

**Representative Rosemary T. Lesser** proposes the following substitute bill:

**EMPLOYEE COMPENSATION AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rosemary T. Lesser**

Senate Sponsor: Todd D. Weiler

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**LONG TITLE**

**General Description:**

This bill modifies requirements related to compensation of executive branch employees.

**Highlighted Provisions:**

This bill:

- ▶ requires that compensation be based on the relative ability, knowledge, and skills of an employee and not on compensation paid for previous employment; and
- ▶ prohibits an executive branch employer from requesting that an employee or prospective employee disclose compensation paid to the employee or prospective employee for previous employment.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**63A-17-104**, as renumbered and amended by Laws of Utah 2021, Chapter 344

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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.