

**Effective 1/1/2024**

**13-34-106 Denial, suspension, or revocation of registration statement, registration certificate, or state authorization certificate -- Limits on registration certificate and state authorization certificate.**

- (1) In accordance with Chapter 2, Division of Consumer Protection, and Title 63G, Chapter 4, Administrative Procedures Act, the division may initiate adjudicative proceedings to deny, suspend, or revoke a registration statement, registration certificate, or state authorization certificate if:
- (a) the division finds that the denial, suspension, or revocation is in the public interest; and
  - (b)
    - (i) the registration statement is incomplete, false, or misleading;
    - (ii) the division determines that a postsecondary school's educational credential represents undertaking or completing an educational achievement that has not been undertaken or completed; or
    - (iii) a postsecondary school or a principal of the postsecondary school has:
      - (A) violated, caused a violation, or allowed a violation of a provision of:
        - (I) this chapter;
        - (II) a rule made by the division under this chapter; or
        - (III) a commitment made in a registration statement;
      - (B) violated Chapter 11, Utah Consumer Sales Practices Act;
      - (C) been enjoined by a court, or is the subject of an administrative or judicial order issued in Utah or another state, if the injunction or order:
        - (I) includes a finding or admission of fraud, breach of fiduciary duty, or material misrepresentation; or
        - (II) was based on a finding of lack of integrity, truthfulness, or mental competence;
      - (D) been convicted of a crime involving theft, fraud, or dishonesty;
      - (E) obtained or attempted to obtain a registration certificate by misrepresenting any material fact;
      - (F) failed to timely file with the division a report required by:
        - (I) this chapter; or
        - (II) a rule made by the division under this chapter;
      - (G) failed to furnish information requested by the division;
      - (H) failed to pay an administrative fine imposed by the division under this chapter, or a fine imposed by an administrative or judicial order in Utah or another state;
      - (I) failed to demonstrate fiscal responsibility;
      - (J) failed to pay the fee required to file a registration statement;
      - (K) failed to satisfy the requirements of this chapter or rule made by the division under this chapter; or
      - (L) failed to satisfy a reasonable restriction or condition the division imposes under Subsection (2).
- (2) The division may impose reasonable restrictions and conditions on a postsecondary school's registration certificate or state authorization certificate if:
- (a) the restriction or condition protects student interests; and
  - (b) a behavior or condition described in Subsection (1)(b) applies to the postsecondary school or the postsecondary school's principal, registration statement, or educational credential.

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