



UTAH DEPARTMENT
OF COMMERCE



STRATEGIC PLAN

Fiscal Year 2025

Strengthening trust in Utah's commercial activities through regulation, enforcement and education.



UTAH DEPARTMENT OF COMMERCE

OUR MISSION

Strengthening TRUST in Utah's commercial activities through regulation, enforcement, and education.

OUR CORE VALUES

- Trust
- Unity

Director's Message



Margaret Busse

Executive Director

Dear Colleagues,

As we close a year marked by incredible dedication and resilience, we are proud of our achievements within the Department of Commerce. Reflecting on our advancements, our commitment to "Strengthening Trust in Utah's Commercial Activities" has never been more evident. The past fiscal year witnessed our concerted efforts to uphold and enhance trust among our stakeholders, including businesses, consumers, licensees, and partners. Some notable highlights include:

- A New Office of Artificial Intelligence Policy and Learning Lab—the first of its kind in the nation—will provide regulatory mitigation for experimental AI companies, study AI companies, and make policy recommendations to the legislature.
- The Division of Professional Licensing and Office of Professional Licensure Review's work on Behavioral Health this past legislative session, including introducing new license types, will help thousands of Utahns with mental health struggles.
- Consumer Protection's continued policy and litigation work on social media regulations is monumental in protecting children online.
- A new Spanish-speaking Knight, Señor Protector, to the Scamlot campaign. We aim to broaden our outreach to Spanish-speaking communities, empowering them to spot fraud and "Protect Thyself."

This focus on trust is rooted in our understanding of its foundational role in facilitating a favorable business climate, ensuring regulatory fairness, and ultimately contributing to economic prosperity across Utah.

Building on our successes, the forthcoming fiscal year presents an opportunity to refine our focus and set ambitious goals to further strengthen trust and transparency in our commercial and regulatory activities. Our strategic plan is anchored on three Critical Success Factors:

1. Ensure regulation, enforcement, and education activities are effective, efficient, and relevant in a constantly changing and growing economy.

We aim to keep our regulatory, enforcement, and educational activities at the forefront of efficiency and relevance amid a dynamic, expanding economy. This pillar is crucial in maintaining public trust and supporting a vibrant economic landscape.

2. Ensure management and system infrastructure are up-to-date and prepared to meet the challenges of continued economic growth.

Strengthening our internal capabilities is paramount to support our mission. Enhanced systems and management practices are essential in continuing to protect consumers, assist businesses, and maintain marketplace integrity amid economic growth.

3. Strengthen and manage employee communication.

We believe in the power of our people. Enhancing internal communication is key to ensuring our team is unified, motivated, and fully equipped to meet our objectives. A culture of openness, collaboration, and ongoing feedback sets the stage for our collective success.

As we embark on this new fiscal year, we are reminded of each Commerce team member's role in reinforcing the trust placed in us by the public and the business community. Our strategic plan is not just a roadmap for the year ahead but a commitment to uphold and embody our core values every day. By achieving our objectives, we will further strengthen trust in Utah's commercial activities, creating a more robust and prosperous future for all Utahns.

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Welcome to the Utah Department of Commerce



The Utah Department of Commerce is the licensing and registration agency for Utah's professional and business community. It was established in its current form in 1983 out of the previous Department of Business Regulation, which replaced the Utah Trade Commission in 1941. The Legislative Findings creating the Department recognize that businesses and professions are beneficial to Utah and note that the primary purpose of the Department's regulation is the general public interest.

Our Mission, Vision & Values

At the Department of Commerce, we envision a Utah where commercial activities operate efficiently and fairly. Within our statutory responsibilities, we work toward this vision by strengthening trust in Utah's Commercial activities in three ways:

Regulations

Facilitate reasonable, reliable, relevant licensing and regulation.

Enforcement

Enforce regulations fairly and effectively.

Education

Empower customers and the general public through education about conducting commercial activities safely and effectively.

As we have worked toward this vision and mission, we have used the core values of Trust and Unity to guide our actions. These values help us align our workforce and their amazing efforts to empower Utah's marketplace, creating a space where customers can trust and know that we are looking out for their best interests.



