

**PUBLIC EMPLOYEE LEAVE AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Norman K Thurston**

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

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**LONG TITLE**

**General Description:**

This bill requires certain government employers to, at a minimum, provide unpaid leave to an employee who is a state legislator on an authorized legislative day.

**Highlighted Provisions:**

This bill:

- ▶ defines terms; and
- ▶ requires certain government employers to, at a minimum, provide unpaid leave to an employee who is a state legislator on an authorized legislative day.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**10-3-1111**, Utah Code Annotated 1953

**11-13-104**, Utah Code Annotated 1953

**17-15-33**, Utah Code Annotated 1953

**53B-2-114**, Utah Code Annotated 1953

**53B-2a-119**, Utah Code Annotated 1953

**53G-11-208**, Utah Code Annotated 1953



28 [63A-17-513](#), Utah Code Annotated 1953



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

31 Section 1. Section **10-3-1111** is enacted to read:

32 **10-3-1111. Municipality required to provide leave to a legislator on an authorized**  
33 **legislative day.**

34 (1) As used in this section:

35 (a) "Authorized legislative day" means:

36 (i) the day on which the Legislature convenes in annual general session, and each day  
37 after that day, until midnight of the 45th day of the annual general session;

38 (ii) a special session day;

39 (iii) a veto override session day;

40 (iv) an interim day designated by the Legislative Management Committee;

41 (v) an authorized legislative training day; or

42 (vi) any other day on which a meeting of a committee, subcommittee, commission, task  
43 force, or other entity is held, if:

44 (A) the committee, subcommittee, commission, task force, or other entity is created by  
45 statute or joint resolution;

46 (B) the legislator's attendance at the meeting is approved by the Legislative  
47 Management Committee; and

48 (C) service and payment for service by the legislator is not in violation of the Utah  
49 Constitution, including Article V and Article VI, Sections 6 and 7.

50 (b) "Authorized legislative training day" means a day that a Legislative Expenses  
51 Oversight Committee designates as an authorized legislative day for training or informational  
52 purposes, including:

53 (i) chair training;

54 (ii) an issue briefing;

55 (iii) legislative leadership instruction;

56 (iv) legislative process training;

57 (v) legislative rules training;

58 (vi) new legislator orientation; or

59 (vii) another meeting to brief, instruct, orient, or train a legislator in relation to the  
60 legislator's official duties.

61 (c) "Legislator" means:

62 (i) a member of the Utah Senate;

63 (ii) a member of the Utah House of Representatives; or

64 (iii) an individual who has been elected as a member described in Subsection (1)(c)(i)  
65 or (ii), but has not yet been sworn in or begun the individual's term of office.

66 (2) A municipality that employs an individual who is a legislator:

67 (a) shall grant leave to the individual on an authorized legislative day for the number of  
68 hours requested by the individual; and

69 (b) may not terminate the individual's employment, or otherwise penalize or  
70 disadvantage the individual, for taking the leave described in Subsection (2)(a).

71 (3) The leave described in Subsection (2) is leave without pay unless the municipality  
72 and the individual described in Subsection (2) agree to terms that are more favorable to the  
73 individual.

74 Section 2. Section 11-13-104 is enacted to read:

75 **11-13-104. Interlocal entity required to provide leave to a legislator on an**  
76 **authorized legislative day.**

77 (1) As used in this section:

78 (a) "Authorized legislative day" means:

79 (i) the day on which the Legislature convenes in annual general session, and each day  
80 after that day, until midnight of the 45th day of the annual general session;

81 (ii) a special session day;

82 (iii) a veto override session day;

83 (iv) an interim day designated by the Legislative Management Committee;

84 (v) an authorized legislative training day; or

85 (vi) any other day on which a meeting of a committee, subcommittee, commission, task  
86 force, or other entity is held, if:

87 (A) the committee, subcommittee, commission, task force, or other entity is created by  
88 statute or joint resolution;

89 (B) the legislator's attendance at the meeting is approved by the Legislative

90 Management Committee; and

91 (C) service and payment for service by the legislator is not in violation of the Utah  
92 Constitution, including Article V and Article VI, Sections 6 and 7.

