

152 (i) subject to Subsection (5), [~~for a classified service employee,~~] the salary range [~~of~~
153 ~~the position classified plan~~] for the employee's position; and

154 (ii) an increase, decrease, or no change in the employee's wage:

155 (A) commensurate to an employee's performance as reflected by the employee's
156 evaluation conducted in accordance with the pay for performance management system; and

157 (B) in an amount that is in accordance with the guidelines and criteria established for a
158 wage change in the pay for performance management system.

159 (5) [~~It~~] The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
160 Administrative Rulemaking Act, [~~the division shall make rules authorizing a classified service]~~
161 authorizing an employee to receive a wage that exceeds the salary range of the [~~classified~~
162 ~~service~~] employee's position [~~classified plan~~] if warranted based on the ~~H~~→ [classified] ←~~H~~
162a employee's
163 performance rating.

164 (6) An independent entity may participate in the pay for performance management
165 system by providing written notice to the division that:

166 (a) states the intent of the independent entity to participate in the system; and

167 (b) indicates that the independent entity agrees to comply with Subsection (7).

168 (7) An independent entity described in Subsection (6) shall comply with:

169 (a) this section; and

170 (b) the rules and policies of the division that relate to participation in the pay for
171 performance management system.

172 Section 3. Section **63A-17-301** is amended to read:

173 **63A-17-301. Career service -- Exempt positions -- Schedules for civil service**
174 **positions -- Coverage of career service provisions -- Rulemaking authority.**

175 (1) Except as provided in Subsection (3)(d), the following positions are exempt from
176 the career service provisions of this chapter and are designated under the following schedules:

177 (a) schedule AA includes the governor, members of the Legislature, and all other
178 elected state officers;

179 (b) schedule AB includes appointed executives and board or commission executives
180 enumerated in Section 67-22-2;

181 (c) schedule AC includes all employees and officers in:

182 (i) the office and at the residence of the governor;