Divisions & Roles

Division of Consumer Protection

The Division of Consumer Protection (DCP) is responsible for protecting consumers in the state through education and impartial enforcement. DCP administers more than 25 Utah State Laws, including those related to business opportunities, charities, consumer sales practices, credit services, health spas, telephone fraud, and most recently social media and data privacy laws, among others. The Division works to stop deceptive and fraudulent business practices by investigating consumer complaints and where warranted, bringing enforcement actions. The Division also strives to educate consumers and businesses about the laws regulated by the division, and licensing or registering regulated entities.

Division of Corporations

The Division of Corporations and Commercial Code (DCCC) is responsible for registering all statutory business entities, state trademarks, and Article 9 lien notice filings. In addition, the Division records certain service of process and bankruptcy filings, as well as other less noticeable, but equally important filings. Businesses that register with the Division include profit and non-profit corporations, limited liability companies, limited partnerships, and more. The Division also files Uniform Commercial Code filings relative to Revised Article 9 and agricultural liens under the CFS filing guidelines. Although the Division provides many services, it is not an investigative nor enforcement agency and will not compel anyone to make statutorily required filings.

Division of Professional Licensing

The Division of Professional Licensing (DOPL) is responsible for administering and enforcing laws related to the licensing and regulation of various professions. They issue licenses in about 60 categories, each with multiple classifications. DOPL processes over 43,000 new applications and 109,000 renewal applications annually. The organization is divided into licensing and investigations, with several independent programs under its jurisdiction.

Division of Real Estate

Overall, the Division of Real Estate (DRE) plays a vital role in ensuring that Utah's real estate industry operates ethically and efficiently. With a mission to safeguard the public and promote responsible business practices through education, licensure, and regulation of real estate, mortgage, and appraisal professionals, the DRE is an essential component of Utah's real estate industry. The agency administers various Utah State Laws, including the Real Estate Licensing and Practices Act, the Real Estate Appraiser Licensing and Certification Act, the Appraisal Management Company Registration & Regulation Act, the Utah Residential Mortgage Practices & Licensing Act, the Timeshare and Camp Resort Act, and the Utah Uniform Land Sales Practices Act.

Division of Securities

The Division of Securities (SEC) is responsible for regulating the investment industry and enforcing securities laws in the state. Through the issuance of licenses to broker-dealers and investment advisers, the Division aims to ensure a level playing field and minimum standards of competence, training, and fair dealing among all agents and representatives doing business in Utah. Additionally, the Division seeks to educate and protect investors by providing information, resources, and tools to help them make informed decisions about investments, identify common scams, and research investment opportunities and sellers.

Division of Public Utilities

The Division of Public Utilities in Utah (DPU) ensures safe and reliable utility service at reasonable prices. It handles consumer complaints, monitors compliance with regulations, and is divided into five sections: Energy, Telecommunications, Water, Pipeline Safety, and Customer Service. Regulated utilities include electric power, natural gas, water, and sewer, as well as intrastate natural gas pipelines. Unregulated utilities include wireless phone services, cable and wireless internet, and fuel oil, propane, or gasoline.

Office of Artificial Intelligence Policy & Learning Lab

The Office of Artificial Intelligence Policy and the Artificial Intelligence Learning Laboratory Program aim to position Utah at the forefront of AI study by fostering informed legislation and regulation. The office will consult with businesses and stakeholders, facilitate policy dialogues, and ensure that the regulatory landscape encourages innovation while protecting the interests of Utahns.

Office of Consumer Services

The Office of Consumer Services in Utah (OCS) serves as the state's utility consumer advocate, representing the interests of residential, small commercial, and agricultural customers of natural gas, electric, and telephone services. Established in 1977 as the Committee of Consumer Services, the organization was reorganized in 2009 and is now led by a director appointed for a six-year term. The Committee of Consumer Services, a layperson board, advises the OCS and helps establish policy objectives. The OCS is also a member of NASUCA, a national organization of utility consumer advocates, to stay informed on consumer advocacy issues and improve their effectiveness in addressing local issues.

Office of Professional Licensure Review

The Office of Professional License Review (OPLR) conducts regular, systematic, and objective reviews of regulated occupations in Utah to provide recommendations to legislators, industry, and licensed individuals on potential changes to licensing requirements. The agency aims to balance protecting the public's health, safety, and financial welfare with minimizing the burden for qualified individuals to practice their chosen occupations. OPLR prioritizes professions based on criteria used in the reviews and requires a data-informed sunrise review for all proposed occupational regulations prior to their introduction in the legislature. Factors considered in the review include harm to the public, demand in the economy, economic impact, regulation in other states, and the likely effects of different regulatory options.

