

Effective 10/1/2016

55-5a-4 Issuance of permits -- Eligibility -- Fee -- Local license or permit.

- (1) The office may adopt rules and regulations, prescribe procedures, adopt forms and applications, review applications for permits, and issue permits as required by Section 55-5a-3 subject to the following:
 - (a) A product shall be considered "blind-made" if 75% or more of the direct labor hours required for its manufacture are provided by the blind.
 - (b) A person or organization shall be considered to be selling blind-made products if 60% or more of the wholesale cost of the seller's average inventory of products is blind-made and the seller clearly differentiates by the use of labels or other markings between blind-made products and other products.
 - (c) Individuals or businesses are conducting sales by the blind if 75% or more of the direct labor hours in packaging, marketing, soliciting and making sales are provided by the blind.
 - (d) Upon receipt of appropriate documentation indicating qualification of a person or organization seeking a license under this act, the office shall issue permits for any one or combination of the following:
 - (i) sale of products manufactured by the blind;
 - (ii) sale of blind-made products by the blind; or
 - (iii) sale by the blind of products not made by the blind.
 - (e) No permit shall be issued by the office if the business name, trade name, or logo of the organization seeking the permit is similar to the name of or in any way implies an affiliation with or support of the state or one of its agencies or subdivisions if the organization is not so affiliated.
- (2) A fee of not more than \$5 shall be charged for the issuance and renewal of each permit that shall be valid for a period of one year unless earlier revoked for good cause shown.
- (3) No political subdivision of this state shall issue a license or permit to sell blind-made goods, articles, or products unless the person applying for that license or permit has first obtained a valid permit issued by the office.

Amended by Chapter 271, 2016 General Session