

## HB0217S01 compared with HB0217

~~deleted text~~ shows text that was in HB0217 but was deleted in HB0217S01.

inserted text shows text that was not in HB0217 but was inserted into HB0217S01.

**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.

Representative A. Cory Maloy proposes the following substitute bill:

### REGULATORY SANDBOX PROGRAM AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: A. Cory Maloy**

Senate Sponsor: Ann Millner

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#### LONG TITLE

##### General Description:

This bill creates the Utah Office of Regulatory Relief (regulatory relief office) within the Governor's Office of Economic Development (GOED).

##### Highlighted Provisions:

This bill:

- ▶ creates the regulatory relief office within GOED;
- ▶ defines terms;
- ▶ describes the duties of the regulatory relief office;
- ▶ creates the General Regulatory Sandbox Program (sandbox program), which allows the office to waive laws or regulations applicable to a participant under certain circumstances;
- ▶ describes how the sandbox program is to be administered by the regulatory relief

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office;

- ▶ describes reporting and other requirements of the regulatory relief office and participants in the sandbox program;
- ▶ creates the General Regulatory Sandbox Program Advisory Committee (advisory committee);
- ▶ describes the membership and duties of the advisory committee; and
- ▶ requires the regulatory relief office to create a web page where residents and businesses in the state may provide suggestions regarding modifying or eliminating laws and regulations to reduce the regulatory burden on residents and businesses in the state.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

#### AMENDS:

13-55-102, as enacted by Laws of Utah 2019, Chapter 243

31A-47-102, as enacted by Laws of Utah 2020, Chapter 141

63G-2-305, as last amended by Laws of Utah 2020, Chapters 112, 198, 339, 349, 382, and 393

#### ENACTS:

63N-16-101, Utah Code Annotated 1953

63N-16-102, Utah Code Annotated 1953

63N-16-103, Utah Code Annotated 1953

63N-16-104, Utah Code Annotated 1953

63N-16-105, Utah Code Annotated 1953

63N-16-201, Utah Code Annotated 1953

63N-16-202, Utah Code Annotated 1953

63N-16-203, Utah Code Annotated 1953

63N-16-204, Utah Code Annotated 1953

63N-16-205, Utah Code Annotated 1953

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63N-16-206, Utah Code Annotated 1953

63N-16-301, Utah Code Annotated 1953

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

Section 1. Section 13-55-102 is amended to read:

**13-55-102. Definitions.**

As used in this chapter:

(1) "Applicable agency" means a department or agency of the state, including the department and the Department of Financial Institutions, that by law regulates certain types of business activity in the state and persons engaged in such business activity, including the issuance of licenses or other types of authorization, which the department determines would otherwise regulate a sandbox participant.

(2) "Applicant" means an individual or entity that is applying to participate in the regulatory sandbox.

(3) "Blockchain technology" means the use of a digital database containing records of financial transactions, which can be simultaneously used and shared within a decentralized, publicly accessible network and can record transactions between two parties in a verifiable and permanent way.

(4) "Consumer" means a person that purchases or otherwise enters into a transaction or agreement to receive an innovative product or service that is being tested by a sandbox participant.

(5) "Department" means the Department of Commerce.

(6) (a) "Financial product or service" means:

(i) a financial product or financial service that requires state licensure or registration; or

(ii) a financial product or financial service that includes a business model, delivery mechanism, or element that may require a license or other authorization to act as a financial institution, enterprise, or other entity that is regulated by Title 7, Financial Institutions Act, or other related provisions.

(b) "Financial product or service" does not include a product or service that is governed by:

(i) Title 31A, Insurance Code; or

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(ii) Title 61, Chapter 1, Utah Uniform Securities Act.

(7) "Innovation" means the use or incorporation of a new or emerging technology or a new use of existing technology, including blockchain technology, to address a problem, provide a benefit, or otherwise offer a product, service, business model, or delivery mechanism ~~[that is not known by the department to have a comparable widespread offering in the state].~~

(8) "Innovative product or service" means a financial product or service that includes an innovation.

(9) "Regulatory sandbox" means the Regulatory Sandbox Program created by Section 13-55-103, which allows a person to temporarily test an innovative product or service on a limited basis without otherwise being licensed or authorized to act under the laws of the state.

(10) "Sandbox participant" means a person whose application to participate in the regulatory sandbox is approved in accordance with the provisions of this chapter.

(11) "Test" means to provide an innovative product or service in accordance with the provisions of this chapter.

### Section 2. Section 31A-47-102 is amended to read:

#### **31A-47-102. Definitions.**

As used in this chapter:

(1) "Applicable agency" means a department or agency of the state, including the department and the Department of Commerce, that by law regulates certain types of insurance-related business activity in the state and persons engaged in such insurance-related business activity, including the issuance of licenses or other types of authorization, which the department determines would otherwise regulate an insurance sandbox participant.

(2) "Applicant" means an individual or entity that is applying to participate in the insurance regulatory sandbox.

(3) "Blockchain technology" means the use of a digital database containing records of financial transactions, which can be simultaneously used and shared within a decentralized, publicly accessible network and can record transactions between two parties in a verifiable and permanent way.

(4) "Consumer" means a person that purchases or otherwise enters into a transaction or agreement to receive an innovative insurance product or service that is being tested by an insurance sandbox participant.

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(5) "Department" means the Department of Insurance.

(6) "Innovation" means the use or incorporation of a new or emerging technology or a new use of existing technology, including blockchain technology, to address a problem, provide a benefit, or otherwise offer a product, service, business model, or delivery mechanism ~~[that is not known by the department to have a comparable widespread offering in the state].~~

(7) "Innovative insurance product or service" means an insurance product or service that includes an innovation.

(8) (a) "Insurance product or service" means an insurance product or insurance service that requires state licensure, registration, or other authorization as regulated by Title 31A, Insurance Code, including an insurance product or insurance service that includes a business model, delivery mechanism, or element that requires a license, registration, or other authorization to do an insurance business, act as an insurance producer or consultant, or engage in insurance adjusting as regulated by Title 31A, Insurance Code.

(b) "Insurance product or service" does not include a product or service that is governed by Title 61, Chapter 1, Utah Uniform Securities Act.