Office of Property Rights Ombudsman

The Office of the Property Rights Ombudsman (OPRO) is an independent, neutral office that safeguards the property rights of the citizens of Utah. OPRO provides assistance to citizens and government agencies in comprehending and adhering to property rights laws, resolving disputes, and advocating for fairness and balance when private rights clash with public needs. The Office offers various methods to help citizens and government officials with issues related to takings, eminent domain, and land use law, including education, negotiation, mediation, arbitration, and Advisory Opinions. OPRO's involvement helps minimize the impact of strong personal feelings, and it ensures an objective resolution for all parties involved.



Strategic Assessment

Utah is the national social capital leader. Our communities have tremendous levels of mutual support, cooperation, goodwill, fellowship, and civic virtue. This unique environment must be protected as one of Utah's greatest assets - but at times, that trust has gotten some of our citizens in trouble. Each year, millions of dollars (\$39 million reported in 2021) of hard-earned money from Utahns is lost through Ponzi schemes, unlicensed work, scams, and fraud. Each of these schemes is a blow to trust. Lack of trust in our commercial activities stunts Utah's ability to grow its economy.

Utah is disproportionately affected by trust-based scams that prey on our charitable giving, investor/savings mentality, and social capital:

- Top ten (on average) for business opportunity scams
- Highest per capita state on Ponzi schemes
- Eighth, for investment-related scams



These harms are perpetuated when no one speaks up, notices them for what they are, or understands the laws. The harm increases the longer the perpetrator goes before finding an informed Utahn. Education can empower people not to fall for things in the first place, regulating certain commercial activities helps to correct information asymmetry, and enforcement provides a method of removing the bad actors from the market and often allows for restitution to those harmed.

The Department of Commerce, structurally a small agency, has a wide and far-reaching purview. Through our statutory purview, we can address many areas where Utah's social capital is at the most risk. The work we do within the Department

affects every Utah citizen daily, whether that be through their ability to heat and power their homes, seek healthcare, or operate or visit a business., etc. Daily, we work to ensure we do not act as a roadblock to these vital and daily interactions with the government. Instead, we strive to be present in the space we are needed with just the right amount of oversight to promote efficient and fair economic conditions that help grow Utah.

Sources

Federal Tax Commission (FTC)

<https://public.tableau.com/app/profile/federal.trade.commission/viz/FraudReports/FraudFacts>

Deseret News

<https://www.deseret.com/2019/4/29/20671965/does-utah-deserve-the-title-fraud-capital-of-the-united-states>

Critical Success Factors

Our efforts to achieve this balance center around three primary areas, our Critical Success Factors (CSF):

01

Ensure regulation, enforcement, and education activities are effective, efficient, and relevant in a constantly changing and growing economy.

02

Ensure management and system infrastructure are up-to-date and prepared to meet the challenges of continued economic growth.





03

Strengthen and manage employee communication and Department culture.



These CSF act as the pillars of our strategic plan and create specific action areas where our teams can align their efforts to implement our strategic objectives and fulfill our mission successfully. By ensuring our work is moving the needle on one of these three factors, we are confident that we will positively impact Utah's commercial activities, bringing us closer to achieving our vision of an efficient and fair marketplace for Utah's commercial activities.

Each CSF is broken down into several themes, represented by Primary Objectives. Each objective sets us up to accomplish challenging, ambitious goals with measurable results. These objectives are intended as long-term targets that identify the future state we wish to achieve and allow us to institute the following mindsets into our short-term strategies while not losing track of the mission:

Focus	Objectives allow our team to rally behind carefully chosen priorities.	
Alignment	Objectives provide a method for our entire organization to align its goals at every layer with its top-level priorities and ultimate purpose as all work cascades from these themes.	
Commitment	Objectives demand a level of collective commitment from the parties involved to choose and stick to agreed-upon priorities.	
Tracking	Objectives allow our team to track their progress toward a goal and know earlier when to change tactics.	
Stretching	Objectives empower our teams to set goals that stretch beyond "business as usual" and make significant, meaningful changes.	

For each objective, the Department has identified priority strategies we will use to build efficiencies and practices that will help us achieve and measure these ambitious goals. Each CSF, Primary Objective, and corresponding strategy is identified and explained below. Quarterly milestones for each strategic implementation are identified in our annual work plans. Benchmarks and performance metrics will be introduced as strategies reach measurable stages of development.

