) "Instructor" means a person that directly provides the instruction during an alcohol training and
education seminar for a seminar provider.
- 28 (b) "Licensee" means a person who is:
- 29 (i)
- (A) a new or renewing licensee under Title 32B, Alcoholic Beverage Control Act; and
- 31 (B) engaged in the retail sale of an alcoholic product for consumption on the premises of the licensee;
or
- 33 (ii) a business that is:
- 34 (A) a new or renewing licensee licensed by a city, town, or county; and
- 35 (B) engaged in the retail sale of beer for consumption off the premises of the licensee.
- 37 (c) "Licensee staff" means a retail manager, retail staff, an off-premise retail manager, or off-premise
retail staff.
- 39 (d) "Off-premise beer retailer" is as defined in Section 32B-1-102.
- 40 (e) "Off-premise retail manager" means the same as that term is defined in Section 32B-1-701.
- 42 (f) "Off-premise retail staff" means the same as that term is defined in Section 32B-1-701.
- 43 ~~{(g) "Opioid antagonist" means naloxone hydrochloride or any similarly acting drug that is not a
controlled substance and that is approved by the federal Food and Drug Administration for the
diagnosis or treatment of an opioid-related drug overdose event.}~~
- 47 ~~{(h) "Opioid-related drug overdose event" means an acute condition, including a decreased level of
consciousness or respiratory depression resulting from the consumption or use of a controlled
substance, or another substance with which a controlled substance was combined, and that a person
would reasonably believe to require medical assistance.}~~
- 52 ~~{(g){}} {(i)+}~~ "Retail manager" means the same as that term is defined in Section 32B-1-701.
- 53 ~~{(h){}} {(j)+}~~ "Retail staff" means the same as that term is defined in Section 32B-1-701.
- 54 ~~{(i){}} {(k)+}~~ "Seminar provider" means a person other than the division who provides an alcohol
training and education seminar meeting the requirements of this section.

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- 56 (2)
- (a) This section applies to licensee staff.
- 57 (b) An individual who does not have a valid record that the individual has completed an alcohol training and education seminar shall:
- 59 (i) complete an alcohol training and education seminar before the day on which the individual begins work as licensee staff of a licensee; and
- 61 (ii) pay a fee [-]to the seminar provider that is equal to or greater than the amount established under Subsection (4)(h).
- 63 (c) An individual shall have a valid record that the individual completed an alcohol training and education seminar within the time period provided in this Subsection (2) to act as licensee staff.
- 66 (d) A record that licensee staff has completed an alcohol training and education seminar is valid for three years after the day on which the record is issued.
- 68 (e) To be considered as having completed an alcohol training and education seminar, an individual shall:
- 70 (i) attend the alcohol training and education seminar and take any test required to demonstrate completion of the alcohol training and education seminar in the physical presence of an instructor of the seminar provider; or
- 73 (ii) complete the alcohol training and education seminar and take any test required to demonstrate completion of the alcohol training and education seminar through an online course or testing program that meets the requirements described in Subsection (2)(f).
- 77 (f)
- (i) The division shall by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establish one or more requirements for an online course or testing program described in Subsection (2)(e) that are designed to inhibit fraud in the use of the online course or testing program.
- 81 (ii) In developing the requirements by rule the division shall consider whether to require:
- 83 (A) authentication that the an individual accurately identifies the individual as taking the online course or test;
- 85 (B) measures to ensure that an individual taking the online course or test is focused on training material throughout the entire training period;

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- (C) measures to track the actual time an individual taking the online course or test is actively engaged online;
- 89 (D) a seminar provider to provide technical support, such as requiring a telephone number, email, or other method of communication that allows an individual taking the online course or test to receive assistance if the individual is unable to participate online because of technical difficulties;
- 93 (E) a test to meet quality standards, including randomization of test questions and maximum time limits to take a test;
- 95 (F) a seminar provider to have a system to reduce fraud as to who completes an online course or test, such as requiring a distinct online certificate with information printed on the certificate that identifies the person taking the online course or test, or requiring measures to inhibit duplication of a certificate;
- 99 (G) measures for the division to audit online courses or tests;
- 100 (H) measures to allow an individual taking an online course or test to provide an evaluation of the online course or test;
- 102 (I) a seminar provider to track the Internet protocol address or similar electronic location of an individual who takes an online course or test;
- 104 (J) an individual who takes an online course or test to use an e-signature; or
- 105 (K) a seminar provider to invalidate a certificate if the seminar provider learns that the certificate does not accurately reflect the individual who took the online course or test.
- 108 (3)
- (a) A licensee may not permit an individual who is not in compliance with Subsection (2) to:
 - 110 (i) serve or supervise the serving of an alcoholic product to a customer for consumption on the premises of the licensee;
 - 112 (ii) engage in any activity that would constitute managing operations at the premises of a licensee that engages in the retail sale of an alcoholic product for consumption on the premises of the licensee;
 - 115 (iii) directly supervise the sale of beer to a customer for consumption off the premises of an off-premise beer retailer; or
 - 117 (iv) sell beer to a customer for consumption off the premises of an off-premise beer retailer.
- 119 (b) A licensee that violates Subsection (3)(a) is subject to Section 32B-1-702.
- 120 (4) The division shall:

