

1 **Residential Notification Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jake Fitisemanu

Senate Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill amends provisions related to notice requirements for regulated residential
5 treatment programs.

6 **Highlighted Provisions:**

7 This bill:

- 8
- 9 ▶ defines terms; and
 - 10 ▶ requires regulated residential facilities to:
 - 11 • notify nearby property owners and residents before beginning operations; and
 - 12 • provide contact information for a designated representative to neighboring residents.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 AMENDS:

19 **26B-2-117**, as last amended by Laws of Utah 2025, Chapter 417

20 *Be it enacted by the Legislature of the state of Utah:*

21 Section 1. Section **26B-2-117** is amended to read:

22 **26B-2-117 . Licensing residential treatment programs and recovery residences --**

23 **Notification of local government -- Notification of neighboring residents.**

24 (1) As used in this section:

25 (a) "Regulated residential facility" means a licensed or certified:

26 (i) residential treatment program;

27 (ii) residential support program;

28 (iii) recovery residence; or

29 (iv) facility that provides social detoxification services.

30

- 31 (b) "Regulated residential facility" does not include a congregate care program.
- 32 [~~(1)~~] (2)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
33 Act, the office shall make rules that establish categories of residential treatment and
34 recovery residence licenses based on differences in the types of residential treatment
35 programs and recovery residences.
- 36 (b) The categories referred to in Subsection [~~(1)~~](a) (2)(a) may be based on differences in:
37 (i) services offered;
38 (ii) types of clients served;
39 (iii) risks posed to the community; or
40 (iv) other factors that make regulatory differences advisable.
- 41 [~~(2)~~] (3) Subject to the requirements of federal and state law, and pursuant to the authority
42 granted by Section 26B-2-104, the office shall establish and enforce rules that:
43 (a)(i) relate generally to all categories of residential treatment program and recovery
44 residence licenses; and
45 (ii) relate to specific categories of residential treatment program and recovery
46 residence licenses on the basis of the regulatory needs, as determined by the
47 office, of residential treatment programs and recovery residences within those
48 specific categories;
- 49 (b) preclude each qualified residential treatment program and each qualified recovery
50 residence from refusing to accept a client based solely on the client's use of
51 medication assisted treatment consistent with the recommendation of a licensed
52 prescriber or provider;
- 53 (c) require each qualified residential treatment program and each qualified recovery
54 residence to allow a client to receive medication assisted treatment as recommended
55 by a licensed prescriber or provider; and
- 56 (d) require that each Medicaid provider contract with a qualified residential treatment
57 program or a qualified recovery residence includes a provision obligating the
58 provider to comply with rules enacted pursuant to Subsections [~~(2)~~](b) (3)(b) and (c),
59 subject to the sanctions provided pursuant to Subsection 26B-3-108(6).
- 60 [~~(3)~~] (4)(a) Beginning July 1, 2014, the office shall charge an annual licensing fee, set by
61 the office in accordance with the procedures described in Section 63J-1-504, to a
62 recovery residence in an amount that will pay for the cost of the licensing and
63 inspection requirements described in this section and in Section 26B-2-104.
- 64 (b) The office shall deposit the licensing fees described in this section in the General

65 Fund as a dedicated credit to be used solely to pay for the cost of the licensing and
66 inspection requirements described in this section and in Section 26B-2-104.

67 ~~[(4)]~~ (5) Before submitting an application for a license to operate a residential treatment
68 program, the applicant shall serve notice of ~~[its]~~ the applicant's intent to operate a
69 residential treatment program on the governing body of:

70 (a) the city in which the residential treatment program will be located; or

71 (b) if the residential treatment program will be located in the unincorporated area of a
72 county, the county in which the residential treatment program will be located.

73 ~~(6)~~ Within 30 days before or after the first day on which a regulated residential facility first
74 provides services, the regulated residential facility shall provide notice of the facility's
75 operations to each property or residence located within 300 feet of the location where
76 the regulated residential facility is located by:

77 (a) mailing notice to the property or residence; or

78 (b) attaching notice to the main entrance of the property or residence.

79 ~~[(5)]~~ (7)(a) The notice described in Subsection ~~[(4)]~~ (5) shall include the following
80 information relating to the residential treatment program:

81 ~~[(a)]~~ (i) an accurate description of the residential treatment program;

82 ~~[(b)]~~ (ii) the location where the residential treatment program will be operated;

83 ~~[(c)]~~ (iii) the services that will be provided by the residential treatment program;

84 ~~[(d)]~~ (iv) the type of clients that the residential treatment program will serve;

85 ~~[(e)]~~ (v) the category of license for which the residential treatment program is
86 applying to the office;

87 ~~[(f)]~~ (vi) the name, telephone number, and address of a person that may be contacted
88 to make inquiries about the residential treatment program; and

89 ~~[(g)]~~ (vii) any other information that the office may require by rule.

90 (b) The notice described in Subsection (6) shall include the following information
91 relating to the regulated residential facility:

92 (i) the location where the regulated residential facility will be operated;

93 (ii) a description of the regulated residential facility's treatment focus; and

94 (iii) contact information, including a telephone number and an email address, for a
95 representative of the regulated residential facility.

96 ~~[(6)]~~ (8) When submitting an application for a license to operate a residential treatment
97 program, the applicant shall include with the application:

98 (a) a copy of the notice described in Subsection ~~[(4)]~~ (5); and

99 (b) proof that the applicant served the notice described in Subsection [~~(4)~~] (5) on the
100 governing body described in Subsection [~~(4)~~] (5).

101 Section 2. **Effective Date.**

102 This bill takes effect on May 6, 2026.