Ensure regulation, enforcement, and education activities are effective, efficient, and relevant in a constantly changing and growing economy.

In a constantly evolving and expanding economy, it is essential that our regulatory, enforcement, and educational activities remain effective, efficient, and relevant. This critical success factor provides focus to our external efforts of adapting to the changing regulatory landscape to reinforce public trust in commercial activities. This commitment to excellence in regulation, enforcement, and education underscores our dedication to fostering a trustworthy and dynamic economic environment for all.



Objective: Improve the efficacy of consumer, licensee, and business education efforts to help them avoid fraud and/or licensee pitfalls by building a proactive and strategic communication and public engagement strategy.

Utah, as the national leader in social capital, is committed to safeguarding our community's well-being. Recognizing the limitations of regulation alone, we aim to enhance our educational efforts to prevent harm before it occurs. By building a proactive and strategic communication and public engagement strategy, we aim to empower our community with the knowledge and tools needed for informed decision-making and increased resilience against fraudulent activities. To achieve this, we have outlined the following implementation strategies:

1.1.1

Develop and begin implementation of Commerce user experience plan, with Division specific objectives.

1.1.2

Increase public accessibility of Commerce information related to commercial activities to help educate and support economic decisions.

1.1.3

Leverage market research to develop public awareness of constantly changing markets and new scams, frauds, and other public harm.

1.1.4

Target education and outreach based on complaint trends and emerging issues to inform consumers of resources and tools.

1.1.5

Promote effective substance use disorder prevention and monitoring to improve the health and well-being of the public and licensed healthcare professionals.



Objective: Review regulation to reduce unnecessary burdens on the public and increase relevancy.

Our commitment to serving the public includes ensuring that regulations are both necessary and relevant. By streamlining regulatory requirements, we aim to foster a more efficient, responsive, and supportive environment for all stakeholders. This initiative reflects our dedication to continuous improvement and the responsible governance of our community.

1.2.1

Strengthen connection with boards and commissions to ensure transparency and understanding of Department processes/needs.

1.2.2

Upgrade regulatory framework, including but not limited to statute, rule, policy/ process, to enable workforce of the future and optimally balance safety and quality with supply and access for the public.

1.2.3

Study the feasibility of a victim restitution fund.

1.2.4

Develop pathways for internationally trained applicants to obtain licensure in Utah.

1.2.5

Foster legislative and other stakeholder relationships in order to accomplish policy objectives.

Objective: To encourage innovation, protect the public from harm, and actively observe and learn within the field of artificial intelligence.

In an era where artificial intelligence (AI) is reshaping industries and transforming societal landscapes, our strategic objective is to encourage solutions that harness the potential of AI to foster innovation, ensure public safety, and continuously learn and adapt. We are committed to supporting groundbreaking advancements that push the boundaries of what is possible, while simultaneously upholding our responsibility to protect individuals and communities from potential risks. By actively engaging with emerging trends and developments in AI, we aim to remain at the forefront of this dynamic field, contributing to a future where AI serves as a powerful force for good.

1.3.1

Develop and execute initial AI lab learning agendas.

1.3.2

Create mitigation agreements where appropriate to spur innovation in the state.

1.3.3

Create and implement regulatory mitigation structure.

1.3.4

Maintain in-house expertise on ongoing AI developments that may impact the state.



Objective: Focus Commerce resources to address concerns on social media for minors.

In today's digital age, the presence of minors on social media has become a significant concern. Our strategic objective is to prioritize and allocate our Commerce resources to effectively address these issues. We are dedicated to creating a safer online environment for young users by tackling the unique challenges they face. Through proactive engagement and innovative solutions, we aim to ensure that social media is a space where minors can connect, learn, and grow without compromising their safety and well-being.

1.4.1

Work with stakeholders to communicate and educate the public on social media statutes, rules, and enforcement.

1.4.2

Evaluate and develop new social media rules consistent with legislative intent.

1.4.3

Hold social media companies accountable for harmful behaviors.

Objective: Undertake effective utility rate and reliability advocacy and property dispute resolution within statutory missions in appropriate forums.

