1   # EMPLOYMENT AMENDMENTS
2   ## 2012 GENERAL SESSION
3   ## STATE OF UTAH
4   **Chief Sponsor: Mark B. Madsen**
5   House Sponsor: Eric K. Hutchings

6
7   **LONG TITLE**
8   **General Description:**
9   This bill prohibits a municipality or county from enacting or enforcing an ordinance
10 that establishes, mandates, or requires a private employer to establish or offer an
11 employee benefit.
12 **Highlighted Provisions:**
13   This bill:
14   ‣   defines terms; and
15   ‣   prohibits a municipality or county from enacting or enforcing an ordinance that
16 establishes, mandates, or requires a private employer to establish or offer an
17 employee benefit.
18 **Money Appropriated in this Bill:**
19   None
20 **Other Special Clauses:**
21   None
22 **Utah Code Sections Affected:**
23 ENACTS:
24   **10-8-84.5**, Utah Code Annotated 1953
25   **17-50-333**, Utah Code Annotated 1953
26
27 *Be it enacted by the Legislature of the state of Utah:*

S.B. 99

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

29   **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   Section 2. Section **17-50-333** is enacted to read:

48   **17-50-333. Limitations on employee benefits imposed by a county.**

49   (1) For the purpose of this section:

50   (a) "Accident and health insurance" is as defined in Section 31A-1-301.

51   (b) "Employee" means an individual employed by an employer.

52   (c) "Employee benefit" means one or more benefits or services provided to:

53   (i) an employee; or

54   (ii) a dependent of an employee.

55   (d) "Private employer" means a person who has one or more employees employed in

56 the same business, or in or about the same establishment, under any contract of hire, express or

57 implied, oral or written.

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

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

60   (2) A county may not enact or enforce an ordinance that establishes, mandates, or

61   requires a private employer to establish or offer an employee benefit, including:

62   (a) accident and health insurance;

63   (b) life insurance;

64   (c) sick leave; or

65   (d) family medical leave.

Legislative Review Note
        as of   2-1-12 12:49 PM

Office of Legislative Research and General Counsel