

**Effective 1/1/2024**

**13-34-105 Penalties and remedies.**

- (1) In addition to the division's enforcement powers under Chapter 2, Division of Consumer Protection, and elsewhere in this chapter, the division director may, for a violation of this chapter:
  - (a) issue a cease and desist order; and
  - (b) impose an administrative fine of up to:
    - (i) \$250 per day that a postsecondary school operates without an effective registration certificate;
    - (ii) \$1,000 for each violation of Section 13-34-203;
    - (iii) \$2,500 for each violation of this chapter that is not:
      - (A) described in Subsections (1)(b)(i) or (ii); or
      - (B) an intentional violation; or
    - (iv) \$5,000 for each intentional violation of this chapter.
- (2) A person intentionally violates this chapter if:
  - (a)
    - (i) the violation occurs after one of the following notifies the person that the person has violated or is violating this chapter:
      - (A) the division;
      - (B) the attorney general; or
      - (C) a district attorney or county attorney; and
    - (ii) the violation is the same as the violation of which the person was notified under Subsection (2)(a)(i); or
  - (b) a person violates a cease and desist order the division issues under Subsection (1)(a).
- (3) An intentional violation of this chapter is a class B misdemeanor.
- (4) The division shall deposit all money the division receives as payment for administrative fines imposed under Subsection (1)(b) into the Consumer Protection Education and Training Fund created in Section 13-2-8.

Repealed and Re-enacted by Chapter 458, 2023 General Session