

**MINIMUM WAGE MODIFICATIONS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brett Garner**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill addresses the minimum wage.

**Highlighted Provisions:**

This bill:

- ▶ increases the minimum wage;
- ▶ requires the Labor Commission to adjust the minimum wage at certain times;
- ▶ grants the commission administrative rulemaking authority regarding the minimum

wage; and

- ▶ prohibits a city, town, and county from establishing a minimum wage that exceeds the minimum wage established in this bill.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**34-23-301**, as last amended by Laws of Utah 1997, Chapter 375

**34-40-106**, as last amended by Laws of Utah 2005, Chapter 287

REPEALS AND REENACTS:

**34-40-103**, as last amended by Laws of Utah 1997, Chapter 375



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

30 Section 1. Section **34-23-301** is amended to read:

31 **34-23-301. Minimum hourly wages.**

32 The commission may establish minimum hourly wages for minors~~[-If there is an~~  
33 ~~established minimum hourly wage for adults, the minimum hourly wages for minors may be~~  
34 ~~established at a lesser amount.]~~ in accordance with Section [34-40-103](#).

35 Section 2. Section **34-40-103** is repealed and reenacted to read:

36 **34-40-103. Minimum wage -- Commission to review and modify minimum wage.**

37 (1) Before January 1, 2026, the minimum wage for private and public employees in the  
38 state is the greater of:

39 (a) \$3.80 per hour; and

40 (b) the federal minimum wage as provided in the Fair Labor Standards Act of 1938, 29  
41 U.S.C. Sec. 201 et seq.

42 (2) On January 1, 2026, and before January 1, 2027, the minimum wage for private and  
43 public employees in the state is the greater of:

44 (a) (i) for an employee who is younger than 18 years old, \$10 per hour;

45 (ii) for an employee who is 18 years old or older, but younger than 21 years old, \$13  
46 per hour;

47 (iii) for an employee who is 21 years old or 22 years old, \$15 per hour; and

48 (iv) for an employee who is 23 years old or older, \$19 per hour; and

49 (b) the federal minimum wage as provided in the Fair Labor Standards Act of 1938, 29  
50 U.S.C. Sec. 201 et seq.

51 (3) Beginning January 1, 2029, and each January 1 thereafter, the commission shall by  
52 rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
53 increase the minimum wage for each category of employee described in Subsection (2)(a) by at  
54 least \$0.25 per hour.

55 Section 3. Section **34-40-106** is amended to read:

56 **34-40-106. Limitations on minimum wage imposed by cities, towns, or counties.**

57 (1) A city, town, or county may not establish, mandate, or require a minimum wage  
58 that exceeds [~~the federal minimum wage as provided in 29 U.S.C. Sec. 201 et seq., Fair Labor~~

59 ~~Standards Act of 1938]~~ the established minimum wage for all private and public employees  
60 under Section 34-40-103.

61 (2) (a) A city, town, or county may not require that a person who contracts with the  
62 city, town, or county pay that person's employees a wage that exceeds the federal minimum  
63 wage as provided in 29 U.S.C. Sec. 201 et seq., Fair Labor Standards Act of 1938.

64 (b) Subsection (2)(a) does not apply when federal law requires the payment of a  
65 specified wage to persons working on projects funded in whole or in part by federal funds.

66 (c) Subsection (2)(a) applies to contracts executed on or after April 30, 2001.

67 (3) (a) If a city, town, or county contracts with a person for the direct purchase of goods  
68 or services, in awarding or otherwise executing that contract, the city, town, or county may not  
69 give any preferential treatment to a person on the basis that the person pays that person's  
70 employees a wage that exceeds the minimum wage as provided in 29 U.S.C. Sec. 201 et seq.,  
71 Fair Labor Standards Act of 1938.

72 (b) This Subsection (3) does not apply when federal law requires the consideration of  
73 whether a person pays the person's employees a specified wage to persons working on projects  
74 funded in whole or in part by federal funds.

75 (c) This Subsection (3) applies to contracts executed on or after May 2, 2005.

76 (4) (a) The restrictions of this section on a city, town, or county apply to any entity  
77 created by the city, town, or county.

78 (b) This Subsection (4) applies to contracts executed on or after May 2, 2005.

79 **Section 4. Effective date.**

80 This bill takes effect on May 1, 2024.