

Ryan D. Wilcox proposes the following substitute bill:

Law Enforcement Salary Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses law enforcement officer salaries.

Highlighted Provisions:

This bill:

▸ requires the director of the Division of Human Resource Management to work with the Division of Law Enforcement and Division of Forestry, Fire, and State Lands to create specialized pay plans for specific positions;

▸ requires the current salary survey for a law enforcement officer to include a survey of all state law enforcement agencies that employ, respectively, comparable positions; and

▸ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63A-17-110, as last amended by Laws of Utah 2022, Chapters 169, 274

63A-17-307, as last amended by Laws of Utah 2023, Chapter 489

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

Section 1. Section **63A-17-110** is amended to read:

63A-17-110 . State pay plans for DNR peace officers and wildland firefighters.

(1) As used in this section:

(a) "Division of Forestry, Fire, and State Lands" means the division created in Section 65A-1-4 within the Department of Natural Resources.

(b) "Division of Law Enforcement" means the division created in Section 79-2-702

- 30 within the Department of Natural Resources.
- 31 [(a)] (c) "DNR [~~peace~~] law enforcement officer" means an employee of the Department of
- 32 Natural Resources who is designated as a [~~peace~~] law enforcement officer by law.
- 33 [(b)] (d) "Wildland firefighter" means an employee of the Division of Forestry, Fire, and
- 34 State Lands who is:
- 35 (i) trained in firefighter techniques; and
- 36 (ii) assigned to a position of hazardous duty.
- 37 (2) The director shall:
- 38 (a) coordinate directly with the Division of Forestry, Fire, and State Lands and the
- 39 Division of Law Enforcement to establish [a-]specialized state pay [plan] plans for
- 40 DNR [~~peace~~] law enforcement officers and wildland firefighters that:
- 41 (i) meets the requirements of Section 63A-17-307;
- 42 (ii) distinguishes the salary range and proposed pay progression for each DNR peace
- 43 officer[~~and~~] ;
- 44 (iii) distinguishes the salary range for each wildland firefighter classification;
- 45 [(iii)] (iv) includes for each DNR peace officer and wildland firefighter classification:
- 46 (A) the minimum qualifications; and
- 47 (B) any training requirements; and
- 48 [(iv)] (v) provides standards for:
- 49 (A) performance evaluation; and
- 50 (B) promotion; and
- 51 (b) include, in the plan described in Subsection 63A-17-307(5), recommendations on
- 52 funding and salary increases for DNR peace officers and wildland firefighters.
- 53 Section 2. Section **63A-17-307** is amended to read:
- 54 **63A-17-307 . State pay plans -- Applicability of section -- Exemptions -- Duties of**
- 55 **director.**
- 56 (1)(a) This section, and the rules made by the division under this section, apply to each
- 57 career and noncareer employee not specifically exempted under Subsection (2).
- 58 (b) If not exempted under Subsection (2), an employee is considered to be in classified
- 59 service.
- 60 (2) The following employees are exempt from this section:
- 61 (a) members of the Legislature and legislative employees;
- 62 (b) members of the judiciary and judicial employees;
- 63 (c) elected members of the executive branch and employees designated as schedule AC

- 64 as provided under Subsection 63A-17-301(1)(c);
- 65 (d) employees of the State Board of Education;
- 66 (e) officers, faculty, and other employees of state institutions of higher education;
- 67 (f) employees in a position that is specified by statute to be exempt from this Subsection
- 68 (2);
- 69 (g) employees in the Office of the Attorney General;
- 70 (h) department heads and other persons appointed by the governor under statute;
- 71 (i) schedule AS employees as provided under Subsection 63A-17-301(1)(m);
- 72 (j) department deputy directors, division directors, and other employees designated as
- 73 schedule AD as provided under Subsection 63A-17-301(1)(d);
- 74 (k) employees that determine and execute policy designated as schedule AR as provided
- 75 under Subsection 63A-17-301(1)(l);
- 76 (l) teaching staff, educational interpreters, and educators designated as schedule AH as
- 77 provided under Subsection 63A-17-301(1)(g);
- 78 (m) temporary employees described in Subsection 63A-17-301(1)(r);
- 79 (n) patients and inmates designated as schedule AU as provided under Subsection
- 80 63A-17-301(1)(o) who are employed by state institutions; and
- 81 (o) members of state and local boards and councils and other employees designated as
- 82 schedule AQ as provided under Subsection 63A-17-301(1)(k).
- 83 (3)(a) The director shall prepare, maintain, and revise a position classification plan for
- 84 each employee position not exempted under Subsection (2) to provide equal pay for
- 85 equal work.
- 86 (b) Classification of positions shall be based upon similarity of duties performed and
- 87 responsibilities assumed, so that the same job requirements and the same salary
- 88 range, subject to Section 63A-17-112, may be applied equitably to each position in
- 89 the same class.
- 90 (c) The director shall allocate or reallocate the position of each employee in classified
- 91 service to one of the classes in the classification plan.
- 92 (d)(i) The division shall conduct periodic studies and interviews to provide that the
- 93 classification plan remains reasonably current and reflects the duties and
- 94 responsibilities assigned to and performed by employees.
- 95 (ii) The director shall determine the need for studies and interviews after considering
- 96 factors such as changes in duties and responsibilities of positions or agency
- 97 reorganizations.

