

OCCUPATIONAL SAFETY AND HEALTH AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Robles

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Utah Occupational Safety and Health Act to address inspections of workplaces.

Highlighted Provisions:

This bill:

- ▶ requires the creation of a program of investigations;
- ▶ modifies where civil penalties are to be deposited;
- ▶ creates the Occupational Safety and Health Restricted Account; ~~§~~→ [amd]
- ▶ requires reporting; and ←~~§~~
- ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

34A-6-301, as last amended by Laws of Utah 2011, Chapter 297

34A-6-307, as last amended by Laws of Utah 2008, Chapter 382

ENACTS:

34A-6-308, Utah Code Annotated 1953

S.B. 46



214 (b) [~~Any~~] A person who gives advance notice of any inspection conducted under this
 215 chapter without authority from the administrator or the administrator's representatives is guilty
 216 of a class A misdemeanor.

217 (c) [~~Any~~] A person who knowingly makes a false statement, representation, or
 218 certification in any application, record, report, plan, or other document filed or required to be
 219 maintained under this chapter is guilty of a class A misdemeanor.

220 (6) After a citation issued under this chapter and an opportunity for a hearing under
 221 Title 63G, Chapter 4, Administrative Procedures Act, the division may file an abstract for any
 222 uncollected citation penalty in the district court. The filed abstract shall have the effect of a
 223 judgment of that court. The abstract shall state the amount of the uncollected citation penalty,
 224 reasonable [~~attorneys'~~] attorney fees as set by commission rule, and court costs.

225 Section 3. Section **34A-6-308** is enacted to read:

226 **34A-6-308. Occupational Safety and Health Restricted Account.**

227 (1) There is created in the General Fund a restricted account known as the
 228 "Occupational Safety and Health Restricted Account."

229 (2) The Occupational Safety and Health Restricted Account shall consist of the civil
 230 penalties collected under Section 34A-6-307.

231 (3) Subject to appropriation by the Legislature, the division shall use the money in the
 232 Occupational Safety and Health Restricted Account to ~~§~~→ :

232a (a) ~~←~~§ fund the program of investigations

233 established under Subsection 34A-6-301(1)(b) ~~§~~→ [:] ; and

233a (b) with the money remaining in the Occupational Safety and Health Restricted Account after
 233b funding the program described in Subsection (3)(a), fund activities of the division that are
 233c authorized under this chapter and address occupational health and safety.

233d (4) The division shall annually report to the Business, Economic Development, and Labor
 233e Appropriations Subcommittee regarding the programs and services funded by the
 233f Occupational Safety and Health Restricted Account. ~~←~~§

Legislative Review Note
 as of 1-16-13 4:07 PM

Office of Legislative Research and General Counsel