

# SB0258S01 compared with SB0258

~~{Omitted text}~~ shows text that was in SB0258 but was omitted in SB0258S01

inserted text shows text that was not in SB0258 but was inserted into SB0258S01

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## Infant at Work Amendments

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephanie Pitcher**

House Sponsor:

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### LONG TITLE

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#### General Description:

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This bill makes permanent the Infant at Work Program and expands the program to other executive branch agencies.

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#### Highlighted Provisions:

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This bill:

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▸ defines terms;

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▸ makes permanent the Infant at Work Program (program) available for Department of Health and Human Services (department) employees and removes obsolete pilot-related references;

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▸ repeals the June 30, 2026 sunset date for the program;

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▸ authorizes ~~{certain}~~ an executive branch ~~{agencies}~~ agency to opt-in to the program by submitting written notice from the agency head to the Division of Human Resource Management (division);

17

▸ makes an agency's participation in the program subject to division approval;

18

▸

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authorizes the division to withdraw or revoke an agency's approval if the agency's participation is detrimental to the program's administration ~~{, infant health or safety, }~~ or the agency's work environment;

- 20       ▶ requires an agency that participates in the program to:  
21             • adopt a written participation policy; and  
22             • determine whether an employee of the agency may participate in the program based on  
workplace considerations;

21       ▶ authorizes the division to adopt rules ~~{for }~~ to administer the program ~~{and to adopt agency-~~  
~~specific rules when required by the department or a participating agency }~~ ; and

23       ▶ makes technical and conforming changes.

### 26 Money Appropriated in this Bill:

27       None

### 28 Other Special Clauses:

29       This bill provides a special effective date.

### 30 Utah Code Sections Affected:

31       AMENDS:

32       **63A-17-806** , as last amended by Laws of Utah 2025, Chapter 494

33       **63I-2-263** , as last amended by Laws of Utah 2025, Chapters 182, 273 and 277

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

36       Section 1. Section **63A-17-806** is amended to read:

37       **63A-17-806. Definitions -- Infant at Work Program -- Administration.**

36       (1) As used in this section:

37       (a) "Agency head" means the individual who serves as the chief executive officer or chief  
administrative officer of an executive branch agency.

39       ~~{(b) "Department" means the Department of Health and Human Services; }~~

40       (c){(b)} "Eligible employee" means an employee who has been employed by ~~[the-{f} Department of~~  
~~Health and Human Services] {department or }~~ a participating agency for a minimum of:

43       (i) 12 consecutive months; and

44       (ii) 1,250 hours, excluding paid time off during the 12-month period immediately preceding the day on  
which the employee applies for participation in the program.

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- 46     ~~{(d) }~~
- 46     (c) "Executive branch agency" means any department, agency, office, or other administrative unit of the state executive branch with authority to employ personnel.
- 48     ~~[(b)] (d) {"Executive branch agency" means an agency, office, or other administrative unit of the state executive branch with authority to employ personnel.}~~
- 48     ~~{(ii) {"Executive branch agency" does not include:}~~
- 49     ~~{(A) {the department;}~~
- 50     ~~{(B) {the State Board of Education;}~~
- 51     ~~{(C) {the Utah Board of Higher Education;}~~
- 52     ~~{(D) {an institution of higher education;}~~
- 53     ~~{(E) {the Office of the Attorney General;}~~
- 54     ~~{(F) {the Office of the State Auditor;}~~
- 55     ~~{(G) {the Office of the State Treasurer; or}~~
- 56     ~~{(H) {an independent entity as defined in Section 63E-1-102.}~~
- 57     ~~{(b)}(e) "Infant" means a baby that is at least six weeks ~~[of age]~~ old and no more than six months ~~[of~~ age] old.~~
- 59     ~~[(e)] (f){(e) "Parent" means:~~
- 60     ~~(i) a biological or adoptive parent of an infant; or~~
- 61     ~~(ii) an individual who has an infant placed in the individual's foster care by the Division of Child and Family Services.~~
- 63     ~~(g){(f) "Participating agency" means an executive branch agency that participates in the program.~~
- 65     ~~[(d)] (h){(g) "Program" means the Infant at Work ~~[Pilot]~~Program established in this section.~~
- 66     ~~(2) There is created the Infant at Work ~~[Pilot]~~Program for eligible employees.~~
- 67     ~~(3) The ~~{department participates in the program}~~ Department of Health and Human Services is a participating agency under this section.~~
- 68     ~~(4)~~
- 68     ~~(a) An executive branch agency may elect to participate in the program by submitting written notice to the division by the agency head.~~
- 70     ~~(b) An executive branch agency's participation in the program under Subsection (4)(a) is subject to:~~
- 72     ~~(i) approval by the division; and~~
- 73     ~~(ii) compliance with this section and rules made by the division under Subsection ~~{(10)}~~ (11).~~