In addition to our licensing and enforcement roles, the Department plays a crucial role in advocating for fair utility rates and ensuring reliable services, as well as resolving property rights disputes. These roles are essential in maintaining the well-being and economic stability of our community. We are currently prioritizing the following strategies in these critical areas to enhance our impact and support the public effectively:

1.5.1

Continue to develop the statewide land use training coordination program to:

- 1 foster orderly and sustainable growth throughout Utah; and
- 2 provide tools and resources to agencies addressing critical land use topics in their respective communities, all in accordance with state law and priorities.

1.5.2

Streamline advisory opinion investigation and drafting process to be more responsive to the needs of the parties involved.

1.5.3

Engage in relevant state, regional, and national forums to represent Utah and Utah utility consumers on priority utility issues, including with state policy makers as needed to address emerging issues.

1.5.4

Engage in electric general rate case proceedings in a manner consistent with statutory missions and priorities, with a focus on preserving reasonable rates and promoting efficient utility management.

1.5.5

Incorporate recent legislative energy policy changes in agency work products by taking positions in PSC proceedings that focus on practical and effective implementation of policy changes that promote the public interest and consumer benefits.



Ensure management and system infrastructure are up-to-date and prepared to meet the challenges of continued economic growth.



While our first critical success factor emphasizes our external efforts, this second factor focuses on fortifying our internal capabilities to support and sustain our efforts. By maintaining robust and responsive systems, we aim to protect consumers, support businesses, and uphold the integrity of the marketplace. This internal focus is crucial for the effectiveness and reliability of our external initiatives, ensuring we can continue to adapt and thrive in a dynamic economic environment

Increase trust, effectiveness, and fairness in licensing, registration, enforcement, and auditing activities

By focusing on building trust in our critical functions of licensing, registration, enforcement, and auditing, we aim to build confidence among stakeholders, ensure compliance, and maintain equitable standards across all operations.

2.1.1

Standardize processes, harmonize efforts, and identify best practices to improve the licensing and enforcement processes.

2.1.2

Complete full fee analysis and identify a structural solution for the future alignment of fees with budgetary and operational needs.

2.1.3

Ensure investigative and legal resources are directed to address the areas where there is the most potential for harm.

Improve quality of process.

Through streamlining and refining of our procedures, we aim to increase efficiency, effectiveness, and overall service excellence, ensuring better outcomes for our stakeholders and the community we serve.

2.2.1

Leverage technology improvement and other resources to create more efficient processes while increasing quality service and outcomes.

2.2.2

Upgrade the DCCC OSBR customer interfaces and back office system to a single SAAS platform, including connecting business types with education regarding additional regulatory requirements.

2.2.3

Upgrade customer interfaces for DCP, DOPL, and DRE application, renewal, and other online services to a single SAAS platform.

2.2.4

Evaluate current technology, define current and future needs, and develop a technology plan for the coming years.

Improve stewardship and standards for the management and use of Commerce data.

2.3.1

Provide Commerce related data, both internally and externally, in compelling and usable way to guide policy makers and.

2.3.2

Strengthen data privacy standards and practices to align with and ensure compliance with the requirements of the Government Data Privacy Act and rules established by the Office of Data Privacy.

Improve operations and use of Department resources to enhance efficiency, resource utilization, and emergency preparedness.

2.4.1

Establish routines to reinforce and train employees on Department emergency response.

2.4.2

Enhance current workspaces to increase flexibility and efficiency and align with our staffing needs.

2.4.3

Streamline workgroup structures to achieve management efficiencies and optimize team performance.

Strengthen and manage employee communication.



We firmly believe that our organization is only as strong as our employees and the culture we cultivate. Strengthening and managing employee communication is a vital critical success factor that underpins all our efforts. Effective internal communication ensures that our team is aligned, motivated, and equipped to carry out the tasks we are entrusted with. By fostering a culture of transparency, collaboration, and continuous feedback, we empower our employees to perform at their best, driving the success of our mission. Without their dedication and cohesion, we could not achieve our objectives and serve our community effectively.

Refine management and communication practices.

3.1.1

Prioritize quality professional development and training to foster a growth environment.

3.1.2

Refine and improve the administration of the pay for performance program to better align employee performance with the strategic plan, to focus on employee value, and meet department needs.

Increase internal trust through communication.

3.2.1

Refine communication between management and employees, including feedback.

3.2.2

Identify and promote benefits and resources for staff.

3.2.3

Exploit synergies and increase cooperation across divisions.





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Contact Us

Phone

(801) 530-6701

Website

www.commerce.utah.gov

Address

160 E Broadway, Salt Lake City, UT 84111