

**EMPLOYMENT AGENCY REVISIONS**

2005 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: J. Stuart Adams**

Senate Sponsor: Sheldon L. Killpack

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**LONG TITLE**

**General Description:**

This bill increases penalties under Title 34, Chapter 29, Employment Agencies.

**Highlighted Provisions:**

This bill:

- ▶ allows a person to recover two times the amount of money paid to an employment agency as a commission in advance;
- ▶ increases the allowable penalty for other violations of Title 34, Chapter 29, Employment Agencies; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**34-29-8**, as enacted by Chapter 85, Laws of Utah 1969

**34-29-15**, as enacted by Chapter 85, Laws of Utah 1969

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

Section 1. Section **34-29-8** is amended to read:

**34-29-8. Taking commission in advance unlawful -- Penalty.**

(1) It ~~shall be~~ is unlawful for any employment agent to receive, directly or indirectly,

any money or other valuable consideration from any person seeking employment for any information or assistance furnished or to be furnished by the agent to such person, enabling or tending to enable ~~[such]~~ that person to secure ~~[such]~~ employment, ~~[prior to]~~ before the time ~~[such]~~ the information or assistance is actually furnished.

(2) An employment agent who violates Subsection (1) is liable to the person from whom the money or other valuable consideration is received for an amount equal to twice the amount of money or other valuable consideration paid to the employment agent.

Section 2. Section **34-29-15** is amended to read:

**34-29-15. False statements -- Failure to keep registers -- Other violations -- Penalty.**

(1) If ~~[any]~~ a person engaged in the business of employment or intelligence agent or broker~~[-, duty]~~ licensed ~~[as provided in]~~ under this chapter~~[-];~~ does the following, that person is liable under Subsection (2):

(a) gives any false information or makes any misstatement or any false promises concerning any work ~~[or]~~, employment, or occupation~~[-, or]~~;

(b) fails to keep the registers as prescribed in Sections 34-29-11 and 34-29-12~~[-, or shall]~~;

(c) willfully ~~[make]~~ makes any false entries in ~~[such register or shall violate]~~ a register under Section 34-29-11 or 34-29-12; or

(d) violates any other ~~[provisions]~~ provision of this chapter ~~[for which violation penalties are not hereinbefore provided, he]~~.

(2) If a person violates Subsection (1) and no penalty is otherwise provided in this chapter, the person shall for each and every offense be fined in any sum not exceeding ~~[\$100]~~ \$200, and in the discretion of the trial court, ~~[his]~~ the person's license may be revoked.