(9) "Insurance regulatory sandbox" means the Insurance Regulatory Sandbox Program created by Section 31A-47-103, which allows a person to temporarily test an innovative insurance product or service on a limited basis without otherwise being licensed or authorized to act under the laws of the state.

(10) "Insurance sandbox participant" means a person whose application to participate in the insurance regulatory sandbox is approved in accordance with the provisions of this chapter.

(11) "Test" means to provide an innovative insurance product or service in accordance with the provisions of this chapter.

### Section 3. Section 63G-2-305 is amended to read:

#### **63G-2-305. Protected records.**

The following records are protected if properly classified by a governmental entity:

(1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has provided the governmental entity with the information specified in Section 63G-2-309;

(2) commercial information or nonindividual financial information obtained from a person if:

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(a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;

(b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and

(c) the person submitting the information has provided the governmental entity with the information specified in Section 63G-2-309;

(3) commercial or financial information acquired or prepared by a governmental entity to the extent that disclosure would lead to financial speculations in currencies, securities, or commodities that will interfere with a planned transaction by the governmental entity or cause substantial financial injury to the governmental entity or state economy;

(4) records, the disclosure of which could cause commercial injury to, or confer a competitive advantage upon a potential or actual competitor of, a commercial project entity as defined in Subsection 11-13-103(4);

(5) test questions and answers to be used in future license, certification, registration, employment, or academic examinations;

(6) records, the disclosure of which would impair governmental procurement proceedings or give an unfair advantage to any person proposing to enter into a contract or agreement with a governmental entity, except, subject to Subsections (1) and (2), that this Subsection (6) does not restrict the right of a person to have access to, after the contract or grant has been awarded and signed by all parties:

(a) a bid, proposal, application, or other information submitted to or by a governmental entity in response to:

(i) an invitation for bids;

(ii) a request for proposals;

(iii) a request for quotes;

(iv) a grant; or

(v) other similar document; or

(b) an unsolicited proposal, as defined in Section 63G-6a-712;

(7) information submitted to or by a governmental entity in response to a request for information, except, subject to Subsections (1) and (2), that this Subsection (7) does not restrict

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the right of a person to have access to the information, after:

(a) a contract directly relating to the subject of the request for information has been awarded and signed by all parties; or

(b) (i) a final determination is made not to enter into a contract that relates to the subject of the request for information; and

(ii) at least two years have passed after the day on which the request for information is issued;

(8) records that would identify real property or the appraisal or estimated value of real or personal property, including intellectual property, under consideration for public acquisition before any rights to the property are acquired unless:

(a) public interest in obtaining access to the information is greater than or equal to the governmental entity's need to acquire the property on the best terms possible;

(b) the information has already been disclosed to persons not employed by or under a duty of confidentiality to the entity;

(c) in the case of records that would identify property, potential sellers of the described property have already learned of the governmental entity's plans to acquire the property;

(d) in the case of records that would identify the appraisal or estimated value of property, the potential sellers have already learned of the governmental entity's estimated value of the property; or

(e) the property under consideration for public acquisition is a single family residence and the governmental entity seeking to acquire the property has initiated negotiations to acquire the property as required under Section 78B-6-505;

(9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated transaction of real or personal property including intellectual property, which, if disclosed prior to completion of the transaction, would reveal the appraisal or estimated value of the subject property, unless:

(a) the public interest in access is greater than or equal to the interests in restricting access, including the governmental entity's interest in maximizing the financial benefit of the transaction; or

(b) when prepared by or on behalf of a governmental entity, appraisals or estimates of the value of the subject property have already been disclosed to persons not employed by or

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under a duty of confidentiality to the entity;

(10) records created or maintained for civil, criminal, or administrative enforcement purposes or audit purposes, or for discipline, licensing, certification, or registration purposes, if release of the records:

(a) reasonably could be expected to interfere with investigations undertaken for enforcement, discipline, licensing, certification, or registration purposes;

(b) reasonably could be expected to interfere with audits, disciplinary, or enforcement proceedings;

(c) would create a danger of depriving a person of a right to a fair trial or impartial hearing;

(d) reasonably could be expected to disclose the identity of a source who is not generally known outside of government and, in the case of a record compiled in the course of an investigation, disclose information furnished by a source not generally known outside of government if disclosure would compromise the source; or

(e) reasonably could be expected to disclose investigative or audit techniques, procedures, policies, or orders not generally known outside of government if disclosure would interfere with enforcement or audit efforts;

(11) records the disclosure of which would jeopardize the life or safety of an individual;

(12) records the disclosure of which would jeopardize the security of governmental property, governmental programs, or governmental recordkeeping systems from damage, theft, or other appropriation or use contrary to law or public policy;

(13) records that, if disclosed, would jeopardize the security or safety of a correctional facility, or records relating to incarceration, treatment, probation, or parole, that would interfere with the control and supervision of an offender's incarceration, treatment, probation, or parole;

(14) records that, if disclosed, would reveal recommendations made to the Board of Pardons and Parole by an employee of or contractor for the Department of Corrections, the Board of Pardons and Parole, or the Department of Human Services that are based on the employee's or contractor's supervision, diagnosis, or treatment of any person within the board's jurisdiction;

(15) records and audit workpapers that identify audit, collection, and operational



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procedures and methods used by the State Tax Commission, if disclosure would interfere with audits or collections;

(16) records of a governmental audit agency relating to an ongoing or planned audit until the final audit is released;

(17) records that are subject to the attorney client privilege;

(18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer, employee, or agent of a governmental entity for, or in anticipation of, litigation or a judicial, quasi-judicial, or administrative proceeding;

(19) (a) (i) personal files of a state legislator, including personal correspondence to or from a member of the Legislature; and

(ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of legislative action or policy may not be classified as protected under this section; and

(b) (i) an internal communication that is part of the deliberative process in connection with the preparation of legislation between:

(A) members of a legislative body;

(B) a member of a legislative body and a member of the legislative body's staff; or

(C) members of a legislative body's staff; and

(ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of legislative action or policy may not be classified as protected under this section;

(20) (a) records in the custody or control of the Office of Legislative Research and General Counsel, that, if disclosed, would reveal a particular legislator's contemplated legislation or contemplated course of action before the legislator has elected to support the legislation or course of action, or made the legislation or course of action public; and

(b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the Office of Legislative Research and General Counsel is a public document unless a legislator asks that the records requesting the legislation be maintained as protected records until such time as the legislator elects to make the legislation or course of action public;

