

Wage Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nate Blouin

House Sponsor:

LONG TITLE**General Description:**

This bill amends provisions relating to wages.

Highlighted Provisions:

This bill:

- defines terms;
- requires that an employer include information relating to wages and other compensation in a job listing;
- increases the minimum wage in the state to \$20 per hour;
- provides that the Labor Commission (commission) may not establish a minimum wage that is lower than \$20 per hour;
- requires that the commission adjust the minimum wage for inflation at least once per year; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

34-23-301, as last amended by Laws of Utah 1997, Chapter 375

34-40-102, as last amended by Laws of Utah 2016, Chapter 370

34-40-103, as last amended by Laws of Utah 1997, Chapter 375

34-40-106, as last amended by Laws of Utah 2005, Chapter 287

ENACTS:

34-28-20, Utah Code Annotated 1953

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

Section 1. Section **34-23-301** is amended to read:

34-23-301 . Minimum hourly wages.

The commission may establish minimum hourly wages for minors~~[- If there is an established minimum hourly wage for adults, the minimum hourly wages for minors may be established at a lesser amount.]~~ in accordance with Section 34-40-103.

Section 2. Section **34-28-20** is enacted to read:

34-28-20 . Wage transparency required.

(1) As used in this section:

(a) "Benefit" means an employee receiving, as additional compensation resulting from the employee's position with an employer:

(i) stocks;

(ii) bonds;

(iii) equity;

(iv) ownership in a company; or

(v) a bonus.

(b) "Employer" means a person that employs at least 15 individuals in the state.

(2) For each position the employer advertises in a job listing, an employer shall disclose in the job listing:

(a) the projected minimum wages;

(b) the projected maximum wages; and

(c) each benefit that an employee may receive in the position.

Section 3. Section **34-40-102** is amended to read:

34-40-102 . Definitions -- Joint employees -- Franchisors.

(1) Subject to Subsection (3), this chapter and the terms used in it, including the computation of wages, shall be interpreted consistently with the Fair Labor Standards Act of 1938, 29 U.S.C. Sec. 201 et seq., as amended, to the extent that act relates to the payment of a minimum wage.

(2) As used in this chapter:

(a) "Adjust for inflation" means an increase or a decrease in accordance with the seasonally adjusted Consumer Price Index for all urban consumers the that Bureau of Labor Statistics within the United States Department of Labor publishes.

~~[(a)]~~ (b) "Cash wage obligation" means an hourly wage that an employer pays a tipped employee regardless of the tips or gratuities a tipped employee receives.

~~[(b)]~~ (c) "Commission" means the Labor Commission.

~~[(e)]~~ (d) "Division" means the Division of Antidiscrimination and Labor in the commission.

~~[(d)]~~ (e) "Federal executive agency" means an executive agency, as that term is defined in 5 U.S.C. Sec. 105, of the federal government.

~~[(e)]~~ (f) "Franchise" means the same as that term is defined in 16 C.F.R. Sec. 436.1.

~~[(f)]~~ (g) "Franchisee" means the same as that term is defined in 16 C.F.R. Sec. 436.1.

~~[(g)]~~ (h) "Franchisor" means the same as that term is defined in 16 C.F.R. Sec. 436.1.

~~[(h)]~~ (i) "Minimum wage" means the state minimum hourly wage for adult employees as established under this chapter, unless the context clearly indicates otherwise.

~~[(i)]~~ (j) "Tipped employee" means an employee who customarily and regularly receives tips or gratuities.

(3) Notwithstanding Subsection (1), for purposes of determining whether two or more persons are considered joint employers under this chapter, an administrative ruling of a federal executive agency may not be considered a generally applicable law unless that administrative ruling is determined to be generally applicable by a court of law, or adopted by statute or rule.

(4)(a) For purposes of this chapter, a franchisor is not considered to be an employer of:

(i) a franchisee; or

(ii) a franchisee's employee.

