

34-23-302 Criminal penalty -- Enforcement.

(1)

(a) Repeated violation of Section 34-23-301 is a class B misdemeanor.

(b) "Repeated violation" does not include separate violations as to individual employees arising out of the same investigation or enforcement action.

(2) Upon the third violation of Section 34-23-301 by the same employer within a three-year period, the commission may prosecute a criminal action in the name of the state.

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

Amended by Chapter 375, 1997 General Session