(21) research requests from legislators to the Office of Legislative Research and General Counsel or the Office of the Legislative Fiscal Analyst and research findings prepared in response to these requests;

(22) drafts, unless otherwise classified as public;

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(23) records concerning a governmental entity's strategy about:

- (a) collective bargaining; or
- (b) imminent or pending litigation;

(24) records of investigations of loss occurrences and analyses of loss occurrences that may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the Uninsured Employers' Fund, or similar divisions in other governmental entities;

(25) records, other than personnel evaluations, that contain a personal recommendation concerning an individual if disclosure would constitute a clearly unwarranted invasion of personal privacy, or disclosure is not in the public interest;

(26) records that reveal the location of historic, prehistoric, paleontological, or biological resources that if known would jeopardize the security of those resources or of valuable historic, scientific, educational, or cultural information;

(27) records of independent state agencies if the disclosure of the records would conflict with the fiduciary obligations of the agency;

(28) records of an institution within the state system of higher education defined in Section 53B-1-102 regarding tenure evaluations, appointments, applications for admissions, retention decisions, and promotions, which could be properly discussed in a meeting closed in accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final decisions about tenure, appointments, retention, promotions, or those students admitted, may not be classified as protected under this section;

(29) records of the governor's office, including budget recommendations, legislative proposals, and policy statements, that if disclosed would reveal the governor's contemplated policies or contemplated courses of action before the governor has implemented or rejected those policies or courses of action or made them public;

(30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis, revenue estimates, and fiscal notes of proposed legislation before issuance of the final recommendations in these areas;

(31) records provided by the United States or by a government entity outside the state that are given to the governmental entity with a requirement that they be managed as protected records if the providing entity certifies that the record would not be subject to public disclosure if retained by it;

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(32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a public body except as provided in Section 52-4-206;

(33) records that would reveal the contents of settlement negotiations but not including final settlements or empirical data to the extent that they are not otherwise exempt from disclosure;

(34) memoranda prepared by staff and used in the decision-making process by an administrative law judge, a member of the Board of Pardons and Parole, or a member of any other body charged by law with performing a quasi-judicial function;

(35) records that would reveal negotiations regarding assistance or incentives offered by or requested from a governmental entity for the purpose of encouraging a person to expand or locate a business in Utah, but only if disclosure would result in actual economic harm to the person or place the governmental entity at a competitive disadvantage, but this section may not be used to restrict access to a record evidencing a final contract;

(36) materials to which access must be limited for purposes of securing or maintaining the governmental entity's proprietary protection of intellectual property rights including patents, copyrights, and trade secrets;

(37) the name of a donor or a prospective donor to a governmental entity, including an institution within the state system of higher education defined in Section 53B-1-102, and other information concerning the donation that could reasonably be expected to reveal the identity of the donor, provided that:

(a) the donor requests anonymity in writing;

(b) any terms, conditions, restrictions, or privileges relating to the donation may not be classified protected by the governmental entity under this Subsection (37); and

(c) except for an institution within the state system of higher education defined in Section 53B-1-102, the governmental unit to which the donation is made is primarily engaged in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority over the donor, a member of the donor's immediate family, or any entity owned or controlled by the donor or the donor's immediate family;

(38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;

(39) a notification of workers' compensation insurance coverage described in Section

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34A-2-205;

(40) (a) the following records of an institution within the state system of higher education defined in Section 53B-1-102, which have been developed, discovered, disclosed to, or received by or on behalf of faculty, staff, employees, or students of the institution:

(i) unpublished lecture notes;

(ii) unpublished notes, data, and information:

(A) relating to research; and

(B) of:

(I) the institution within the state system of higher education defined in Section 53B-1-102; or

(II) a sponsor of sponsored research;

(iii) unpublished manuscripts;

(iv) creative works in process;

(v) scholarly correspondence; and

(vi) confidential information contained in research proposals;

(b) Subsection (40)(a) may not be construed to prohibit disclosure of public information required pursuant to Subsection 53B-16-302(2)(a) or (b); and

(c) Subsection (40)(a) may not be construed to affect the ownership of a record;

(41) (a) records in the custody or control of the Office of Legislative Auditor General that would reveal the name of a particular legislator who requests a legislative audit prior to the date that audit is completed and made public; and

(b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the Office of the Legislative Auditor General is a public document unless the legislator asks that the records in the custody or control of the Office of Legislative Auditor General that would reveal the name of a particular legislator who requests a legislative audit be maintained as protected records until the audit is completed and made public;

(42) records that provide detail as to the location of an explosive, including a map or other document that indicates the location of:

(a) a production facility; or

(b) a magazine;

(43) information:

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(a) contained in the statewide database of the Division of Aging and Adult Services created by Section 62A-3-311.1; or

(b) received or maintained in relation to the Identity Theft Reporting Information System (IRIS) established under Section 67-5-22;

(44) information contained in the Management Information System and Licensing Information System described in Title 62A, Chapter 4a, Child and Family Services;

(45) information regarding National Guard operations or activities in support of the National Guard's federal mission;

(46) records provided by any pawn or secondhand business to a law enforcement agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop and Secondhand Merchandise Transaction Information Act;

(47) information regarding food security, risk, and vulnerability assessments performed by the Department of Agriculture and Food;

(48) except to the extent that the record is exempt from this chapter pursuant to Section 63G-2-106, records related to an emergency plan or program, a copy of which is provided to or prepared or maintained by the Division of Emergency Management, and the disclosure of which would jeopardize:

(a) the safety of the general public; or

(b) the security of:

(i) governmental property;

(ii) governmental programs; or

(iii) the property of a private person who provides the Division of Emergency Management information;

(49) records of the Department of Agriculture and Food that provides for the identification, tracing, or control of livestock diseases, including any program established under Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control of Animal Disease;

(50) as provided in Section 26-39-501:

(a) information or records held by the Department of Health related to a complaint regarding a child care program or residential child care which the department is unable to substantiate; and

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(b) information or records related to a complaint received by the Department of Health from an anonymous complainant regarding a child care program or residential child care;

(51) unless otherwise classified as public under Section 63G-2-301 and except as provided under Section 41-1a-116, an individual's home address, home telephone number, or personal mobile phone number, if:

(a) the individual is required to provide the information in order to comply with a law, ordinance, rule, or order of a government entity; and

(b) the subject of the record has a reasonable expectation that this information will be kept confidential due to:

(i) the nature of the law, ordinance, rule, or order; and

(ii) the individual complying with the law, ordinance, rule, or order;

(52) the portion of the following documents that contains a candidate's residential or mailing address, if the candidate provides to the filing officer another address or phone number where the candidate may be contacted:

(a) a declaration of candidacy, a nomination petition, or a certificate of nomination, described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405, 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;

(b) an affidavit of impecuniosity, described in Section 20A-9-201; or

(c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;

(53) the name, home address, work addresses, and telephone numbers of an individual that is engaged in, or that provides goods or services for, medical or scientific research that is:

(a) conducted within the state system of higher education, as defined in Section 53B-1-102; and

(b) conducted using animals;

(54) in accordance with Section 78A-12-203, any record of the Judicial Performance Evaluation Commission concerning an individual commissioner's vote on whether or not to recommend that the voters retain a judge including information disclosed under Subsection 78A-12-203(5)(e);

(55) information collected and a report prepared by the Judicial Performance Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter

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12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public, the information or report;

(56) records contained in the Management Information System created in Section 62A-4a-1003;

(57) records provided or received by the Public Lands Policy Coordinating Office in furtherance of any contract or other agreement made in accordance with Section 63J-4-603;

(58) information requested by and provided to the 911 Division under Section 63H-7a-302;

(59) in accordance with Section 73-10-33:

(a) a management plan for a water conveyance facility in the possession of the Division of Water Resources or the Board of Water Resources; or

(b) an outline of an emergency response plan in possession of the state or a county or municipality;

(60) the following records in the custody or control of the Office of Inspector General of Medicaid Services, created in Section 63A-13-201:

(a) records that would disclose information relating to allegations of personal misconduct, gross mismanagement, or illegal activity of a person if the information or allegation cannot be corroborated by the Office of Inspector General of Medicaid Services through other documents or evidence, and the records relating to the allegation are not relied upon by the Office of Inspector General of Medicaid Services in preparing a final investigation report or final audit report;

(b) records and audit workpapers to the extent they would disclose the identity of a person who, during the course of an investigation or audit, communicated the existence of any Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or regulation adopted under the laws of this state, a political subdivision of the state, or any recognized entity of the United States, if the information was disclosed on the condition that the identity of the person be protected;

(c) before the time that an investigation or audit is completed and the final investigation or final audit report is released, records or drafts circulated to a person who is not an employee or head of a governmental entity for the person's response or information;

(d) records that would disclose an outline or part of any investigation, audit survey

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plan, or audit program; or

(e) requests for an investigation or audit, if disclosure would risk circumvention of an investigation or audit;

(61) records that reveal methods used by the Office of Inspector General of Medicaid Services, the fraud unit, or the Department of Health, to discover Medicaid fraud, waste, or abuse;

(62) information provided to the Department of Health or the Division of Occupational and Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections 58-68-304(3) and (4);

(63) a record described in Section 63G-12-210;

(64) captured plate data that is obtained through an automatic license plate reader system used by a governmental entity as authorized in Section 41-6a-2003;

(65) any record in the custody of the Utah Office for Victims of Crime relating to a victim, including:

(a) a victim's application or request for benefits;

(b) a victim's receipt or denial of benefits; and

(c) any administrative notes or records made or created for the purpose of, or used to, evaluate or communicate a victim's eligibility for or denial of benefits from the Crime Victim Reparations Fund;

(66) an audio or video recording created by a body-worn camera, as that term is defined in Section 77-7a-103, that records sound or images inside a hospital or health care facility as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider, as that term is defined in Section 78B-3-403, or inside a human service program as that term is defined in Section 62A-2-101, except for recordings that:

(a) depict the commission of an alleged crime;

(b) record any encounter between a law enforcement officer and a person that results in death or bodily injury, or includes an instance when an officer fires a weapon;

(c) record any encounter that is the subject of a complaint or a legal proceeding against a law enforcement officer or law enforcement agency;

(d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f); or



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(e) have been requested for reclassification as a public record by a subject or authorized agent of a subject featured in the recording;

(67) a record pertaining to the search process for a president of an institution of higher education described in Section 53B-2-102, except for application materials for a publicly announced finalist;

(68) an audio recording that is:

(a) produced by an audio recording device that is used in conjunction with a device or piece of equipment designed or intended for resuscitating an individual or for treating an individual with a life-threatening condition;

(b) produced during an emergency event when an individual employed to provide law enforcement, fire protection, paramedic, emergency medical, or other first responder service:

(i) is responding to an individual needing resuscitation or with a life-threatening condition; and

(ii) uses a device or piece of equipment designed or intended for resuscitating an individual or for treating an individual with a life-threatening condition; and

(c) intended and used for purposes of training emergency responders how to improve their response to an emergency situation;

(69) records submitted by or prepared in relation to an applicant seeking a recommendation by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the Audit Subcommittee, established under Section 36-12-8, for an employment position with the Legislature;

(70) work papers as defined in Section 31A-2-204;

(71) a record made available to Adult Protective Services or a law enforcement agency under Section 61-1-206;

(72) a record submitted to the Insurance Department in accordance with Section 31A-37-201 or 31A-22-653;

(73) a record described in Section 31A-37-503.

(74) any record created by the Division of Occupational and Professional Licensing as a result of Subsection 58-37f-304(5) or 58-37f-702(2)(a)(ii);

(75) a record described in Section 72-16-306 that relates to the reporting of an injury involving an amusement ride;

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(76) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a political petition, or on a request to withdraw a signature from a political petition, including a petition or request described in the following titles:

- (a) Title 10, Utah Municipal Code;
- (b) Title 17, Counties;
- (c) Title 17B, Limited Purpose Local Government Entities - Local Districts;
- (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- (e) Title 20A, Election Code;

(77) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a voter registration record;

(78) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature described in Subsection (76) or (77), in the custody of the lieutenant governor or a local political subdivision collected or held under, or in relation to, Title 20A, Election Code;

(79) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5, Victims Guidelines for Prosecutors Act;

(80) a record submitted to the Insurance Department under Subsection 31A-47-103(1)(b); ~~and~~

(81) personal information, as defined in Section 63G-26-102, to the extent disclosure is prohibited under Section 63G-26-103~~;~~

~~Section 1~~~~}; and~~

(82) an application and related information provided to the Governor's Office of Economic Development or any other government agency as described in Section 63N-16-201.

