

**Child Labor Amendments**  
2025 GENERAL SESSION  
STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to the employment of minors.

**Highlighted Provisions:**

This bill:

- classifies child-labor related acts as different crimes;
- allows the Labor Commission to request that law enforcement investigate a person under certain circumstances; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**34-23-402**, as last amended by Laws of Utah 2009, Chapter 347

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

Section 1. Section **34-23-402** is amended to read:

**34-23-402 . Violation -- Criminal penalty.**

(1)(a) The commission may prosecute a misdemeanor criminal action in the name of the state.[-]

(b) The county attorney, district attorney, or attorney general shall provide assistance in prosecutions under this section at the request of the commission.

(2) [~~It is a class B misdemeanor for a person~~] A person, whether individually or as an officer, agent, or employee of any person, firm, or corporation[~~-tø~~] , violates this section by:

(a) knowingly [~~employ~~] employing a minor or [~~permit~~] permitting a minor to work in a repeated violation of this chapter;

- 32 (b) ~~[refuse-]~~ refusing or knowingly ~~[neglect]~~ neglecting to furnish to the commission, any  
 33 information requested by the commission under this chapter;
- 34 (c) ~~[refuse-]~~ refusing access to that person's place of business or employment to the  
 35 commission or ~~[its]~~ the commission's authorized representative when access has been  
 36 requested in conjunction with an investigation related to this section;
- 37 (d) ~~[hinder-]~~ hindering the commission or ~~[its]~~ the commission's authorized representative  
 38 in the securing of any information authorized by this section;
- 39 (e) ~~[refuse-]~~ refusing or knowingly ~~[omit]~~ omitting or ~~[neglect]~~ neglecting to keep any of  
 40 the records required by this chapter;
- 41 (f) knowingly ~~[make]~~ making ~~[any]~~ a false statement, representation, or certification in  
 42 any application, record, report, plan, or other document filed or required to be  
 43 maintained under this chapter;
- 44 (g) ~~[discharge-]~~ discharging an employee or ~~[threaten]~~ threatening to or ~~[retaliate]~~  
 45 retaliating against an employee because:  
 46 (i) the employee has testified;  
 47 (ii) is about to testify; or  
 48 (iii) the employer believes that the employee may testify in ~~[any]~~ an investigation or [  
 49 ~~proceedings]~~ proceeding relative to the enforcement of this chapter; ~~[and]~~ or
- 50 (h) willfully ~~[violate]~~ violating ~~[any]~~ an order issued under this chapter.
- 51 (3) A violation of Subsection (2) is:  
 52 (a) a class B misdemeanor on the first offense;  
 53 (b) a class A misdemeanor on the second offense; or  
 54 (c) a third degree felony on the third or subsequent offense.
- 55 (4)(a) If the commission has reasonable suspicion that a person convicted of at least two  
 56 offenses under Subsection (3) has committed additional acts that violate Subsection  
 57 (2), the commission may request that law enforcement investigate that person.
- 58 (b) If the commission requests that law enforcement investigate a person as described in  
 59 Subsection (4)(a), law enforcement shall investigate that person.
- 60 ~~[(3)]~~ (5) This section does not apply to ~~[violations]~~ a violation of Section 34-23-301.
- 61 Section 2. **Effective date.**  
 62 This bill takes effect on May 7, 2025.