

1 **Legislator Leave Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Clinton D. Okerlund**

Senate Sponsor:

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2 **LONG TITLE**3 **General Description:**

4 This bill modifies provisions related to legislators who are public employees.

5 **Highlighted Provisions:**

6 This bill:

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- 8 ▶ provides paid leave to a state employee or teacher for the purpose of serving as a state
- 9 legislator;
- 10 ▶ addresses the use and administration of legislator leave;
- 11 ▶ provides that a legislator may not accrue service credit or receive retirement related
- 12 contributions during a general session for which the legislator uses legislator leave;
- 13 ▶ allows a state employer or local education agency to seek partial reimbursement for the
- 14 costs related to legislator leave; and
- 15 ▶ makes technical and conforming changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**21 **AMENDS:**22 **63A-17-513**, as enacted by Laws of Utah 2024, Chapter 40223 **ENACTS:**24 **49-11-506**, Utah Code Annotated 195325 **53G-11-210**, Utah Code Annotated 1953

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26 *Be it enacted by the Legislature of the state of Utah:*27 Section 1. Section **49-11-506** is enacted to read:28 **49-11-506 . Effect of legislator leave on service credit accrual and retirement**  
29 **related contributions.**

31        During an annual general session for which an employee elects to use legislator leave as  
32        provided in Section 53G-11-210 or 63A-17-513:  
33        (1) the employee will continue to accrue service credit;  
34        (2) the participating employer shall continue to pay the employee's retirement related  
35        contributions; and  
36        (3) the employee may not accrue service credit or receive retirement related contributions  
37        for the employee's service as a legislator.

38            Section 2. Section **53G-11-210** is enacted to read:

39            **53G-11-210 . Legislator leave.**

40        (1) As used in this section:

41            (a) "Authorized legislative day" means the same as that term is defined in Section  
42            63A-17-513.  
43            (b) "Legislator" means:  
44              (i) a member of the Utah Senate;  
45              (ii) a member of the Utah House of Representatives; or  
46              (iii) an individual who has been elected as a member described in Subsection (1)(b)(i)  
47              or (ii), but has not yet been sworn in or begun the individual's term of office.  
48            (c) "Legislator leave" means the leave described in Subsection (2)(a).  
49            (d) "Teacher" means an individual employed by a school district or charter school who  
50              is required to hold an educator license issued by the state board and who has an  
51              assignment to teach in a classroom.

52        (2)(a) An LEA shall develop a leave policy that grants a teacher who is a legislator paid  
53        leave for an authorized legislative day for the number of hours the legislator requests.

54            (b) In a policy described in Subsection (2)(a), the LEA shall:

55              (i) require a legislator who wishes to use legislator leave for an authorized legislative  
56              day that is during an annual general session, to use legislator leave for the total  
57              number of hours that the legislator is absent from the legislator's position during  
58              the annual general session; and  
59              (ii) ensure the policy is no more restrictive than the provisions of Section 63A-17-513.

60        (3)(a) Subject to legislative appropriation and Subsection (3)(b), upon request by a  
61        legislator's employer, the legislator's chamber shall reimburse the legislator's  
62        employer for the cost of any legislator leave the employer granted the legislator  
63        during the immediately preceding annual general session.

64            (b) The total amount of reimbursements made under Subsection (3)(a) and Subsection

65       63A-17-513(4) may not exceed the amount equal to the total savings resulting from  
66       legislators' ineligibility for retirement related contributions under Section 49-11-506.

67       Section 3. Section **63A-17-513** is amended to read:

68       **63A-17-513 . State employer required to provide legislator leave.**

69       (1) As used in this section:

70       (a) "Authorized legislative day" means:

71           (i) the day on which the Legislature convenes in annual general session, and each day  
72           after that day, until midnight of the 45th day of the annual general session;

73           (ii) a special session day;

74           (iii) a veto override session day;

75           (iv) an interim day designated by the Legislative Management Committee;

76           (v) an authorized legislative training day; or

77           (vi) any other day on which a meeting of a committee, subcommittee, commission,  
78           task force, or other entity is held, if:

79              (A) the committee, subcommittee, commission, task force, or other entity is  
80              created by statute or joint resolution;

81              (B) the legislator's attendance at the meeting is approved by the Legislative  
82              Management Committee; and

83              (C) service and payment for service by the legislator is not in violation of the Utah  
84              Constitution, including Article V and Article VI, Sections 6 and 7.

85       (b) "Authorized legislative training day" means a day that a Legislative Expenses

86           Oversight Committee designates as an authorized legislative day for training or  
87           informational purposes, including:

88           (i) chair training;

89           (ii) an issue briefing;

90           (iii) legislative leadership instruction;

91           (iv) legislative process training;

92           (v) legislative rules training;

93           (vi) new legislator orientation; or

94           (vii) another meeting to brief, instruct, orient, or train a legislator in relation to the  
95           legislator's official duties.

96       (c) "Legislator" means:

97           (i) a member of the Utah Senate;

98           (ii) a member of the Utah House of Representatives; or

99 (iii) an individual who has been elected as a member described in Subsection (1)(c)(i)  
100 or (ii), but has not yet been sworn in or begun the individual's term of office.

101 (d) "Legislator leave" means the leave described in Subsection (2).

102 [(d)] (e) "Retaliatory action" means to:

103 (i) dismiss the employee;  
104 (ii) reduce the employee's compensation;  
105 (iii) fail to increase the employee's compensation by an amount that the employee is  
106 otherwise entitled to or was promised;  
107 (iv) fail to promote the employee if the employee would have otherwise been  
108 promoted; or  
109 (v) threaten to take an action described in Subsections [(1)(d)(i)] (1)(e)(i) through (iv).

110 [(e)] (f) "State employer" means any employer in the state executive branch.

111 (2) A state employer who employs an individual who is a legislator:

112 (a) subject to Subsection (3), shall grant paid leave to the individual on an authorized  
113 legislative day for the number of hours requested by the individual;  
114 (b) may not interfere with, or otherwise restrain the individual from, using the leave  
115 described in Subsection (2)(a); and  
116 (c) may not take retaliatory action against the individual for using the leave described in  
117 Subsection (2)(a).

118 [(3) The leave described in Subsection (2) is leave without pay unless the state employer  
119 and the individual described in Subsection (2) agree to terms that are more favorable to  
120 the individual.]

121 (3) If a legislator wishes to use legislator leave for an authorized legislative day that is  
122 during an annual general session, the legislator shall use legislator leave for the total  
123 number of hours during the annual general session that the legislator is absent from the  
124 legislator's position with a state employer.

125 (4)(a) Subject to legislative appropriation and Subsection (4)(b), upon request by a  
126 legislator's state employer, the legislator's chamber shall reimburse the legislator's  
127 state employer for the cost of any legislator leave the state employer granted the  
128 legislator during the immediately preceding annual general session.

129 (b) The total amount of reimbursements made under Subsection (4)(a) and Subsection  
130 53G-11-210(3) may not exceed the amount equal to the total savings resulting from  
131 legislators' ineligibility for retirement related contributions under Section 49-11-506.

132 Section 4. **Effective Date.**

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This bill takes effect on May 6, 2026.