Section 4. Section **63N-16-101** is enacted to read:

### CHAPTER 16. UTAH OFFICE OF REGULATORY RELIEF

#### Part 1. General Provisions

##### **63N-16-101. Title.**

This chapter is known as the "Utah Office of Regulatory Relief."

Section ~~2~~5. Section **63N-16-102** is enacted to read:

##### **63N-16-102. Definitions.**

As used in this chapter:

(1) "Advisory committee" means the General Regulatory Sandbox Program Advisory

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Committee created in Section 63N-16-104.

(2) "Applicable agency" means a department or agency of the state that by law regulates a business activity and persons engaged in such business activity, including the issuance of licenses or other types of authorization, which the office determines would otherwise regulate a sandbox participant.

(3) "Applicant" means a person that applies to participate in the regulatory sandbox.

(4) "Consumer" means a person that purchases or otherwise enters into a transaction or agreement to receive an offering pursuant to a demonstration by a sandbox participant.

(5) "Demonstrate" or "demonstration" means to temporarily provide an offering in accordance with the provisions of the regulatory sandbox program described in this chapter.

(6) "Director" means the director of the Utah Office of Regulatory Relief created in Section 63N-16-103.

(7) "Executive director" means the executive director of the Governor's Office of Economic Development.

(8) "Innovation" means the use or incorporation of a new idea, a new or emerging technology, or a new use of existing technology to address a problem, provide a benefit, or otherwise offer a product, production method, or service ~~{ that is not known by the regulatory relief office to have a comparable widespread offering in the state }~~.

(9) "Innovative offering" means an offering that includes an innovation.

(10) (a) "Offering" means a product, production method, or service.

(b) "Offering" does not include a product, production method, or service that is governed by:

(i) Title 31A, Insurance Code, as determined by the insurance commissioner; or

(ii) Title 61, Chapter 1, Utah Uniform Securities Act.

(11) "Product" means a commercially distributed good that is:

(a) tangible personal property;

(b) the result of a production process; and

(c) passed through the distribution channel before consumption.

(12) "Production" means the method or process of creating or obtaining a good, which may include assembling, breeding, capturing, collecting, extracting, fabricating, farming, fishing, gathering, growing, harvesting, hunting, manufacturing, mining, processing, raising, or

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trapping a good.

(13) "Regulatory relief office" means the Utah Office of Regulatory Relief created in Section 63N-16-103.

(14) "Regulatory sandbox" means the General Regulatory Sandbox Program created in Section 63N-16-201, which allows a person to temporarily demonstrate an offering under a waiver or suspension of one or more state laws or regulations.

(15) "Sandbox participant" means a person whose application to participate in the regulatory sandbox is approved in accordance with the provisions of this chapter.

(16) "Service" means any commercial activity, duty, or labor performed for another person.

Section ~~{3}~~6. Section **63N-16-103** is enacted to read:

### **63N-16-103. Creation of regulatory relief office and appointment of director -- Responsibilities of regulatory relief office.**

(1) There is created within the Governor's Office of Economic Development the Utah Office of Regulatory Relief.

(2) (a) The regulatory relief office shall be administered by a director.

~~{~~ ~~(b) The director shall be appointed by the governor with the consent of the Senate.~~

~~}~~ ~~(c)~~**b** The director shall report to the executive director and may appoint staff subject to the approval of the executive director.

(3) The regulatory relief office shall:

(a) administer the provisions of this chapter;

(b) administer the regulatory sandbox program; and

(c) act as a liaison between private businesses and applicable agencies to identify state laws or regulations that could potentially be waived or suspended under the regulatory sandbox program.

(4) The regulatory relief office may:

(a) review state laws and regulations that may unnecessarily inhibit the creation and success of new companies or industries and provide recommendations to the governor and the Legislature on modifying such state laws and regulations;

(b) create a framework for analyzing the risk level to the health, safety, and financial well-being of consumers related to permanently removing or temporarily waiving laws and

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regulations ~~{that may unnecessarily inhibit}~~ inhibiting the creation ~~{and}~~ or success of new and existing companies or industries; ~~{and}~~

(c) propose potential reciprocity agreements between states that use or are proposing to use similar regulatory sandbox programs as described in this chapter, Section 13-55-103, or Section 31A-47-103; and

(d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and the provisions of this chapter, make rules regarding:

(i) administering the regulatory sandbox, including making rules regarding the application process and the reporting requirements of sandbox participants; and

(ii) cooperating and consulting with other agencies in the state that administer sandbox programs.

Section ~~{4}~~7. Section **63N-16-104** is enacted to read:

### **63N-16-104. Creation and duties of advisory committee.**

(1) There is created the General Regulatory Sandbox Program Advisory Committee.

(2) The advisory committee shall have 11 members as follows:

(a) six members appointed by the director who represent businesses interests and are selected from a variety of industry clusters;

(b) three members appointed by the director who represent state agencies that regulate businesses;

(c) one member of the Senate, appointed by the president of the Senate; and

(d) one member of the House of Representatives, appointed by the speaker of the House of Representatives.

(3) (a) Subject to Subsection (3)(b), members of the advisory committee who are not legislators shall be appointed to a four-year term.

(b) Notwithstanding the requirements of Subsection (3)(a), the director may adjust the length of terms of appointments and reappointments to the advisory committee so that approximately half of the advisory committee is appointed every two years.

(4) The director shall select a chair of the advisory committee on an annual basis.

(5) A majority of the advisory committee constitutes a quorum for the purpose of conducting advisory committee business, and the action of the majority of a quorum constitutes the action of the advisory committee.

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(6) The advisory committee shall advise and make recommendations to the regulatory relief office as described in this chapter.

(7) The regulatory relief office shall provide administrative staff support for the advisory committee.

(8) (a) A member may not receive compensation or benefits for the member's service, but a member appointed under Subsection (2)(a) may receive per diem and travel expenses in accordance with:

(~~f~~a*i*) Sections 63A-3-106 and 63A-3-107; and

(~~f~~b*ii*) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(b) Compensation and expenses of a member who is a legislator are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

(9) Meetings of the advisory committee are not subject to Title 52, Chapter 4, Open and Public Meetings Act.

