

**Legislator Leave Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Clinton D. Okerlund**

Senate Sponsor:

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**LONG TITLE****General Description:**

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

**Highlighted Provisions:**

This bill:

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

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**63A-17-513**, as enacted by Laws of Utah 2024, Chapter 402

ENACTS:

**49-11-506**, Utah Code Annotated 1953

**53G-11-210**, Utah Code Annotated 1953

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

Section 1. Section **49-11-506** is enacted to read:

**49-11-506 . Effect of legislator leave on service credit accrual and retirement related contributions.**

During an annual general session for which an employee elects to use legislator leave as provided in Section 53G-11-210 or 63A-17-513:

- (1) the employee will continue to accrue service credit;
- (2) the participating employer shall continue to pay the employee's retirement related contributions; and
- (3) the employee may not accrue service credit or receive retirement related contributions for the employee's service as a legislator.

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

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

(1) As used in this section:

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

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

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

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

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

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

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

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

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

(1) As used in this section:

(a) "Authorized legislative day" means:

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

(ii) a special session day;

(iii) a veto override session day;

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

(v) an authorized legislative training day; or

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

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

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

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

(b) "Authorized legislative training day" means a day that a Legislative Expenses  
Oversight Committee designates as an authorized legislative day for training or  
informational purposes, including:

(i) chair training;

(ii) an issue briefing;

(iii) legislative leadership instruction;

(iv) legislative process training;

(v) legislative rules training;

(vi) new legislator orientation; or

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

(c) "Legislator" means:

(i) a member of the Utah Senate;

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

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

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

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

(i) dismiss the employee;

(ii) reduce the employee's compensation;

(iii) fail to increase the employee's compensation by an amount that the employee is otherwise entitled to or was promised;

(iv) fail to promote the employee if the employee would have otherwise been promoted; or

(v) threaten to take an action described in Subsections ~~[(1)(d)(i)]~~ (1)(e)(i) through (iv).

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

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

(a) subject to Subsection (3), shall grant paid leave to the individual on an authorized legislative day for the number of hours requested by the individual;

(b) may not interfere with, or otherwise restrain the individual from, using the leave described in Subsection (2)(a); and

(c) may not take retaliatory action against the individual for using the leave described in Subsection (2)(a).

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

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

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

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

Section 4. **Effective Date.**

133      This bill takes effect on May 6, 2026.