

35A-4-308 Bonds to ensure compliance.

- (1)
- (a) The division, whenever it considers it necessary to ensure compliance with this chapter, may require any employer, subject to the contribution imposed hereunder, to deposit with it any bond or security as the division shall determine.
 - (b) The bond or security may be sold by the division at public sale, if it becomes necessary, in order to recover any tax, interest, or penalty due.
 - (c) Notice of the sale may be served upon the employer who deposited the securities personally or by mail. If by mail, notice sent to the last-known address as the same appears in the records of the division is sufficient for purposes of this requirement.
 - (d) Upon the sale, the surplus, if any, above the amounts due, shall be returned to the employer who deposited the security.
- (2)
- (a) If an employer fails to comply with Subsection (1), the district court of the county in which the employer resides or in which the employer employs workers shall, upon the commencement of a suit by the division for that purpose, enjoin the employer from further employing workers in this state or continuing in business until the employer has complied with Subsection (1).
 - (b) Upon filing of a suit for such purpose by the division, the court shall set a date for hearing and cause notice to be served upon the employer. The hearing shall be not less than five nor more than 15 days from the service of the notice.

Renumbered and Amended by Chapter 240, 1996 General Session