Section ~~{5}~~8. Section **63N-16-105** is enacted to read:

### **63N-16-105. Annual Report.**

(1) The executive director shall include in the annual report described in Section 63N-1-301 a written report from the director on the activities of the regulatory relief office, which report shall include:

(~~f1~~)a information regarding each participant in the regulatory sandbox created in Section ~~{63N-2-101}~~63N-16-201, including which industries each participant represents and the anticipated or actual cost savings that each participant experienced;

(~~f2~~)b recommendations regarding any laws or regulations that should be permanently modified;

(~~f3~~)c information regarding outcomes for consumers; and

(~~f4~~)d recommendations for changes to the regulatory sandbox program or other duties of the regulatory relief office.

(2) By October 1 of each year, the executive director shall provide the written report from the director on the activities of the regulatory relief office described in Subsection (1) to the Business and Labor Interim Committee.

Section ~~{6}~~9. Section **63N-16-201** is enacted to read:

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### Part 2. General Regulatory Sandbox Program

#### 63N-16-201. General Regulatory Sandbox Program -- Application requirements.

(1) There is created in the regulatory relief office the General Regulatory Sandbox Program.

(2) In administering the regulatory sandbox, the regulatory relief office:

(a) shall consult with each applicable agency;

(b) shall establish a program to enable a person to obtain legal protections and limited access to the market in the state to demonstrate an innovative offering without obtaining a license or other authorization that might otherwise be required;

(c) may enter into agreements with or adopt the best practices of corresponding federal regulatory agencies or other states that are administering similar programs; and

(d) may consult with businesses in the state about existing or potential proposals for the regulatory sandbox.

(3) (a) An applicant for the regulatory sandbox may contact the regulatory relief office to request a consultation regarding the regulatory sandbox before submitting an application.

(b) The regulatory relief office shall provide relevant information regarding the regulatory sandbox program, including informing an applicant whether it would be better to apply for the programs described in Section 13-55-103 or Section 31A-47-103.

(c) The regulatory relief office may provide assistance to an applicant in preparing an application for submission.

(4) An applicant for the regulatory sandbox shall provide to the regulatory relief office an application in a form prescribed by the regulatory relief office that:

(a) confirms the applicant is subject to the jurisdiction of the state;

(b) confirms the applicant has established a physical or virtual location in the state, from which the demonstration of an innovative offering will be developed and performed and where all required records, documents, and data will be maintained;

(c) contains relevant personal and contact information for the applicant, including legal names, addresses, telephone numbers, email addresses, website addresses, and other information required by the regulatory relief office;

(d) discloses criminal convictions of the applicant or other participating personnel, if any;

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(e) contains a description of the innovative offering to be demonstrated, including statements regarding:

(i) how the offering is subject to licensing, legal prohibition, or other authorization requirements outside of the regulatory sandbox;

(ii) each law or regulation that the applicant seeks to have waived or suspended while participating in the regulatory sandbox program;

(iii) how the offering would benefit consumers;

(iv) how the offering is different from other offerings available in the state;

(v) what risks might exist for consumers who use or purchase the offering;

(vi) how participating in the regulatory sandbox would enable a successful demonstration of the offering;

(vii) a description of the proposed demonstration plan, including estimated time periods for beginning and ending the demonstration;

(viii) recognition that the applicant will be subject to all laws and regulations pertaining to the applicant's offering after conclusion of the demonstration; and

(ix) how the applicant will end the demonstration and protect consumers if the demonstration fails;

(f) lists each government agency, if any, that the applicant knows regulates the applicant's business; and

(g) provides any other required information as determined by the regulatory relief office.

(5) The regulatory relief office may collect an application fee from an applicant that is set in accordance with Section 63J-1-504.

(6) An applicant shall file a separate application for each innovative offering that the applicant wishes to demonstrate.

(7) After an application is filed, the regulatory relief office ~~may~~:

~~(a) shall classify the application and any related information provided by the applicant as a protected record in accordance with Subsection 63G-2-305(82);~~

~~(b) consult with each applicable government agency that regulates the applicant's business regarding whether more information is needed from the applicant; and~~

~~(b)c) seek additional information from the applicant that the regulatory relief office~~



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determines is necessary.

(8) No later than five business days after the day on which a complete application is received by the regulatory relief office, the regulatory relief office shall:

(a) review the application and refer the application to each applicable government agency that regulates the applicant's business; and

(b) provide to the applicant:

(i) an acknowledgment of receipt of the application; and

(ii) the identity and contact information of each regulatory agency to which the application has been referred for review.

(9) (a) Subject to ~~Subsection~~ Subsections (9)(c) and (9)(g), no later than 30 days after the day on which an applicable agency receives a complete application for review, the applicable agency shall provide a written report to the director of the applicable agency's findings.

(b) The report shall:

(i) describe any identifiable, likely, and significant harm to the health, safety, or financial well-being of consumers that the relevant law or regulation protects against; and

(ii) make a recommendation to the regulatory relief office that the applicant either be admitted or denied entrance into the regulatory sandbox.

(c) (i) The applicable agency may request an additional five business days to deliver the written report by providing notice to the director, which request shall automatically be granted.

(ii) The applicable agency may only request one extension per application.

(d) If the applicable agency recommends an applicant under this section be denied entrance into the regulatory sandbox, the written report shall include a description of the reasons for the recommendation, including why a temporary waiver or suspension of the relevant laws or regulations would potentially significantly harm the health, safety, or financial well-being of consumers or the public and the likelihood of such harm occurring.

(e) If the agency determines that the consumer's or public's health, safety, or financial well-being can be protected through less restrictive means than the existing relevant laws or regulations, then the applicable agency shall provide a recommendation of how that can be achieved.

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(f) If an applicable agency fails to deliver a written report as described in this Subsection (9), the director shall assume that the applicable agency does not object to the temporary waiver or suspension of the relevant laws or regulations for an applicant seeking to participate in the regulatory sandbox.

(g) (i) Notwithstanding any other provision of this section, an applicable agency may by written notice to the regulatory relief office within the 30 days after the day on which the applicable agency receives a complete application for review, may reject an application if the applicable agency determines, in the applicable agency's sole discretion, that the applicant's offering fails to comply with standards or specifications:

(A) required by federal law or regulation; or

(B) previously approved for use by a federal agency.

