

1 **LEAVE OF ABSENCE FOR DISABLED**
2 **EMPLOYEES**

3 2003 GENERAL SESSION
4 STATE OF UTAH

5 **Sponsor: Chad E. Bennion**

6 **This act modifies the Utah State Personnel Management Act by modifying requirements**
7 **for granting a paid leave of absence for certain disabled employees.**

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10 **67-19-27**, as last amended by Chapter 236, Laws of Utah 2002

11 *Be it enacted by the Legislature of the state of Utah:*

12 Section 1. Section **67-19-27** is amended to read:

13 **67-19-27. Leave of absence with pay for disabled employees covered under other**
14 **civil service systems.**

15 (1) As used in this section:

16 (a) (i) "Law enforcement officer" means a sworn and certified peace officer who is an
17 employee of a law enforcement agency that is part of or administered by the state, and whose
18 primary and principal duties consist of the prevention and detection of crime and the
19 enforcement of criminal statutes of this state.

20 ~~(b)~~ (ii) "Law enforcement officer" specifically includes the following:

21 ~~(i)~~ (A) the commissioner of public safety and any member of the Department of
22 Public Safety certified as a peace officer;

23 ~~(ii)~~ (B) all persons specified in Sections 23-20-1.5 and 63-11-17.2;

24 ~~(iii)~~ (C) investigators for the Motor Vehicle Enforcement Division;

25 ~~(iv)~~ (D) special agents or investigators employed by the attorney general;

26 ~~(v)~~ (E) employees of the Department of Natural Resources designated as peace
27 officers by law;



28 [~~(vi)~~] (F) the executive director of the Department of Corrections and any correctional
29 enforcement or investigative officer designated by the executive director and approved by the
30 commissioner of public safety and certified by the division; and

31 [~~(vii)~~] (G) correctional enforcement, investigative, or adult probation and parole
32 officers employed by the Department of Corrections serving on or before July 1, 1993.

33 (b) "State correctional officer" means a correctional officer as defined in Section
34 53-13-104 who is employed by the Department of Corrections.

35 (2) (a) Each law enforcement officer, state correctional officer, operator license
36 examiner, commercial license examiner, or Driver License Division hearing examiner who is
37 injured in the course of employment shall be given a leave of absence with full pay during the
38 period the employee is temporarily disabled.

39 (b) This compensation is in lieu of all other compensation provided by law except
40 hospital and medical services that are provided by law.

41 (3) Each law enforcement officer or state correctional officer who is 100% disabled
42 through a criminal act upon his person [~~by the use of a deadly weapon~~] while in the lawful
43 discharge of his duties, shall be given a leave of absence with full compensation until he retires
44 or reaches the retirement age of 62 years.

Legislative Review Note
as of 1-24-03 4:09 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

State Impact

For each employee permanently disabled in the line of duty the cost to the State would be approximately \$50,000 per year. However, any actual costs will be dependent on the number of instances that would occur in any given year. That number is not quantifiable at this time.

Individual and Business Impact

If an individual is permanently disabled in the line of duty they would receive annual benefit equal to salary and benefits. This would amount to approximately \$50,000 annually.

Office of the Legislative Fiscal Analyst