

1 **Child Labor Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

2
3 **LONG TITLE**

4 **General Description:**

5 This bill amends provisions relating to the employment of minors.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ classifies child-labor related acts as different crimes;

9 ▶ allows the Labor Commission to request that law enforcement investigate a person under
10 certain circumstances;

11 ▶ allows the commission to share information with law enforcement under certain
12 circumstances; and

13 ▶ makes technical and conforming changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **34-23-402**, as last amended by Laws of Utah 2009, Chapter 347

21
22 *Be it enacted by the Legislature of the state of Utah:*

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

24 **34-23-402 . Violation -- Criminal penalty.**

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

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

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

- 32 (a) knowingly [~~employ~~] employing a minor or [~~permit~~] permitting a minor to work in a
 33 repeated violation of this chapter;
- 34 (b) [~~refuse~~] refusing or knowingly [~~neglect~~] neglecting to furnish to the commission, any
 35 information requested by the commission under this chapter;
- 36 (c) [~~refuse~~] refusing access to that person's place of business or employment to the
 37 commission or [~~its~~] the commission's authorized representative when access has been
 38 requested in conjunction with an investigation related to this section;
- 39 (d) [~~hinder~~] hindering the commission or [~~its~~] the commission's authorized representative
 40 in the securing of any information authorized by this section;
- 41 (e) [~~refuse~~] refusing or knowingly [~~omit~~] omitting or [~~neglect~~] neglecting to keep any of
 42 the records required by this chapter;
- 43 (f) knowingly [~~make~~] making [~~any~~] a false statement, representation, or certification in
 44 any application, record, report, plan, or other document filed or required to be
 45 maintained under this chapter;
- 46 (g) [~~discharge~~] discharging an employee or [~~threaten~~] threatening to or [~~retaliate~~]
 47 retaliating against an employee because:
 48 (i) the employee has testified;
 49 (ii) is about to testify; or
 50 (iii) the employer believes that the employee may testify in [~~any~~] an investigation or [~~proceedings~~]
 51 proceeding relative to the enforcement of this chapter; [~~and~~] or
- 52 (h) willfully [~~violate~~] violating [~~any~~] an order issued under this chapter.
- 53 (3) A violation of Subsection (2) is:
- 54 (a) a class B misdemeanor on the first offense;
 55 (b) a class A misdemeanor on the second offense; or
 56 (c) a third degree felony on the third or subsequent offense.
- 57 (4)(a) If the commission has reasonable suspicion that a person convicted of at least two
 58 offenses under Subsection (3) has committed additional acts that violate Subsection
 59 (2), the commission may request that law enforcement investigate that person.
- 60 (b) If the commission requests that law enforcement investigate a person as described in
 61 Subsection (4)(a), law enforcement shall investigate that person.
- 62 (c) The commission shall share any information relating to an offense described in this
 63 section with law enforcement.
- 64 [(3)] (5) This section does not apply to [~~violations~~] a violation of Section 34-23-301.
- 65 Section 2. **Effective date.**

66 This bill takes effect on May 7, 2025.