(ii) If the applicable agency rejects an application under this Subsection (9)(g), the regulatory relief office may not approve the application.

(10) (a) Upon receiving a written report described in Subsection (9), the director shall provide the application and the written report to the advisory committee.

(b) The director may call the advisory committee to meet as needed, but not less than once per quarter if applications are available for review.

(c) After receiving and reviewing the application and ~~the~~each written report, the advisory committee shall provide to the director the advisory committee's recommendation as to whether or not the applicant should be admitted as a sandbox participant under this chapter.

(d) As part of the advisory committee's review of ~~the~~each written report, the advisory committee shall use the criteria required for an applicable agency as described in Subsection (9).

(11) (a) In reviewing an application and each applicable agency's written report, the regulatory relief office shall consult with each applicable agency and the advisory committee before admitting an applicant into the regulatory sandbox.

(b) The consultation with each applicable agency and the consultation with the advisory committee may include seeking information about whether:

(i) the applicable agency has previously issued a license or other authorization to the applicant; and

(ii) the applicable agency has previously investigated, sanctioned, or pursued legal

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action against the applicant.

(12) In reviewing an application under this section, the regulatory relief office and each applicable agency shall consider whether a competitor to the applicant is or has been a sandbox participant and, if so, weigh that as a factor in favor of allowing the applicant to also become a sandbox participant.

(13) In reviewing an application under this section, the regulatory relief office shall consider whether:

(a) the applicant's plan will adequately protect consumers from potential harm identified by an applicable agency in the applicable agency's written report;

(b) the risk of harm to consumers is outweighed by the potential benefits to consumers from the applicant's participation in the regulatory sandbox; and

(c) certain state laws or regulations that regulate an offering should not be waived or suspended even if the applicant is approved as a sandbox participant.

(14) (a) An applicant becomes a sandbox participant if the regulatory relief office approves the application for the regulatory sandbox and enters into a written agreement with the applicant describing the specific laws and regulations that are waived or suspended as part of participation in the regulatory sandbox.

(b) Notwithstanding any other provision of this chapter, the regulatory relief office may not enter into a written agreement with an applicant that waives or suspends a tax, fee, or charge that is administered by the State Tax Commission or that is described in Title 59, Revenue and Taxation.

(15) (a) The director may deny at the director's sole discretion any application submitted under this section for any reason, including if the director determines that the preponderance of evidence demonstrates that suspending or waiving enforcement of a law or regulation would cause a significant risk of harm to consumers or residents of the state.

(b) If the director denies an application submitted under this section, the regulatory relief office shall provide to the applicant a written description of the reasons for not allowing the applicant to be a sandbox participant.

(c) The denial of an application submitted under this section is not subject to:

(i) agency or judicial review; or

(ii) the provisions of Title 63G, Chapter 4, Administrative Procedures Act.

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(16) The director shall deny an application for participation in the regulatory sandbox described by this section if:

(a) the director determines that the applicant should instead apply for the Regulatory Sandbox Program created in Section 13-55-103 or the Insurance Regulatory Sandbox Program created in Section 31A-47-103; or

(b) the applicant or any person who seeks to participate with the applicant in demonstrating an offering has been convicted, entered a plea of nolo contendere, or entered a plea of guilty or nolo contendere held in abeyance, for any crime involving significant theft, fraud, or dishonesty if the crime bears a significant relationship to the applicant's or other participant's ability to safely and competently participate in the regulatory sandbox program.

(17) When an applicant is approved for participation in the regulatory sandbox, the director ~~{shall make reasonable efforts to notify}~~ may provide notice of the approval to competitors of the applicant {so that those competitors may also submit an application to participate in the regulatory sandbox program:

~~Section 7}~~ and to the public.

Section 10. Section **63N-16-202** is enacted to read:

### **63N-16-202. Scope of the regulatory sandbox.**

(1) If the regulatory relief office approves an application under this part, the sandbox participant has 12 months after the day on which the application was approved to demonstrate the offering described in the sandbox participant's application.

(2) An offering that is demonstrated within the regulatory sandbox is subject to the following:

(a) each consumer shall be a resident of the state; and

(b) no law or regulation may be waived or suspended if waiving or suspending the law or regulation would prevent a consumer from seeking ~~{restoration}~~ restitution in the event that the consumer is harmed.

(3) This part does not restrict a sandbox participant who holds a license or other authorization in another jurisdiction from acting in accordance with that license or other authorization.

(4) A sandbox participant is deemed to possess an appropriate license or other authorization under the laws of the state for the purposes of any provision of federal law

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requiring licensure or other authorization by the state.

(5) Subject to Subsection (6):

(a) during the demonstration period, a sandbox participant is not subject to the enforcement of state laws or regulations identified in the written agreement between the regulatory relief office and the sandbox participant described in ~~{Section 63N-12-202}~~ Subsection 63N-16-201(14):

(b) a prosecutor may not file or pursue charges pertaining to a law or regulation identified in the written agreement between the regulatory relief office and the sandbox participant described in ~~{Section 63N-12-202}~~ Subsection 63N-16-201(14) that occurs during the demonstration period; and

(c) a state agency may not file or pursue any punitive action against a sandbox participant, including a fine or license suspension or revocation, ~~{pertaining to}~~ for the violation of a law or regulation that:

(i) is identified as being waived or suspended in the written agreement between the regulatory relief office and the sandbox participant described in ~~{Section 63N-12-202}~~ Subsection 63N-16-201(14) ~~{that}~~; and

(ii) occurs during the demonstration period.

(6) Notwithstanding any other provision of this part, a sandbox participant does not have immunity related to any criminal offense committed during the sandbox participant's participation in the regulatory sandbox.

(7) By written notice, the regulatory relief office may end a sandbox participant's participation in the regulatory sandbox at any time and for any reason, including if the director determines that a sandbox participant is not operating in good faith to bring an innovative offering to market.

(8) The regulatory relief office and the regulatory relief office's employees are not liable for any business losses or the recouping of application expenses or other expenses related to the regulatory sandbox, including for:

(a) denying an applicant's application to participate in the regulatory sandbox for any reason; or

(b) ending ~~{an insurance}~~ a sandbox participant's participation in the regulatory sandbox at any time and for any reason.