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- 74 [(3)] (5) The program shall:
- 75 (a) allow an eligible employee to bring the eligible employee's infant to work ~~[subject to the provisions~~  
76 ~~of]~~ in accordance with this section; and
- 77 (b) be administered by the division ~~{:}~~; and]
- 78 ~~{(e)}~~ ] ;
- 71 ~~[(e)]~~ be implemented for a minimum of one year.]
- 79 [(4)] (6) The division shall establish an application process for ~~[eligible employees of the Department of~~  
80 ~~Health and Human Services]~~ an eligible employee of ~~{the department or}~~ a participating agency to  
81 apply to the program that includes:
- 82 ~~[(a) a process for evaluating whether an eligible employee's work environment is appropriate for an~~  
83 ~~infant;]~~
- 84 ~~[(b)]~~ (a) guidelines for infant health and safety; and
- 85 ~~[(e)]~~ (b) guidelines regarding an eligible employee's initial and ongoing participation in the program.
- 80 (7)
- (a) A participating agency shall determine whether an eligible employee who applies to the program  
81 under Subsection (6) may participate in the program based on:
- 82 (i) the eligible employee's work environment; and
- 83 (ii) the participating agency's operational needs.
- 87 [(5)] (7) ~~{(b)}~~ If ~~[the division approves {f}]~~ the] a participating agency approves an eligible employee for  
88 participation in the program, the eligible employee shall have the sole responsibility for the care and  
89 safety of the infant at the workplace.
- 90 [(6)] (8) The division may not require ~~[the {f} Department of Health and Human Services]~~ ~~{department~~  
91 ~~or}~~ a participating agency to designate or set aside space for an eligible employee's infant other  
92 than the eligible employee's existing work space.
- 93 (9) The division may withdraw or revoke a participating agency's approval to participate in the program  
94 if the division determines thatthe participating agency:
- 95 (a) ~~{the participating agency}~~ is not in compliance with this section or rules made by the division under  
96 Subsection ~~{(10)}~~ (11); or
- 97 ~~{(b) {the participating agency's participation in the program is detrimental to:}}~~
- 98 (i) ~~{(b)}~~ participates in a manner that is detrimental to the effective administration of the program ~~{:}~~ ;
- 96 (10)

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(a) A participating agency shall, in consultation with the division, adopt a written policy consistent with this section that provides guidance to eligible employees who seek to participate in the program.

99 (b) A policy adopted under Subsection (10)(a) shall:

100 (i) be approved by the division;

101 (ii) incorporate the application process established by the division under Subsection (6);

103 (iii) describe the criteria the participating agency will use in making an approval determination under Subsection (7);

105 (iv) provide for revocation of an eligible employee's approval if participation in the program becomes detrimental to the work environment or business operations;

107 (v) provide that an eligible employee may request temporary telework or remote work in connection with participation in the program, subject to the approval and operational needs of the participating agency; and

110 (vi) establish general participation requirements with which an employee who brings an infant to the workplace, and any alternate care provider, shall comply, including requirements relating to:

99 (ii){(A)} infant health ~~{or}~~ and safety; ~~{or}~~ and

100 ~~{(iii) {the participating agency's work environment.}}~~

114 (B) an eligible employee's initial and ongoing participating in the program.

101 (10){(11)} In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division{:} may make rules necessary to administer the program.

117 ~~(7)~~

103 ~~{(a)} {in consultation with the department, shall make rules that the department determines are necessary to establish and administer the program;}~~

~~{in consultation with a participating agency, shall make rules the participating agency determines are necessary to establish and administer the program for the participating agency's workplace; and }~~

108 ~~{(e)} {may make rules that apply uniformly to the department and participating agencies, including rules that apply in the absence of a determination under Subsection (10)(a) or (b).}~~

111 ~~{(7)} The division, in consultation with the Department of Health and Human Services, shall make rules that the department determines necessary to establish the program in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.]~~

120 Section 2. Section **63I-2-263** is amended to read:

121 **63I-2-263. Repeal dates: Titles 63A through 63O.**

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- 116 [~~(1) Title 63A, Chapter 2, Part 5, Educational Interpretation and Translation Services Procurement~~  
Advisory Council is repealed July 1, 2025.]
- 118 [~~(2)~~ (1) Section 63A-5b-807, Eminent domain of unincorporated city owned land, is repealed January  
1, 2027.
- 120 [~~(3) Section 63A-17-806, Definitions -- Infant at Work Pilot Program -- Administration -- Report, is~~  
repealed June 30, 2026.]
- 122 [~~(4) Section 63C-1-103, Appointment and terms of boards, committees, councils, and commissions~~  
transitioning on October 1, 2024, or December 31, 2024, is repealed July 1, 2025.]
- 125 [~~(5) Section 63C-1-104, Appointment and terms of boards transitioning on October 1, 2024, is repealed~~  
January 1, 2025.]
- 127 [~~(6) Subsection 63G-6a-802(1)(c), regarding a procurement for a presidential debate, is repealed~~  
January 1, 2025.]
- 129 [~~(7) Subsection 63G-6a-802(3)(b)(iii), regarding a procurement for a presidential debate, is repealed~~  
January 1, 2025.]
- 131 [~~(8)~~ (2) Subsection 63H-7a-403(2)(b), regarding the charge to maintain the public safety  
communications network, is repealed July 1, 2033.
- 133 [~~(9)~~ (3) Subsection 63J-1-602.2(30), regarding funding the Enterprise Zone Act, is repealed December  
31, 2026.
- 135 [~~(10)~~ (4) Subsection 63J-1-602.2(46), regarding appropriations to the State Tax Commission for  
deferral reimbursements, is repealed July 1, 2027.
- 137 [~~(11) Section 63M-7-221, Expungement working group, is repealed April 30, 2025.]~~
- 138 [~~(12)~~ (5) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed December 31, 2026.
- 145 Section 3. **Effective date.**  
Effective Date.  
This bill takes effect on {~~May 6,~~ July 1, 2026.

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