

**Representative Jefferson Moss** proposes the following substitute bill:

**TALENT READY UTAH PROGRAM MODIFICATIONS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jefferson Moss**

Senate Sponsor: Ann Millner

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**LONG TITLE**

**General Description:**

This bill makes changes to provisions related to internships and apprenticeships.

**Highlighted Provisions:**

This bill:

- ▶ provides that a public school student participating in a youth apprenticeship is considered a volunteer government worker for purposes of workers' compensation and risk management;
- ▶ provides that an internship through an institution of higher education or public or private school may be with compensation;
- ▶ provides that an intern participating in an internship through an institution of higher education or public school is considered a volunteer government worker for purposes of workers' compensation and risk management;
- ▶ creates an apprenticeship intermediary position to foster relationships between the Talent Ready Utah Program, local education agencies, and industry partners;
- ▶ defines terms; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None



26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53B-16-401**, as last amended by Laws of Utah 2020, Chapter 365

31 **53B-16-403**, as last amended by Laws of Utah 1997, Chapter 10

32 **53B-34-103**, as renumbered and amended by Laws of Utah 2022, Chapter 362

33 **53G-7-901**, as last amended by Laws of Utah 2020, Chapter 374

34 **53G-7-903**, as last amended by Laws of Utah 2020, Chapter 354

35 ENACTS:

36 **35A-6-104.5**, Utah Code Annotated 1953



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

39 Section 1. Section **35A-6-104.5** is enacted to read:

40 **35A-6-104.5. Youth apprenticeships -- Workers' compensation -- Risk**  
41 **management.**

42 (1) As used in this section, "youth apprentice" means an individual who is:

43 (a) participating in a youth apprenticeship; and

44 (b) enrolled in a public school.

45 (2) A youth apprentice is considered to be a volunteer government worker of the public  
46 school in which the individual is enrolled, solely for purposes of:

47 (a) receiving workers' compensation medical benefits; and

48 (b) coverage by the Risk Management Fund created in Section [63A-4-201](#).

49 (3) Receipt of medical benefits under Subsection (2) shall be the exclusive remedy  
50 against the school and the cooperating employer for all injuries and occupational diseases as  
51 provided under Title 34A, Chapter 2, Workers' Compensation Act, and Chapter 3, Utah  
52 Occupational Disease Act.

53 Section 2. Section **53B-16-401** is amended to read:

54 **53B-16-401. Definitions.**

55 As used in this part:

56 (1) "Cooperating employer" means a public or private entity which, as part of a work

57 experience and career exploration program offered through an institution of higher education,  
58 provides interns with training and work experience in activities related to the entity's ongoing  
59 business activities.

60 (2) "Institution of higher education" means any component of the state system of higher  
61 education as defined under Section [53B-1-102](#) that is authorized by the board to offer  
62 internship programs, and any private institution of higher education which offers internship  
63 programs under this part.

64 (3) "Intern" means a student enrolled in a work experience and career exploration  
65 program under Section [53B-16-402](#) that is sponsored by an institution of higher education,  
66 involving both classroom instruction and work experience with a cooperating employer, [~~for~~  
67 ~~which the student receives no compensation~~] regardless of whether the student receives  
68 compensation.

69 (4) "Internship" means the work experience segment of an intern's work experience and  
70 career exploration program sponsored by an institution of higher education, performed under  
71 the direct supervision of a cooperating employer.

72 Section 3. Section **53B-16-403** is amended to read:

73 **53B-16-403. Interns -- Workers' compensation medical benefits -- Risk**  
74 **management.**

75 (1) An intern participating in an internship under Section [53B-16-402](#) is considered to  
76 be a volunteer worker of the sponsoring institution of higher education solely for purposes of:

77 (a) receiving workers' compensation medical benefits[-]; and

78 (b) coverage by the Risk Management Fund created in Section [63A-4-201](#).

79 (2) Receipt of medical benefits under Subsection (1) shall be the exclusive remedy  
80 against the institution and the cooperating employer for all injuries and occupational diseases  
81 as provided under Title 34A, Chapter 2, Workers' Compensation Act, and Chapter 3, Utah  
82 Occupational Disease Act.