- 98 (4)(a) With the approval of the executive director and the governor, the director shall
99 develop and adopt pay plans for each position in classified service.
- 100 (b) The director shall design each pay plan to achieve, to the degree that funds permit,
101 comparability of state salary ranges to the market using data obtained from private
102 enterprise and other public employment for similar work.
- 103 (c) The director shall adhere to the following in developing each pay plan:
104 (i) each pay plan shall consist of sufficient salary ranges to:
105 (A) permit adequate salary differential among the various classes of positions in
106 the classification plan; and
107 (B) reflect the normal growth and productivity potential of employees in that class.
108 (ii) The director shall issue rules for the administration of pay plans.
- 109 (d) The establishing of a salary range is a nondelegable activity and is not appealable
110 under the grievance procedures of Part 6, Grievance Provisions, Title 67, Chapter
111 19a, Grievance Procedures, or otherwise.
- 112 (e) The director shall make rules, accordance with Title 63G, Chapter 3, Utah
113 Administrative Rulemaking Act, providing for:
114 (i) agency approved salary adjustments within approved salary ranges, including an
115 administrative salary adjustment; and
116 (ii) structure adjustments that modify salary ranges, including a cost of living
117 adjustment or market comparability adjustment.
- 118 (5)(a) On or before October 31 of each year, the director shall submit an annual
119 compensation plan to the executive director and the governor for consideration in the
120 executive budget and to the State Employee Benefits Advisory Commission created
121 in Section 63C-31-102.
- 122 (b) The plan described in Subsection (5)(a) may include recommendations, including:
123 (i) salary increases that generally affect employees, including a general increase or
124 merit increase;
125 (ii) salary increases that address compensation issues unique to an agency or
126 occupation;
127 (iii) structure adjustments, including a cost of living adjustment or market
128 comparability adjustment; or
129 (iv) changes to employee benefits.
- 130 (c)(i)(A) Subject to Subsection (5)(c)(i)(B) or (C), the director shall incorporate
131 the results of a salary survey of a reasonable cross section of comparable

132 positions in private and public employment in the state into the annual
133 compensation plan.

134 (B) The salary survey for a law enforcement officer, as defined in Section
135 53-13-103, a correctional officer, as defined in Section 53-13-104, or a
136 dispatcher, as defined in Section 53-6-102, shall at minimum include the three
137 largest political subdivisions [~~in the state~~] and all state law enforcement agencies
138 that employ, respectively, comparable positions.

139 (C) The salary survey for an examiner or supervisor described in Title 7, Chapter
140 1, Part 2, Department of Financial Institutions, shall at minimum include the
141 Federal Deposit Insurance Corporation, Federal Reserve, and National Credit
142 Union Administration.

143 (ii) The director may cooperate with or participate in any survey conducted by other
144 public and private employers.

145 (iii) The director shall obtain information for the purpose of constructing the survey
146 from the Division of Workforce Information and Payment Services and shall
147 include employer name, number of persons employed by the employer, employer
148 contact information and job titles, county code, and salary if available.

149 (iv) The division shall acquire and protect the needed records in compliance with the
150 provisions of Section 35A-4-312.

151 (d) The director may incorporate any other relevant information in the plan described in
152 Subsection (5)(a), including information on staff turnover, recruitment data, or
153 external market trends.

154 (e) The director shall:

155 (i) establish criteria to assure the adequacy and accuracy of data used to make
156 recommendations described in this Subsection (5); and

157 (ii) when preparing recommendations use accepted methodologies and techniques
158 similar to and consistent with those used in the private sector.

159 (f)(i) Upon request and subject to Subsection (5)(f)(ii), the division shall make
160 available foundational information used by the division or director in the drafting
161 of a plan described in Subsection (5)(a), including:

162 (A) demographic and labor market information;

163 (B) information on employee turnover;

164 (C) salary information;

165 (D) information on recruitment; and

- 166 (E) geographic data.
- 167 (ii) The division may not provide under Subsection (5)(f)(i) information or other data
168 that is proprietary or otherwise protected under the terms of a contract or by law.
- 169 (g) The governor shall:
- 170 (i) consider salary and structure adjustments recommended under Subsection (5)(b)
171 in preparing the executive budget and shall recommend the method of distributing
172 the adjustments;
- 173 (ii) submit compensation recommendations to the Legislature; and
- 174 (iii) support the recommendation with schedules indicating the cost to individual
175 departments and the source of funds.
- 176 (h) If funding is approved by the Legislature in a general appropriations act, the
177 adjustments take effect on the July 1 following the enactment unless otherwise
178 indicated.
- 179 (6)(a) The director shall make rules, in accordance with Title 63G, Chapter 3, Utah
180 Administrative Rulemaking Act, for the granting of incentive awards, including
181 awards for cost saving actions, awards for commendable actions by an employee, or a
182 market-based award to attract or retain employees.
- 183 (b) An agency may not grant a market-based award unless the award is previously
184 approved by the division.
- 185 (c) In accordance with Subsection (6)(b), an agency requesting the division's approval of
186 a market-based award shall submit a request and documentation, subject to
187 Subsection (6)(d), to the division.
- 188 (d) In the documentation required in Subsection (6)(c), the requesting agency shall
189 identify for the division:
- 190 (i) any benefit the market-based award would provide for the agency, including:
191 (A) budgetary advantages; or
192 (B) recruitment advantages;
- 193 (ii) a mission critical need to attract or retain unique or hard to find skills in the
194 market; or
- 195 (iii) any other advantage the agency would gain through the utilization of a
196 market-based award.
- 197 (7)(a) The director shall regularly evaluate the total compensation program of state
198 employees in the classified service.
- 199 (b) The division shall determine if employee benefits are comparable to those offered by

200 other private and public employers using information from:
201 (i) a study conducted by a third-party consultant; or
202 (ii) the most recent edition of a nationally recognized benefits survey.

203 Section 3. **Effective Date.**

204 This bill takes effect on May 7, 2025.