

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 **Telephone Fraud Prevention Act (TFPA)**, Utah Code § 13-26-101 *et seq.* See lines 2628–3105 of [SB 38](#) that pertain to the TFPA.

Definitions

- “Director”, “Material fact”, “Solicitor”, and “Standing order arrangements” are now defined terms. See lines 2628-2709 of SB 38.

Registration Requirement Modifications

- Designate a registered agent for service of process in the state and provide contact information. See lines 2714-2746 of SB 38.
- Proof of residency documentation is no longer required for a registered agent. See lines 2721-2746 of SB 38.
- Submit a renewal registration application at least 30 days before the current registration expires. See lines 2826-2827 of SB 38.

Surety Requirements

- **An irrevocable letter of credit is no longer an acceptable surety.** See lines 2747-2791 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 seller currently has an irrevocable letter of credit in place, the seller must obtain either a surety bond or a certificate of deposit by May 6, 2026.**
- The Division approved forms are available on the Division’s [website](#).

Oral Disclosures and Cancellation Methods

- Sellers must orally advise the consumer of their legal name, telephone number, complete mailing address, and email address before engaging in a solicitation. See lines 2962-2967 of SB 38.
- Consumers may now cancel a sale by sending a notice to the seller’s email address, and the requirement for mailed physical notices to be “postage prepaid” has been removed. See lines 2984-2991 of SB 38.

Penalties and Enforcement, and Prohibited Practices

- For enforcement and penalties, see lines 3009-3056 of SB 38.
- For prohibited practices, see lines 3064-3105 of SB 38.

Registration Denial, Suspension, or Revocation

- The Division has the authority to deny, suspend, or revoke a registration. See lines 2839-2863 of SB 38.

Please review the full text of [SB 38](#) 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.