

**Child Labor Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

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**LONG TITLE****Committee Note:**

The Business and Labor Interim Committee recommended this bill.

Legislative Vote: 13 voting for 0 voting against 9 absent

**General Description:**

This bill amends provisions relating to the employment of minors.

**Highlighted Provisions:**

This bill:

- classifies child-labor related acts as different crimes;
- allows the Labor Commission to request that law enforcement investigate a person under certain circumstances;
- allows the commission to share information with law enforcement under certain circumstances; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**34-23-402**, as last amended by Laws of Utah 2009, Chapter 347

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

Section 1. Section **34-23-402** is amended to read:

**34-23-402 . Violation -- Criminal penalty.**

(1)(a) The commission may prosecute a misdemeanor criminal action in the name of the state.

(b) The county attorney, district attorney, or attorney general shall provide assistance in prosecutions under this section at the request of the commission.

- 32 (2) ~~[It is a class B misdemeanor for a person]~~ A person, whether individually or as an  
 33 officer, agent, or employee of any person, firm, or corporation~~[-to]~~ , violates this section  
 34 by:
- 35 (a) knowingly ~~[employ]~~ employing a minor or ~~[permit]~~ permitting a minor to work in a  
 36 repeated violation of this chapter;
  - 37 (b) ~~[refuse]~~ refusing or knowingly ~~[neglect]~~ neglecting to furnish to the commission, any  
 38 information requested by the commission under this chapter;
  - 39 (c) ~~[refuse]~~ refusing access to that person's place of business or employment to the  
 40 commission or ~~[its]~~ the commission's authorized representative when access has been  
 41 requested in conjunction with an investigation related to this section;
  - 42 (d) ~~[hinder]~~ hindering the commission or ~~[its]~~ the commission's authorized representative  
 43 in the securing of any information authorized by this section;
  - 44 (e) ~~[refuse]~~ refusing or knowingly ~~[omit]~~ omitting or ~~[neglect]~~ neglecting to keep any of  
 45 the records required by this chapter;
  - 46 (f) knowingly ~~[make any]~~ making a false statement, representation, or certification in any  
 47 application, record, report, plan, or other document filed or required to be maintained  
 48 under this chapter;
  - 49 (g) ~~[discharge]~~ discharging an employee or ~~[threaten]~~ threatening to or ~~[retaliate]~~  
 50 retaliating against an employee because:
    - 51 (i) the employee has testified;
    - 52 (ii) is about to testify; or
    - 53 (iii) the employer believes that the employee may testify in ~~[any]~~ an investigation or [  
 54 ~~proceedings]~~ proceeding relative to the enforcement of this chapter; ~~[and]~~ or
  - 55 (h) willfully ~~[violate any]~~ violating an order issued under this chapter.
- 56 (3) A violation of Subsection (2) is:
- 57 (a) a class B misdemeanor on the first offense;
  - 58 (b) a class A misdemeanor on the second offense; or
  - 59 (c) a third degree felony on the third or subsequent offense.
- 60 (4)(a) If the commission has reasonable suspicion that a person convicted of at least two  
 61 offenses under Subsection (3) has committed additional acts that violate Subsection  
 62 (2), the commission may request that law enforcement investigate that person.
- 63 (b) If the commission requests that law enforcement investigate a person as described in  
 64 Subsection (4)(a), law enforcement shall investigate that person.
  - 65 (c) The commission shall share any information relating to an offense described in this

66            section with law enforcement.

67    [~~3~~] (5) This section does not apply to [~~violations~~] a violation of Section 34-23-301.

68            Section 2. **Effective date.**

69    This bill takes effect on May 7, 2025.