

Stephanie Pitcher proposes the following substitute bill:

**Infant at Work Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephanie Pitcher**

House Sponsor:

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**LONG TITLE**

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**General Description:**

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

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**Highlighted Provisions:**

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This bill:

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▸ defines terms;

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▸ makes permanent the Infant at Work Program (program) available for Department of Health and Human Services (department) employees and removes obsolete pilot-related references;

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▸ repeals the June 30, 2026 sunset date for the program;

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▸ authorizes an executive branch agency to opt-in to the program by submitting written notice from the agency head to the Division of Human Resource Management (division);

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▸ makes an agency's participation in the program subject to division approval;

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▸ authorizes the division to withdraw or revoke an agency's approval if the agency's participation is detrimental to the program's administration or the agency's work

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environment;

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▸ requires an agency that participates in the program to:

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• adopt a written participation policy; and

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• determine whether an employee of the agency may participate in the program based on workplace considerations;

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▸ authorizes the division to adopt rules to administer the program; 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:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **63A-17-806**, as last amended by Laws of Utah 2025, Chapter 494

33 **63I-2-263**, as last amended by Laws of Utah 2025, Chapters 182, 273 and 277

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

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

37 **63A-17-806 . Definitions -- Infant at Work Program -- Administration.**

38 (1) As used in this section:

39 (a) "Agency head" means the individual who serves as the chief executive officer or  
 40 chief administrative officer of an executive branch agency.

41 (b) "Eligible employee" means an employee who has been employed by [the Department  
 42 of Health and Human Services] a participating agency for a minimum 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 (c) "Executive branch agency" means any department, agency, office, or other  
 47 administrative unit of the state executive branch with authority to employ personnel.

48 ~~[(b)]~~ (d) "Infant" means a baby that is at least six weeks [of age] old and no more than six  
 49 months [of age] old.

50 ~~[(e)]~~ (e) "Parent" means:

51 (i) a biological or adoptive parent of an infant; or

52 (ii) an individual who has an infant placed in the individual's foster care by the  
 53 Division of Child and Family Services.

54 (f) "Participating agency" means an executive branch agency that participates in the  
 55 program.

56 ~~[(d)]~~ (g) "Program" means the Infant at Work [Pilot]Program established in this section.

57 (2) There is created the Infant at Work [Pilot]Program for eligible employees.

58 (3) The Department of Health and Human Services is a participating agency under this  
 59 section.

60 (4)(a) An executive branch agency may elect to participate in the program by submitting  
 61 written notice to the division by the agency head.

62 (b) An executive branch agency's participation in the program under Subsection (4)(a) is

63 subject to:

64 (i) approval by the division; and

65 (ii) compliance with this section and rules made by the division under Subsection (11  
66 ).

67 [~~(3)~~] (5) The program shall:

68 (a) allow an eligible employee to bring the eligible employee's infant to work [~~subject to~~  
69 ~~the provisions of~~] in accordance with this section; and

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

71 [~~(c)~~] be implemented for a minimum of one year.

72 [~~(4)~~] (6) The division shall establish an application process for [~~eligible employees of the~~  
73 ~~Department of Health and Human Services~~] an eligible employee of a participating  
74 agency to apply to the program that includes:

75 [~~(a)~~] a process for evaluating whether an eligible employee's work environment is  
76 appropriate for an infant;

77 [~~(b)~~] (a) guidelines for infant health and safety; and

78 [~~(c)~~] (b) guidelines regarding an eligible employee's initial and ongoing participation in  
79 the program.

80 (7)(a) A participating agency shall determine whether an eligible employee who applies  
81 to the program under Subsection (6) may participate in the program based on:

82 (i) the eligible employee's work environment; and

83 (ii) the participating agency's operational needs.

84 [~~(5)~~] (b) If [~~the division approves the~~] a participating agency approves an eligible  
85 employee for participation in the program, the eligible employee shall have the sole  
86 responsibility for the care and safety of the infant at the workplace.

