

Subject: Official Notice Regarding Legislative Changes Affecting Division of Consumer Protection Registrations

During the 2026 General Legislative Session, the Legislature passed [SB 38](#), which takes effect on **May 6, 2026**. This bill modifies registration and compliance requirements for the statutes enforced by the Division.

Highlighted below are some key registration changes to **Health Spa Services Protection Act**, Utah Code § 13-23-101 *et seq.* Refer to lines 2129-2607 of [SB 38](#) that pertain to Health Spa Services Protection Act.

Name Change

- **The name of the statute changed from the Health Spa Services Protection Act to the Fitness Center Services Protection Act.**
- Replaces the term health spa with fitness center throughout the Act.
- **Please note:** The name change impacts membership contracts, surety bonds, irrevocable letters of credit, and any other documents that include the term “health spa.”
- **New contracts and renewed contracts with members must include the new terminology and change “health spa” to “fitness center” by May 6, 2026.**
- Current members in active contracts do not need to sign new contracts with the new terminology.

Surety Requirements

- **An irrevocable letter of credit is no longer an acceptable surety.** See lines 2395-2464 of SB 38.
- The Division will no longer accept irrevocable letters of credit effective May 6, 2026. The only two options are the certificate of deposit or a surety bond.
- **If a fitness center currently has an irrevocable letter of credit in place, the fitness center must obtain either a surety bond or a certificate of deposit by May 6, 2026.**
- These forms are available on the Division’s [website](#).
- Updated surety bond forms and certificate of deposit forms with the change to fitness center will be available on the website on May 6th.
- Please contact your surety company or bank to legally update the documents with the correct terminology. (Surety companies can issue a rider changing the original bond for a “health spa” to a “fitness center” without having to obtain a new surety bond.)

Enforcement, Penalties, and Prohibited Acts

- For enforcement and penalties, see lines 2532-2565 of SB 38.
- For prohibited acts, see lines 2483-2492 of SB 38.

Denial, Suspension, or Revocation

- The Division has the authority to deny, suspend, or revoke a registration. See lines 2568-2606 of SB 38.

Please review the full text of [SB 38](#) to ensure your entity meets ALL updated requirements before the May 6, 2026, effective date.

The Division is unable to provide legal advice. For specific legal interpretations of the bill, please consult an attorney. For all other inquiries, contact the Division directly at dcregistrations@utah.gov.