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- 121 (a)
- 122 (i) provide alcohol training and education seminars; or
- 123 (ii) certify one or more seminar providers;
- 123 (b) establish the curriculum for an alcohol training and education seminar that includes the following subjects:
- 125 (i)
- 126 (A) alcohol as a drug; and
- 126 (B) alcohol's effect on the body and behavior;
- 127 (ii) recognizing the problem drinker or signs of intoxication;
- 128 (iii) an overview of state alcohol laws related to responsible beverage sale or service, as determined in consultation with the Department of Alcoholic Beverage Services;
- 131 (iv) dealing with the problem customer, including ways to terminate sale or service;{f and}}
- 133 (v) for those supervising or engaging in the retail sale of an alcoholic product for consumption on the premises of a licensee~~[-]~~ :
- 424 (A) alternative means of transportation to get the customer safely home;
- 136 ~~{(vi) recognizing an opioid-related drug overdose event; and}~~
- 137 ~~{(vii) {the proper administration of an opioid antagonist in response to an opioid-related drug overdose event;}}~~
- 139 ~~{(e)}~~ and
- 425 (B) the drug overdose training and educational materials created pursuant to Subsection 26B-5-102(2)
- (q);
- 427 (c) recertify each seminar provider every three years;
- 140 (d) monitor compliance with the curriculum described in Subsection (4)(b);
- 141 (e) maintain for at least five years a record of every person who has completed an alcohol training and education seminar;
- 143 (f) provide the information described in Subsection (4)(e) on request to:
- 144 (i) the Department of Alcoholic Beverage Services;
- 145 (ii) law enforcement; or
- 146 (iii) a person licensed by the state or a local government to sell an alcoholic product;
- 147 (g) provide the Department of Alcoholic Beverage Services on request a list of any seminar provider certified by the division; and

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- 149 (h) establish a fee amount for each person attending an alcohol training and education seminar that is
sufficient to offset the division's cost of administering this section.
- 151 (5) The division shall by rule made in accordance with Title 63G, Chapter 3, Utah Administrative
Rulemaking Act:
- 153 (a) establish criteria for certifying and recertifying a seminar provider; and
- 154 (b) establish guidelines for the manner in which an instructor provides an alcohol education and training
seminar.
- 156 (6) A seminar provider shall:
- 157 (a) obtain recertification by the division every three years;
- 158 (b) ensure that an instructor used by the seminar provider:
- 159 (i) follows the curriculum established under this section; and
- 160 (ii) conducts an alcohol training and education seminar in accordance with the guidelines established by
rule;
- 162 (c) ensure that any information provided by the seminar provider or instructor of a seminar provider is
consistent with:
- 164 (i) the curriculum established under this section; and
- 165 (ii) this section;
- 166 (d) provide the division with the names of all persons who complete an alcohol training and education
seminar provided by the seminar provider;
- 168 (e)
- (i) collect a fee for each person attending an alcohol training and education seminar in accordance with
Subsection (2); and
- 170 (ii) forward to the division the portion of the fee that is equal to the amount described in Subsection (4)
(h); and
- 172 (f) issue a record to an individual that completes an alcohol training and education seminar provided by
the seminar provider.
- 174 (7)
- (a) If after a hearing conducted in accordance with Title 63G, Chapter 4, Administrative Procedures
Act, the division finds that a seminar provider violates this section or that an instructor of the
seminar provider violates this section, the division may:

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(i) suspend the certification of the seminar provider for a period not to exceed 90 days after the day on which the suspension begins;

180 (ii) revoke the certification of the seminar provider;

181 (iii) require the seminar provider to take corrective action regarding an instructor; or

182 (iv) prohibit the seminar provider from using an instructor until such time that the seminar provider establishes to the satisfaction of the division that the instructor is in compliance with Subsection (6)(b).

185 (b) The division may certify a seminar provider whose certification is revoked:

186 (i) no sooner than 90 days after the day on which the certification is revoked; and

187 (ii) if the seminar provider establishes to the satisfaction of the division that the seminar provider will comply with this section.

477 (8) An individual's receipt of the training and educational materials described in Subsection (4)(b)(v)(B) does not place any additional responsibility or liability on the individual, and shall not be construed to increase or create liability or responsibility for the individual.

481 Section 3. **Effective date.**

This bill takes effect on May 7, 2025.

2-21-25 12:18 PM