

Effective 5/6/2026

13-15-201 Required filings -- Fees -- Rulemaking.

- (1)
 - (a) Except as provided in Subsection (2), before a person may act as a seller in the state, the person shall obtain a proof of disclosure receipt from the division.
 - (b) To obtain a proof of disclosure receipt from the division, a person shall:
 - (i) file with the division a disclosure statement that complies with Section 13-15-202;
 - (ii) provide any information the division requires by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
 - (iii) pay a filing fee as determined by the division in accordance with Section 63J-1-504.
 - (c) A proof of disclosure receipt is valid for one year after the day on which the division issues the receipt.
 - (d) To renew a proof of disclosure receipt, a seller shall comply with the provisions of Subsection (1)(b) at least 30 days before the day on which the seller's current proof of disclosure receipt expires.
- (2)
 - (a) Before a person offers for sale or sells a franchise to be located in the state or to a resident of the state, the person shall obtain a proof of notice receipt from the division.
 - (b) To obtain a proof of notice receipt from the division, a person shall:
 - (i) file with the division, in a manner the division determines, a notice that states:
 - (A) the franchisor is in substantial compliance with the requirements of the Federal Trade Commission rule found at Title 16, Chapter I, Subchapter d, Trade Regulation Rules, Part 436, Disclosure Requirements and Prohibitions Concerning Franchising;
 - (B) the name of the applicant;
 - (C) the name of the franchise;
 - (D) the name under which the applicant intends to transact or transacts business, if different than the name of the franchise;
 - (E) the address of the applicant's principal place of business;
 - (F) the applicant's state-issued business entity number or other government-issued, publicly available identifying number; and
 - (G) any information that the division requires by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
 - (ii) pay a filing fee the division sets in accordance with Section 63J-1-504.
 - (c) A seller who does not qualify for a proof notice receipt under this Subsection (2) is subject to Subsection (1).
 - (d) A proof of notice receipt is valid for one year after the day on which the division issues the receipt.
 - (e) To renew a proof of notice receipt, a person offering for sale or selling a franchise to be located in the state or to a resident of the state, shall comply with the provisions of Subsection (2)(b) at least 30 days before the day on which the person's current proof of notice receipt expires.
- (3) The division shall deposit all fees collected under this section into the Commerce Service Account created in Section 13-1-2.
- (4) The division may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to carry out the provisions of this section.
- (5) If information contained in a filing with the division becomes incorrect or incomplete, the filer shall update the information within 30 days after the day on which the information contained on the filing becomes incorrect or incomplete.

- (6) A proof of disclosure receipt or a proof of notice receipt does not constitute an approval or endorsement of the seller by the division or the state.
- (7) A seller may not:
 - (a) represent the division or the state endorses or approves the seller;
 - (b) omit from a filing with the division a material statement of fact required by this chapter or rule made by the division in accordance with this chapter; or
 - (c) include in a filing with the division a material statement of fact that the seller or the seller's principal knew or should have known is false, deceptive, inaccurate, or misleading.

Amended by Chapter 95, 2026 General Session