

## **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 the **Maintenance Funding Practices Act**, Utah Code § 13-57-101 *et seq.* Refer to lines 6005-6238 of [SB 38](#) that pertain to Maintenance Funding Providers.

### **Registrations**

- A maintenance funding provider is required to update the Division within 30 days of any information on the application that becomes incorrect or incomplete. See lines 6057-6059 of SB 38.

### **Denials, Suspensions, Revocations**

- The Division has the authority to deny, suspend, or revoke an application or registration. See lines 6068-6093 of SB 38.

### **Prohibited Acts**

- A maintenance funding provider may not represent that the Division or the State endorses the maintenance funding provider.
- For **ALL** prohibited acts, see lines 6093- 6124 of SB 38.

### **Penalties and Enforcement**

- Updates penalty fine amount and enforcement authority. See lines 6210-6238 of SB 38.

The Legislature also passed [HB 280](#), Third Party Litigation Funding Amendments.

Highlighted below are some of the additional key registration changes to the **Maintenance Funding Practices Act**, Utah Code § 13-57-101 *et seq.*

### **Defines A Consumer Maintenance Fund Agreement and Commercial Maintenance Funding Agreements.**

- See lines 56-151 of HB 280.

- Registration with the Division is required for both a consumer maintenance funding provider and a commercial maintenance funding provider. See lines 156-160 of HB 280.

### **Changes to a Consumer Maintenance Funding Agreement**

- Requires the agreement to be written in a clear and coherent manner, using words with common, everyday meanings.
- Requires the agreement to be complete before a consumer signs that agreement.
- Requires the agreement to include a written certification, signed by the consumer. See lines 299-313 of HB 280. for the required language.
- Extends the right to rescind from 5 business days to 10 business days. See line 338 of HB 280.
- For ALL changes to maintenance funding agreements, see lines 251-315 of HB 280.

### **Establishes Priority and Assignability Provisions**

- See lines 361-366 of HB 280.

### **Prohibited Acts**

- Prohibits maintenance funding arrangements involving foreign entities
- Restricts certain relationships between attorneys and maintenance funding providers.
- A consumer maintenance funding provider may not attempt to obtain a waiver of a remedy or a right, including a right to trial by jury.
- For ALL prohibited acts see lines 189-226 and 368-381 of HB 280.

**Please review the full text of [SB 38](#) and [HB 280](#) to ensure your entity meets ALL updated requirements for your specific registration type 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](mailto:dcregistrations@utah.gov).