

EMPLOYMENT AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark B. Madsen

House Sponsor: Eric K. Hutchings

LONG TITLE

General Description:

This bill prohibits a municipality or county from enacting or enforcing an ordinance that establishes, mandates, or requires a private employer to establish or offer an employee benefit.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ prohibits a municipality or county from enacting or enforcing an ordinance that establishes, mandates, or requires a private employer to establish or offer an employee benefit.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

10-8-84.5, Utah Code Annotated 1953

17-50-333, Utah Code Annotated 1953

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

Section 1. Section **10-8-84.5** is enacted to read:

10-8-84.5. Limitations on employee benefits imposed by a municipality.

- 30 (1) For the purpose of this section:
- 31 (a) "Accident and health insurance" is as defined in Section 31A-1-301.
- 32 (b) "Employee" means an individual employed by an employer.
- 33 (c) "Employee benefit" means one or more benefits or services provided to:
- 34 (i) an employee; or
- 35 (ii) a dependent of an employee.
- 36 (d) "Private employer" means a person who has one or more employees employed in
- 37 the same business, or in or about the same establishment, under any contract of hire, express or
- 38 implied, oral or written.
- 39 (e) "Insurance" is as defined in Section 31A-1-301.
- 40 (f) "Life insurance" is as defined in Section 31A-1-301.
- 41 (2) A municipality may not enact or enforce an ordinance that establishes, mandates, or
- 42 requires a private employer to establish or offer an employee benefit, including:
- 43 (a) accident and health insurance;
- 44 (b) life insurance;
- 45 (c) sick leave; or
- 46 (d) family medical leave.
- 47 (3) Nothing in this section prohibits a municipality from considering an employee
- 48 benefit described in Subsection (2) among other criteria when issuing a request for proposals.
- 49 Section 2. Section **17-50-333** is enacted to read:
- 50 **17-50-333. Limitations on employee benefits imposed by a county.**
- 51 (1) For the purpose of this section:
- 52 (a) "Accident and health insurance" is as defined in Section 31A-1-301.
- 53 (b) "Employee" means an individual employed by an employer.
- 54 (c) "Employee benefit" means one or more benefits or services provided to:
- 55 (i) an employee; or
- 56 (ii) a dependent of an employee.
- 57 (d) "Private employer" means a person who has one or more employees employed in

58 the same business, or in or about the same establishment, under any contract of hire, express or
59 implied, oral or written.

60 (e) "Insurance" is as defined in Section 31A-1-301.

61 (f) "Life insurance" is as defined in Section 31A-1-301.

62 (2) A county may not enact or enforce an ordinance that establishes, mandates, or
63 requires a private employer to establish or offer an employee benefit, including:

64 (a) accident and health insurance;

65 (b) life insurance;

66 (c) sick leave; or

67 (d) family medical leave.

68 (3) Nothing in this section prohibits a county from considering an employee benefit
69 described in Subsection (2) among other criteria when issuing a request for proposals.