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Pricing Protection Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor:

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LONG TITLE

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General Description:

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This bill addresses provisions related to the verification and enforcement of commercial pricing.

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Highlighted Provisions:

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This bill:

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- ▶ establishes a schedule of civil penalties for a violation of the weights and measures program under the Department of Agriculture and Food; and

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- ▶ makes technical and conforming changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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AMENDS:

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4-9-111, as renumbered and amended by Laws of Utah 2017, Chapter 345

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

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Section 1. Section **4-9-111** is amended to read:

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4-9-111 . Enforcement powers of department -- Penalties.

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(1) For the purpose of enforcing this chapter, the department may:

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(a) enter any commercial premises during normal working hours after the presentation of credentials;

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(b) issue in writing a "stop-use, hold, or removal order" with respect to any weights or measures commercially used or a "stop sale, use, or removal order" with respect to any packaged commodity or bulk commodity offered for sale;

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(c) impose a civil penalty for a violation of this chapter, consistent with Subsection (3);

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[~~(e)~~] (d) seize as evidence, without formal warrant, any incorrect or unapproved weight,

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31 measure, package, or commodity offered for sale or sold in violation of this chapter;

32 [d] (e)(i) seek an order of seizure or condemnation of any weight, measure, package,
33 or sale from bulk that violates this chapter; or

34 (ii) upon proper grounds, obtain a temporary restraining order or permanent
35 injunction to prevent a violation of this chapter; and

36 [e] (f) stop any commercial vehicle and after presenting credentials:

37 (i) inspect its contents;

38 (ii) require the person in charge of the vehicle to produce any documents in his
39 possession concerning the contents; or

40 (iii) require the person in charge of the vehicle to proceed with the vehicle to some
41 specified place for inspection.

42 (2) If an order has been issued under Subsection (1)(b), the weights, measures, or
43 commodities subject to the order may not be used, moved, or offered for sale until the
44 department issues a written release.

45 (3)(a) A person that violates a provision of this chapter or a rule or order issued under
46 the authority of this chapter is subject to:

47 (i) for a first violation, a notice of violation by the department;

48 (ii) for a second violation, a civil penalty not to exceed \$500 and the cost to the
49 department of an inspection;

50 (iii) for a third violation, a civil penalty not to exceed \$1,000 and the cost to the
51 department of an inspection;

52 (iv) for a fourth violation, a civil penalty not to exceed \$5,000 and the cost to the
53 department of an inspection; and

54 (v) for a fifth or subsequent violation, a civil penalty not to exceed \$10,000 and the
55 cost to the department of an inspection.

56 (b) The department shall deposit a civil penalty collected under this section into the
57 General Fund as a dedicated credit to be used by the department for the enforcement
58 of this chapter.

59 [3] (4) A bond may not be required of the department in any injunctive proceeding brought
60 under this section.

61 **Section 2. Effective Date.**

62 This bill takes effect on May 6, 2026.