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Section ~~{8}~~11. Section **63N-16-203** is enacted to read:

### **63N-16-203. Consumer protection for regulatory sandbox.**

(1) Before demonstrating an offering to a consumer, a sandbox participant shall disclose the following to the consumer:

(a) the name and contact information of the sandbox participant;

(b) that the offering is authorized pursuant to the regulatory sandbox and, if applicable, that the sandbox participant does not have a license or other authorization to provide an offering under state laws that regulate offerings outside of the regulatory sandbox;

(c) that the offering is undergoing testing and may not function as intended and may expose the consumer to certain risks as identified by the applicable agency's written report;

(d) that the provider of the offering is not immune from civil liability for any losses or damages caused by the offering;

(e) that the provider of the offering is not immune from criminal prosecution for violations of state law or regulations that are not suspended or waived as allowed by the regulatory sandbox;

(f) that the offering is a temporary demonstration that may be discontinued at the end of the demonstration period;

(g) the expected end date of the demonstration period; and

(h) that a consumer may contact the regulatory relief office and file a complaint regarding the offering being demonstrated and provide the regulatory relief office's telephone number and website address where a complaint may be filed.

(2) The disclosures required by Subsection (1) shall be provided to a consumer in a clear and conspicuous form and, for an Internet or application-based offering, a consumer shall acknowledge receipt of the disclosure before any transaction may be completed.

(3) The regulatory relief office may require that a sandbox participant make additional disclosures to a consumer.

Section ~~{9}~~12. Section **63N-16-204** is enacted to read:

### **63N-16-204. Requirements for exiting regulatory sandbox.**

(1) At least 30 days before the end of the 12-month regulatory sandbox demonstration period, a sandbox participant shall:

(a) notify the regulatory relief office that the sandbox participant will exit the

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regulatory sandbox and discontinue the sandbox participant's demonstration after the day on which the 12-month demonstration period ends; or

(b) seek an extension in accordance with Section ~~63N-15-205~~63N-16-205.

(2) Subject to Subsection (3), if the regulatory relief office does not receive notification as required by Subsection (1), the regulatory sandbox demonstration period ends at the end of the 12-month testing period.

(3) If a demonstration includes an offering that requires ongoing duties, the sandbox participant may continue to do so but will be subject to enforcement of the laws or regulations that were waived or suspended as part of the regulatory sandbox.

Section ~~10~~13. Section **63N-16-205** is enacted to read:

### **63N-16-205. Extensions.**

(1) Not later than 30 days before the end of the 12-month regulatory sandbox demonstration period, a sandbox participant may request an extension of the regulatory sandbox demonstration period.

(2) The regulatory relief office shall grant or deny a request for an extension in accordance with Subsection (1) by the end of the 12-month ~~insurance~~ regulatory sandbox testing period.

(3) The regulatory relief office may grant an extension in accordance with this section for not more than 12 months after the end of the regulatory sandbox demonstration period.

Section ~~11~~14. Section **63N-16-206** is enacted to read:

### **63N-16-206. Record keeping and reporting requirements.**

(1) A sandbox participant shall retain records, documents, and data produced in the ordinary course of business regarding an offering demonstrated in the regulatory sandbox.

(2) If a sandbox participant ceases to provide an offering before the end of a demonstration period, the sandbox participant shall notify the regulatory relief office and each applicable agency and report on actions taken by the sandbox participant to ensure consumers have not been harmed as a result.

(3) The regulatory relief office shall establish quarterly reporting requirements for a sandbox participant, including information about any consumer complaints.

(4) The regulatory relief office may request records, documents, and data from a sandbox participant and, upon the regulatory relief office's request, the sandbox participant

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shall make such records, documents, and data available for inspection by the regulatory relief office.

(5) (a) The sandbox participant shall notify the regulatory relief office and each applicable agency of any incidents that result in ~~{significant}~~ harm to the health, safety, or financial well-being of a consumer.

(b) If a sandbox participant fails to notify the regulatory relief office and each applicable agency of any incidents as described in Subsection (5)(a), or the regulatory relief office or an applicable agency has evidence that significant harm to a consumer has occurred, the regulatory relief office ~~{shall}~~ may immediately remove the sandbox participant from the regulatory sandbox.

(6) (a) No later than 30 days after the day on which a sandbox participant exits the regulatory sandbox, the sandbox participant shall submit a written report to the regulatory relief office and each applicable agency describing an overview of the sandbox participant's demonstration, including any:

(i) incidents of harm to consumers;

(ii) legal action filed against the participant as a result of the participant's demonstration; and

(iii) complaints filed with an applicable agency as a result of the participant's demonstration.

(b) No later than 30 days after the day on which an applicable agency receives the quarterly reporting described in Subsection (3) or a written report from a sandbox participant as described in Subsection (5)(a), the applicable agency shall provide a written report to the regulatory relief office on the demonstration that describes any statutory or regulatory reform the applicable agency recommends as a result of the demonstration.

(7) The regulatory relief office may remove a sandbox participant from the regulatory sandbox at any time if the regulatory relief office determines that a sandbox participant has engaged in, is engaging in, or is about to engage in any practice or transaction that is in violation of this chapter or that constitutes a violation of a law or regulation for which suspension or waiver has not been granted.

Section ~~{12}~~ 15. Section 63N-16-301 is enacted to read:

### Part 3. Regulatory relief web page



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### **63N-16-301. Regulatory relief web page.**

(1) The regulatory relief office shall create and maintain on GOED's website a web page that invites residents and businesses in the state to make suggestions regarding laws and regulations that could be modified or eliminated to reduce the regulatory burden of residents and businesses in the state.

(2) On at least a quarterly basis the regulatory relief office shall compile the results of suggestions from the web page and provide a written report to the governor, [the Business](#) and ~~to~~ [Labor Interim Committee](#), and the Economic Development and Workforce Services Interim Committee that describes the most common suggestions.

(3) In creating the report described in Subsection (2), the regulatory relief office and the advisory committee:

(a) shall ensure that private information of residents and businesses that make suggestions on the web page is not made public; and

(b) may evaluate the suggestions and provide analysis and suggestions regarding which state laws and regulations could be modified or eliminated to reduce the regulatory burden of residents and businesses in the state while still protecting consumers.