

Employee Compensation Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gay Lynn Bennion

LONG TITLE**General Description:**

This bill modifies requirements related to compensation of executive branch employees.

Highlighted Provisions:

This bill:

- requires that compensation be based on the relative ability, knowledge, and skills of an employee; and
- prohibits an executive branch employer from inquiring regarding an employee's or prospective employee's current or previous compensation.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63A-17-104, as renumbered and amended by Laws of Utah 2021, Chapter 344

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

Section 1. Section **63A-17-104** is amended to read:

63A-17-104 . Discriminatory or prohibited employment practices.

(1) The state, the state's officers, and employees shall be governed by the provisions of Section 34A-5-106 of the Utah Antidiscrimination Act concerning discriminatory or prohibited employment practices.

(2)(a) As used in this Subsection (2):

(i) "State employer" means a state executive branch agency, including the State Tax Commission, the National Guard, and the Board of Pardons and Parole.

(ii) "State employer" does not include:

(A) an institute of higher education;

(B) the Utah Board of Higher Education;

- 32 (C) the State Board of Education;
- 33 (D) an independent entity, as defined in Section 63E-1-102;
- 34 (E) the Office of the Attorney General;
- 35 (F) the Office of the State Auditor; or
- 36 (G) the Office of the State Treasurer.
- 37 (b) Except as provided in Subsection (2)(c), a state employer:
- 38 (i) shall provide for equitable and competitive compensation, based on the relative
- 39 ability, knowledge, and skills of an employee; and
- 40 (ii) may not inquire regarding an employee's or prospective employee's current or
- 41 previous compensation.
- 42 (c) Subsection (2)(b) does not apply to an employee described in Subsection
- 43 63A-17-301(1)(a).
- 44 **Section 2. Effective date.**
- 45 This bill takes effect on May 7, 2025.