

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

27 Section 1. Section **63A-17-104** is amended to read:

28 **63A-17-104. Discriminatory or prohibited employment practices.**

29 (1) The state, the state's officers, and employees shall be governed by the provisions of
30 Section 34A-5-106 of the Utah Antidiscrimination Act concerning discriminatory or prohibited
31 employment practices.

32 (2) (a) As used in this Subsection (2):

33 (i) "State employer" means a state executive branch agency, including the State Tax
34 Commission, the National Guard, and the Board of Pardons and Parole.

35 (ii) "State employer" does not include:

36 (A) an institute of higher education;

37 (B) the Utah Board of Higher Education;

38 (C) the State Board of Education;

39 (D) an independent entity, as defined in Section 63E-1-102;

40 (E) the Office of the Attorney General;

41 (F) the Office of the State Auditor; or

42 (G) the Office of the State Treasurer.

43 (b) Except as provided in Subsection (2)(c), a state employer:

44 (i) shall provide for equitable and competitive compensation, based on the relative
45 ability, knowledge, and skills of an employee ~~H~~→ **[and not based on compensation paid for previous**
46 **employment]** ←~~H~~ ; and

47 (ii) may not request that an employee or prospective employee disclose compensation
48 paid to the employee or prospective employee for previous employment.

49 (c) Subsection (2)(b) does not apply to an employee described in Subsection
50 63A-17-301(1)(a).

51 Section 2. **Effective date.**

52 This bill takes effect on May 1, 2024.