

State of Utah
Administrative Rule Analysis
Revised May 2026

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment	Filing ID: OFFICE USE ONLY
Rule or section number:	R590-281-4
Date of previous publication (only for CPRs):	

1. Agency Information

Title catchline:	Insurance, Administration
Building:	Taylorville State Office Building
Street address:	4315 S. 2700 W.
City, state:	Taylorville, UT
Mailing address:	PO Box 146901
City, state and zip:	Salt Lake City, UT 84114-6901

2. Contact Persons

Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:
R590-281-4. Eligibility to Apply for a License
B. Purpose of the new rule or reason for the change:
The Department determined that a criminal proceeding was inadvertently left out of the list of pending actions described in Subsection R590-281-4(2). This amendment remedies that error.
C. Summary of the new rule or change:
The amendment adds the word "criminal" to the list of pending actions in Subsection R590-281-4(2).

4. Legislative Action Information

A. Are any changes in this filing because of state legislative action?	Changes are not because of legislative action.
B. If yes, any bill number and session:	

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
There is no anticipated cost or savings to the state budget. The change merely clarifies that a pending criminal proceeding must be resolved before an individual can apply for a license under this rule.
B. Local governments:
There is no anticipated cost or saving to local governments. The change involves the relationship between the Department and a prospective licensee and does not involve local governments in any way.
C. Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or saving to small businesses. The change involves the relationship between the Department and a prospective individual licensee and does not involve small businesses in any way.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no anticipated cost or saving to non-small businesses. The change involves the relationship between the Department and a prospective individual licensee and does not involve non-small businesses in any way.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no anticipated cost or savings for any other persons. While the change does involve the relationship between the Department and a prospective individual licensee, the change merely requires the licensee to wait to apply for a license until after a criminal proceeding is resolved.

F. Compliance costs for affected persons:

There are no compliance costs for any affected persons. A prospective individual licensee with an active criminal proceeding will be required to wait to apply for a license after the proceeding is resolved. There is no cost for waiting.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "\$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	FY2027	FY2028	FY2029	FY2030	FY2031
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2027	FY2028	FY2029	FY2030	FY2031
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

7. Regulatory Impact Analysis Approval

The Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:

B. Summary of reasonable alternatives or modifications:

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-201		

10. Incorporation by Reference Information

Incorporation by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	06/16/2026
--	------------

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.):

Date:	Time (hh:mm AM/PM):	Place (physical address or URL):

To the agency: If more than one hearing is planned to take place, continue to add rows.

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	06/23/2026
---	------------

13. Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. The office may return incomplete forms to the agency, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	05/01/2026
---	---	--------------	------------

R590. Insurance, Administration.

R590-281. License Application Submitted by an Individual Who Has a Criminal Conviction or Pending Proceeding.

R590-281-4. Eligibility to Apply for a License.

(1) Except as provided in Subsections (3) through (5), an individual who has a criminal conviction is eligible to apply for a license if:

- (a) the individual has completed probation, parole, or has been released from incarceration;
- (b) the individual has no criminal proceeding pending;
- (c) the individual has paid in full all fines and interest ordered by the court related to the criminal conviction;
- (d) the individual has paid in full all restitution ordered by the court related to the criminal conviction; and
- (e) the following time periods have elapsed from the date the individual was convicted, released from incarceration, parole, or probation,

or the expiration of the probationary term, whichever occurred last:

- (i) seven years in the case of a felony;
- (ii) five years in the case of a class A misdemeanor;
- (iii) four years in the case of a class B misdemeanor; or
- (iv) three years in the case of any other misdemeanor.

(2) Any pending administrative, civil, criminal, or regulatory proceeding must be resolved before an individual is eligible to apply for a license.

(3) Subsection (1) does not apply to:

- (a) a juvenile adjudication; or
- (b) an individual whose criminal charge was dismissed pursuant to a plea in abeyance agreement under Title 77, Chapter 2a, Pleas in

Abeyance.

(4) The department will give effect to a conviction for a lower degree of offense pursuant to Section 76-3-402.

(5)(a)(i) An individual convicted of violating the federal Violent Crime Control and Law Enforcement Act of 1994, 18 U.S.C. Sec. 1033,

or who under 18 U.S.C. Sec. 1033 has been convicted of a felony involving dishonesty or breach of trust, may not apply for a license without first obtaining written consent from the commissioner to engage or participate in the business of insurance.

(ii) The policy and application for written consent are available on the department's website, <https://insurance.utah.gov>.

(b) An individual who obtains written consent may apply for a license, subject to all other license application requirements.

(c) An application for written consent is required even if:

(i) a felony conviction involving dishonesty or breach of trust has been dismissed pursuant to a plea in abeyance agreement under Title 77,

Chapter 2a, Pleas in Abeyance;

(ii) a felony conviction involving dishonesty or breach of trust has been reduced to a lower degree of offense under Section 76-3-402; or

(iii) a felony conviction involving dishonesty or breach of trust has been expunged under Title 77, Chapter 40a, Expungement.

(6) The department shall deny a license application submitted by an individual who is not eligible under this section.

(7) Eligibility to apply for a license under this Rule R590-281 is a separate determination from and does not affect eligibility to engage in the business of insurance under 18 U.S.C. Sec. 1033.

KEY: insurance, licensing

Date of Last Change: January 24, 2024

Notice of Continuation: June 14, 2024

Authorizing, and Implemented or Interpreted Law: 31A-2-201(3)