

462 commercial financing transaction, if less than the amount described in Subsection (2)(a);

463 (c) the total amount to be paid to the provider under the terms of the commercial  
464 financing transaction;

465 (d) the total dollar cost of the commercial financing transaction, calculated by finding  
466 the difference between:

467 (i) the amount described in Subsection (2)(a); and

468 (ii) the amount described in Subsection (2)(c);

469 (e) (i) the manner, frequency, and amount of each payment; or

470 (ii) if the amount of each payment may vary, the manner, frequency, and estimated  
471 amount of the initial payment;

472 (f) a statement of whether there are any costs or discounts associated with prepayment  
473 under the commercial financing transaction, including a reference to the paragraph in the  
474 commercial financing transaction agreement that creates each cost or discount; and

475 (g) any amount ~~H→~~ of the funds described in Subsection (2)(a) that ~~←H~~ the provider  
475a ~~H→~~ [owes] pays ~~←H~~ to a broker in connection with the commercial  
476 financing transaction.

477 (3) The commercial financing transaction agreement shall include a description of the  
478 methodology for calculating any variable payment amount and the circumstances that may  
479 cause a payment amount to vary.

480 (4) The provisions of this section apply to a commercial financing transaction  
481 consummated on or after January 1, 2023.

482 Section 8. Section **7-27-301** is enacted to read:

483 **Part 3. Enforcement**

484 **7-27-301. Penalties.**

485 (1) Subject to the requirements of Title 63G, Chapter 4, Administrative Procedures  
486 Act, the department may:

487 (a) receive and act on complaints;

488 (b) take action designed to obtain voluntary compliance with this chapter; or

489 (c) commence administrative or judicial proceedings on the department's own initiative  
490 to enforce compliance with this chapter.

491 (2) A person who violates a provision of this chapter is subject to a civil penalty of  
492 \$500 per violation, not to exceed \$20,000 for all violations arising from the use of the same