(b) With respect to a specific claim for relief under this chapter made by a franchisee or a franchisee's employee, this Subsection (4) does not apply to a franchisor under a franchise that exercises a type or degree of control over the franchisee or the franchisee's employee not customarily exercised by a franchisor for the purpose of protecting the franchisor's trademarks and brand.

Section 4. Section **34-40-103** is amended to read:

34-40-103 . Minimum wage -- Commission to review and modify minimum wage.

(1)~~[(a) The]~~ On or after May 6, 2026, the minimum wage for all private and public employees within the state ~~[shall be \$3.35-]~~ is \$20 per hour.

~~[(b) Effective April 1, 1990, the minimum wage shall be \$3.80 per hour.]~~

(2)(a) ~~[After July 1, 1990, the-]~~ Except as provided in Subsection (2)(b), the commission may by rule establish the minimum wage or wages as provided in this chapter that may be paid to employees in public and private employment within the state.

(b) The minimum wage,~~[as established by the commission,]~~ that the commission establishes, may ~~[not exceed]~~ not at any time be lower than:

- 99 (i) ~~[-]the federal minimum wage as provided in 29 U.S.C. Sec. 201 et seq., the Fair~~
100 Labor Standards Act of 1938, as amended, in effect at the time of implementation
101 of this section~~[-] ; or~~
102 (ii) the minimum wage established in Subsection (1).
- 103 ~~[(e)]~~ (3) The commission:
- 104 ~~[(i)]~~ (a) may review the minimum wage at any time;
105 ~~[(ii)] shall review the minimum wage at least every three years; and]~~
106 ~~[(iii)]~~ (b) shall review the minimum wage whenever the federal minimum wage is
107 changed~~[-] ; and~~
- 108 (c) shall, in accordance with Subsection (2)(a), adjust for inflation the minimum wage at
109 least once per calendar year.
- 110 ~~[(3) The commission may provide for separate minimum hourly wages for minors.]~~
- 111 Section 5. Section **34-40-106** is amended to read:
- 112 **34-40-106 . Limitations on minimum wage imposed by cities, towns, or counties.**
- 113 (1) A city, town, or county may not establish, mandate, or require a minimum wage that
114 exceeds ~~[the federal minimum wage as provided in 29 U.S.C. Sec. 201 et seq., Fair~~
115 ~~Labor Standards Act of 1938]~~ the established minimum wage under Section 34-40-103.
- 116 (2)(a) A city, town, or county may not require that a person who contracts with the city,
117 town, or county pay that person's employees a wage that exceeds the federal
118 minimum wage as provided in 29 U.S.C. Sec. 201 et seq., Fair Labor Standards Act
119 of 1938.
- 120 (b) Subsection (2)(a) does not apply when federal law requires the payment of a
121 specified wage to persons working on projects funded in whole or in part by federal
122 funds.
- 123 (c) Subsection (2)(a) applies to contracts executed on or after April 30, 2001.
- 124 (3)(a) If a city, town, or county contracts with a person for the direct purchase of goods
125 or services, in awarding or otherwise executing that contract, the city, town, or
126 county may not give any preferential treatment to a person on the basis that the
127 person pays that person's employees a wage that exceeds the minimum wage as
128 provided in 29 U.S.C. 201 et seq., Fair Labor Standards Act of 1938.
- 129 (b) This Subsection (3) does not apply when federal law requires the consideration of
130 whether a person pays the person's employees a specified wage to persons working
131 on projects funded in whole or in part by federal funds.
- 132 (c) This Subsection (3) applies to contracts executed on or after May 2, 2005.

133 (4)(a) The restrictions of this section on a city, town, or county apply to any entity
134 created by the city, town, or county.

135 (b) This Subsection (4) applies to contracts executed on or after May 2, 2005.

136 Section 6. **Effective Date.**

137 This bill takes effect on May 6, 2026.