83 Section 4. Section **53B-34-103** is amended to read:

84 **53B-34-103. Talent Ready Utah Program.**

85 (1) There is created the Talent Ready Utah Program administered by the commissioner.

86 (2) The commissioner, with the approval of the board, shall appoint a director of the  
87 talent program.

- 88 (3) The director of the talent program;
- 89 (a) shall appoint, with the approval of the commissioner, an apprenticeship
- 90 intermediary, to carry out the duties described in Subsection (5); and
- 91 (b) may appoint other staff with the approval of the commissioner.
- 92 (4) The talent program shall coordinate with the talent board to:
- 93 (a) further education and industry alignment in the state;
- 94 (b) coordinate the development of new education programs that align with industry
- 95 demand;
- 96 (c) coordinate or partner with other state agencies to administer grant programs;
- 97 (d) promote the inclusion of industry partners in education;
- 98 (e) provide outreach and information to employers regarding workforce programs and
- 99 initiatives;
- 100 (f) develop and analyze stackable credential programs;
- 101 (g) determine efficiencies among workforce providers;
- 102 (h) map available workforce programs focusing on programs that successfully create
- 103 high-paying jobs; and
- 104 (i) support initiatives of the talent board.
- 105 (5) The apprenticeship intermediary appointed by the director under Subsection (3)
- 106 shall, in coordination with the talent program and at the direction of the talent board, foster
- 107 relationships between industry partners, local education agencies, and the talent program,
- 108 including by:
- 109 (a) increasing awareness for the talent program;
- 110 (b) recruiting industry partners;
- 111 (c) connecting high school students to participating employers, apprenticeship
- 112 opportunities, and work-based learning opportunities;
- 113 (d) working with local education agencies to:
- 114 (i) integrate talent program apprenticeship opportunities and work-based learning
- 115 opportunities;
- 116 (ii) connect high school students with higher education opportunities;
- 117 (e) training mentors at participating employers in vocational education practices for
- 118 youth;

119 (f) holding meetings with education partners and industry partners to discuss  
120 curriculum needs and industry needs;

121 (g) working with institutions of higher education and local education agencies to  
122 ensure industry-recognized credential programs are fully stackable; and

123 (h) performing other duties as directed by the talent board.

124 Section 5. Section **53G-7-901** is amended to read:

125 **53G-7-901. Definitions.**

126 As used in this part:

127 (1) "Cooperating employer" means a public or private entity which, as part of a work  
128 experience and career exploration program offered through a school, provides interns with  
129 training and work experience in activities related to the entity's ongoing business activities.

130 (2) "Intern" means a student enrolled in a school-sponsored work experience and career  
131 exploration program under Section **53G-7-902** involving both classroom instruction and work  
132 experience with a cooperating employer, ~~[for which the student receives no compensation]~~  
133 regardless of whether the student receives compensation.

134 (3) "Internship" means the work experience segment of an intern's school-sponsored  
135 work experience and career exploration program, performed under the direct supervision of a  
136 cooperating employer.

137 (4) "Internship safety agreement" means the agreement between a public or private  
138 school and a cooperating employer in accordance with Section **53G-7-904**.

139 (5) "Private school" means a school serving any of grades 7 through 12 which is not  
140 part of the public education system.

141 (6) "Public school" means:

142 (a) a public school district;

143 (b) an applied technology center or applied technology service region;

144 (c) the Schools for the Deaf and the Blind; or

145 (d) other components of the public education system authorized by the state board to  
146 offer internships.

147 Section 6. Section **53G-7-903** is amended to read:

148 **53G-7-903. Interns -- Workers' compensation medical benefits -- Risk**  
149 **management.**

150 (1) An intern participating in an internship under Section [53G-7-902](#) is considered to  
151 be a volunteer government worker of the sponsoring public school, or an employee of the  
152 sponsoring private school, solely for purposes of:

153 (a) receiving workers' compensation medical benefits[-]; and

154 (b) for an intern participating through a sponsoring public school, coverage by the Risk  
155 Management Fund created in Section [63A-4-201](#).

156 (2) Receipt of medical benefits under Subsection (1) shall be the exclusive remedy  
157 against the school and the cooperating employer for all injuries and occupational diseases as  
158 provided under Title 34A, Chapter 2, Workers' Compensation Act, and Chapter 3, Utah  
159 Occupational Disease Act.