

34A-2-210 Power to bring suit for noncompliance.

- (1)
- (a) The commission or the division on behalf of the commission may maintain a suit in any court of the state to enjoin any employer, within this chapter or Chapter 3, Utah Occupational Disease Act, from further operation of the employer's business, when the employer fails to provide for the payment of benefits in one of the three ways provided in Section 34A-2-201.
 - (b) Upon a showing of failure to provide for the payment of benefits, the court shall enjoin the further operation of the employer's business until the payment of these benefits has been secured by the employer as required by Section 34A-2-201. The court may enjoin the employer without requiring bond from the commission or division.
- (2) If the division has reason to believe that an employer is conducting a business without securing the payment of compensation in one of the three ways provided in Section 34A-2-201, the division may give the employer five days written notice by registered mail of the noncompliance and if the employer within the five days written notice does not remedy the default:
- (a) the commission or the division on behalf of the commission may file suit under Subsection (1); and
 - (b) the court may, ex parte, issue without bond a temporary injunction restraining the further operation of the employer's business.

Enacted by Chapter 375, 1997 General Session