

34-23-402 Violation -- Criminal penalty.

- (1) The commission may prosecute a misdemeanor criminal action in the name of the state. 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, whether individually or as an officer, agent, or employee of any person, firm, or corporation to:
 - (a) knowingly employ a minor or permit a minor to work in a repeated violation of this chapter;
 - (b) refuse or knowingly neglect to furnish to the commission, any information requested by the commission under this chapter;
 - (c) refuse access to that person's place of business or employment to the commission or its authorized representative when access has been requested in conjunction with an investigation related to this section;
 - (d) hinder the commission or its authorized representative in the securing of any information authorized by this section;
 - (e) refuse or knowingly omit or neglect to keep any of the records required by this chapter;
 - (f) knowingly make any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this chapter;
 - (g) discharge an employee or threaten to or retaliate against an employee because:
 - (i) the employee has testified;
 - (ii) is about to testify; or
 - (iii) the employer believes that the employee may testify in any investigation or proceedings relative to the enforcement of this chapter; and
 - (h) willfully violate any order issued under this chapter.
- (3) This section does not apply to violations of Section 34-23-301.

Amended by Chapter 347, 2009 General Session