

28 Section 1. Section 34-56-101 is enacted to read:

29 CHAPTER 56. FAMILY AND MEDICAL UNPAID LEAVE PROVISIONS

30 Part 1. General Provisions

31 34-56-101. Title.

32 This chapter is known as "Family and Medical Unpaid Leave Provisions."

33 Section 2. Section 34-56-102 is enacted to read:

34 34-56-102. Definitions.

35 As used in this chapter:

36 (1) "Eligible employee" means the same as that term is defined in 29 U.S.C. Sec. 2611.

37 (2) "FMLA" means the Family and Medical Leave Act, 29 U.S.C. Sec. 2601, et seq.

38 (3) "Unpaid leave" means the type of leave to which an eligible employee is entitled
39 under the FMLA.

40 (4) (a) "State-eligible employer" means a public or private person who employs at least
41 30 and fewer than 50 employees in the state for each working day during each of 20 or more
42 calendar work weeks in the current or preceding calendar year.

43 (b) "State-eligible employer" includes:

44 (i) a person who acts, directly or indirectly, in the interest of a person described in
45 Subsection (4)(a) to an employee of the person described in Subsection (4)(a); and

46 (ii) any successor in interest of a person described in Subsection (4)(a).

47 Section 3. Section 34-56-201 is enacted to read:

48 Part 2. Applicability of the Family and Medical Leave Act

49 34-56-201. State-eligible employers.

50 (1) Except as provided in Subsection (2), the provisions of the FMLA apply to each
51 state-eligible employer as if the state-eligible employer were an employer as defined in 29
52 U.S.C. Sec. 2611.

53 (2) ~~§~~→ (a) ~~←~~§ Each eligible employee of a state-eligible employer is entitled to ~~§~~→ [three]
53a two ~~←~~§ workweeks
54 of unpaid leave during any 12-month period.

54a ~~§~~→ (b) A state-eligible employer is not subject to any recordkeeping or notice requirement
54b of the FMLA or the rules promulgated thereunder. ~~←~~§

55 Section 4. Section 34-56-301 is enacted to read:

56 Part 3. Enforcement

57 34-56-301. Right to damages or equitable relief.

58 An eligible employee may recover damages or equitable relief in any state court of