

Infant at Work Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

House Sponsor:

LONG TITLE**General Description:**

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

Highlighted Provisions:

This bill:

- defines terms;
- makes permanent the Infant at Work Program (program) available for Department of Health and Human Services (department) employees and removes obsolete pilot-related references;
- repeals the June 30, 2026 sunset date for the program;
- authorizes certain executive branch agencies to opt-in to the program by submitting written notice from the agency head to the Division of Human Resource Management (division);
- makes an agency's participation in the program subject to division approval;
- 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;
- authorizes the division to adopt rules for the program and to adopt agency-specific rules when required by the department or a participating agency; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

31 **63I-2-263**, as last amended by Laws of Utah 2025, Chapters 182, 273 and 277

32

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

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

35 **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
38 chief administrative officer of an executive branch agency.

39 (b) "Department" means the Department of Health and Human Services.

40 (c) "Eligible employee" means an employee who has been employed by the [Department
41 of Health and Human Services] department or a participating agency for a minimum
42 of:

43 (i) 12 consecutive months; and

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

46 (d)(i) "Executive branch agency" means an agency, office, or other administrative
47 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
58 months of age.

59 ~~[(e)]~~ (f) "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
62 Division of Child and Family Services.

63 (g) "Participating agency" means an executive branch agency that participates in the
64 program.

65 ~~[(d)]~~ (h) "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 under this section.

68 (4)(a) An executive branch agency may elect to participate in the program by submitting
69 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
71 subject to:

72 (i) approval by the division; and

73 (ii) compliance with this section and rules made by the division under Subsection (10).

74 ~~[(3)]~~ (5) The program shall:

75 (a) allow an eligible employee to bring the eligible employee's infant to work subject to
76 the provisions of this section; and

77 (b) be administered by the division. ~~[-; and]~~

78 ~~[(e) be implemented for a minimum of one year.]~~

79 ~~[(4)]~~ (6) The division shall establish an application process for ~~[eligible employees of the~~
80 ~~Department of Health and Human Services]~~ an eligible employee of the department or a
81 participating agency to apply to the program that includes:

82 (a) a process for evaluating whether an eligible employee's work environment is
83 appropriate for an infant;

84 (b) guidelines for infant health and safety; and

85 (c) guidelines regarding an eligible employee's initial and ongoing participation in the
86 program.

87 ~~[(5)]~~ (7) If the division approves ~~[the]~~ an eligible employee for participation in the program,
88 the eligible employee shall have the sole responsibility for the care and safety of the
89 infant at the workplace.

90 ~~[(6)]~~ (8) The division may not require the ~~[Department of Health and Human Services]~~
91 department or a participating agency to designate or set aside space for an eligible
92 employee's infant other than the eligible employee's existing work space.

93 (9) The division may withdraw or revoke a participating agency's approval to participate in
94 the program if the division determines that:

95 (a) the participating agency is not in compliance with this section or rules made by the
96 division under Subsection (10); or

97 (b) the participating agency's participation in the program is detrimental to:

98 (i) the effective administration of the program;

- 99 (ii) infant health or safety; or
100 (iii) the participating agency's work environment.
- 101 (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
102 division:
- 103 (a) in consultation with the department, shall make rules that the department determines
104 are necessary to establish and administer the program;
- 105 (b) in consultation with a participating agency, shall make rules the participating agency
106 determines are necessary to establish and administer the program for the participating
107 agency's workplace; and
- 108 (c) may make rules that apply uniformly to the department and participating agencies,
109 including rules that apply in the absence of a determination under Subsection (10)(a)
110 or (b).
- 111 ~~[(7) The division, in consultation with the Department of Health and Human Services, shall~~
112 ~~make rules that the department determines necessary to establish the program in~~
113 ~~accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.]~~
- 114 Section 2. Section **63I-2-263** is amended to read:
- 115 **63I-2-263 . Repeal dates: Titles 63A through 63O.**
- 116 ~~[(1) Title 63A, Chapter 2, Part 5, Educational Interpretation and Translation Services~~
117 ~~Procurement Advisory Council is repealed July 1, 2025.]~~
- 118 ~~[(2)] (1) Section 63A-5b-807, Eminent domain of unincorporated city owned land, is~~
119 ~~repealed January 1, 2027.~~
- 120 ~~[(3) Section 63A-17-806, Definitions -- Infant at Work Pilot Program -- Administration --~~
121 ~~Report, is repealed June 30, 2026.]~~
- 122 ~~[(4) Section 63C-1-103, Appointment and terms of boards, committees, councils, and~~
123 ~~commissions transitioning on October 1, 2024, or December 31, 2024, is repealed July~~
124 ~~1, 2025.]~~
- 125 ~~[(5) Section 63C-1-104, Appointment and terms of boards transitioning on October 1, 2024,~~
126 ~~is repealed January 1, 2025.]~~
- 127 ~~[(6) Subsection 63G-6a-802(1)(e), regarding a procurement for a presidential debate, is~~
128 ~~repealed January 1, 2025.]~~
- 129 ~~[(7) Subsection 63G-6a-802(3)(b)(iii), regarding a procurement for a presidential debate, is~~
130 ~~repealed January 1, 2025.]~~
- 131 ~~[(8)] (2) Subsection 63H-7a-403(2)(b), regarding the charge to maintain the public safety~~
132 ~~communications network, is repealed July 1, 2033.~~

133 ~~[(9)]~~ (3) Subsection 63J-1-602.2(30), regarding funding the Enterprise Zone Act, is repealed
134 December 31, 2026.

135 ~~[(10)]~~ (4) Subsection 63J-1-602.2(46), regarding appropriations to the State Tax
136 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.

139 Section 3. **Effective Date.**

140 This bill takes effect on May 6, 2026.