87 [~~(6)~~] (8) The division may not require [~~the Department of Health and Human Services~~] a  
88 participating agency to designate or set aside space for an eligible employee's infant  
89 other than the eligible employee's existing work space.

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

92 (a) is not in compliance with this section or rules made by the division under Subsection  
93 (11); or

94 (b) participates in a manner that is detrimental to the effective administration of the  
95 program.

96 (10)(a) A participating agency shall, in consultation with the division, adopt a written

97 policy consistent with this section that provides guidance to eligible employees who  
98 seek to participate in the program.

99 (b) A policy adopted under Subsection (10)(a) shall:

100 (i) be approved by the division;

101 (ii) incorporate the application process established by the division under Subsection  
102 (6);

103 (iii) describe the criteria the participating agency will use in making an approval  
104 determination under Subsection (7);

105 (iv) provide for revocation of an eligible employee's approval if participation in the  
106 program becomes detrimental to the work environment or business operations;

107 (v) provide that an eligible employee may request temporary telework or remote  
108 work in connection with participation in the program, subject to the approval and  
109 operational needs of the participating agency; and

110 (vi) establish general participation requirements with which an employee who brings  
111 an infant to the workplace, and any alternate care provider, shall comply.  
112 including requirements relating to:

113 (A) infant health and safety; and

114 (B) an eligible employee's initial and ongoing participating in the program.

115 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
116 division may make rules necessary to administer the program.

117 [~~(7) The division, in consultation with the Department of Health and Human Services, shall~~  
118 ~~make rules that the department determines necessary to establish the program in~~  
119 ~~accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.]~~

120 Section 2. Section **63I-2-263** is amended to read:

121 **63I-2-263 . Repeal dates: Titles 63A through 63O.**

122 [~~(1) Title 63A, Chapter 2, Part 5, Educational Interpretation and Translation Services~~  
123 ~~Procurement Advisory Council is repealed July 1, 2025.]~~

124 [~~(2)] (1) Section 63A-5b-807, Eminent domain of unincorporated city owned land, is~~  
125 ~~repealed January 1, 2027.~~

126 [~~(3) Section 63A-17-806, Definitions -- Infant at Work Pilot Program -- Administration --~~  
127 ~~Report, is repealed June 30, 2026.]~~

128 [~~(4) Section 63C-1-103, Appointment and terms of boards, committees, councils, and~~  
129 ~~commissions transitioning on October 1, 2024, or December 31, 2024, is repealed July~~  
130 ~~1, 2025.]~~

- 131 [~~(5)~~ Section ~~63C-1-104~~, Appointment and terms of boards transitioning on October 1, 2024,  
132 is repealed January 1, 2025.]
- 133 [~~(6)~~ Subsection ~~63G-6a-802(1)(e)~~, regarding a procurement for a presidential debate, is  
134 repealed January 1, 2025.]
- 135 [~~(7)~~ Subsection ~~63G-6a-802(3)(b)(iii)~~, regarding a procurement for a presidential debate, is  
136 repealed January 1, 2025.]
- 137 [~~(8)~~ (2) Subsection ~~63H-7a-403(2)(b)~~, regarding the charge to maintain the public safety  
138 communications network, is repealed July 1, 2033.]
- 139 [~~(9)~~ (3) Subsection ~~63J-1-602.2(30)~~, regarding funding the Enterprise Zone Act, is repealed  
140 December 31, 2026.]
- 141 [~~(10)~~ (4) Subsection ~~63J-1-602.2(46)~~, regarding appropriations to the State Tax  
142 Commission for deferral reimbursements, is repealed July 1, 2027.]
- 143 [~~(11)~~ Section ~~63M-7-221~~, Expungement working group, is repealed April 30, 2025.]
- 144 [~~(12)~~ (5) Title ~~63N~~, Chapter 2, Part 2, Enterprise Zone Act, is repealed December 31, 2026.]
- 145 Section 3. **Effective Date.**
- 146 This bill takes effect on July 1, 2026.