93 (b) "Authorized legislative training day" means a day that a Legislative Expenses  
94 Oversight Committee designates as an authorized legislative day for training or informational  
95 purposes, including:

96 (i) chair training;

97 (ii) an issue briefing;

98 (iii) legislative leadership instruction;

99 (iv) legislative process training;

100 (v) legislative rules training;

101 (vi) new legislator orientation; or

102 (vii) another meeting to brief, instruct, orient, or train a legislator in relation to the  
103 legislator's official duties.

104 (c) "Legislator" means:

105 (i) a member of the Utah Senate;

106 (ii) a member of the Utah House of Representatives; or

107 (iii) an individual who has been elected as a member described in Subsection (1)(c)(i)  
108 or (ii), but has not yet been sworn in or begun the individual's term of office.

109 (2) An interlocal entity that employs an individual who is a legislator:

110 (a) shall grant leave to the individual on an authorized legislative day for the number of  
111 hours requested by the individual; and

112 (b) may not terminate the individual's employment, or otherwise penalize or  
113 disadvantage the individual, for taking the leave described in Subsection (2)(a).

114 (3) The leave described in Subsection (2) is leave without pay unless the interlocal  
115 entity and the individual described in Subsection (2) agree to terms that are more favorable to  
116 the individual.

117 Section 3. Section **17-15-33** is enacted to read:

118 **17-15-33. County required to provide leave to a legislator on an authorized**  
119 **legislative day.**

120 (1) As used in this section:

- 121 (a) "Authorized legislative day" means:  
122 (i) the day on which the Legislature convenes in annual general session, and each day  
123 after that day, until midnight of the 45th day of the annual general session;  
124 (ii) a special session day;  
125 (iii) a veto override session day;  
126 (iv) an interim day designated by the Legislative Management Committee;  
127 (v) an authorized legislative training day; or  
128 (vi) any other day on which a meeting of a committee, subcommittee, commission, task  
129 force, or other entity is held, if:  
130 (A) the committee, subcommittee, commission, task force, or other entity is created by  
131 statute or joint resolution;  
132 (B) the legislator's attendance at the meeting is approved by the Legislative  
133 Management Committee; and  
134 (C) service and payment for service by the legislator is not in violation of the Utah  
135 Constitution, including Article V and Article VI, Sections 6 and 7.  
136 (b) "Authorized legislative training day" means a day that a Legislative Expenses  
137 Oversight Committee designates as an authorized legislative day for training or informational  
138 purposes, including:  
139 (i) chair training;  
140 (ii) an issue briefing;  
141 (iii) legislative leadership instruction;  
142 (iv) legislative process training;  
143 (v) legislative rules training;  
144 (vi) new legislator orientation; or  
145 (vii) another meeting to brief, instruct, orient, or train a legislator in relation to the  
146 legislator's official duties.  
147 (c) "Legislator" means:  
148 (i) a member of the Utah Senate;  
149 (ii) a member of the Utah House of Representatives; or  
150 (iii) an individual who has been elected as a member described in Subsection (1)(c)(i)  
151 or (ii), but has not yet been sworn in or begun the individual's term of office.

- 152 (2) A county that employs an individual who is a legislator:
- 153 (a) shall grant leave to the individual on an authorized legislative day for the number of
- 154 hours requested by the individual; and
- 155 (b) may not terminate the individual's employment, or otherwise penalize or
- 156 disadvantage the individual, for taking the leave described in Subsection (2)(a).
- 157 (3) The leave described in Subsection (2) is leave without pay unless the county and
- 158 the individual described in Subsection (2) agree to terms that are more favorable to the
- 159 individual.

160 Section 4. Section **53B-2-114** is enacted to read:

161 **53B-2-114. Institution of higher education required to provide leave to a legislator**  
162 **on an authorized legislative day.**

163 (1) As used in this section:

164 (a) "Authorized legislative day" means:

165 (i) the day on which the Legislature convenes in annual general session, and each day  
166 after that day, until midnight of the 45th day of the annual general session;

167 (ii) a special session day;

168 (iii) a veto override session day;

169 (iv) an interim day designated by the Legislative Management Committee;

170 (v) an authorized legislative training day; or

171 (vi) any other day on which a meeting of a committee, subcommittee, commission, task  
172 force, or other entity is held, if:

173 (A) the committee, subcommittee, commission, task force, or other entity is created by  
174 statute or joint resolution;

175 (B) the legislator's attendance at the meeting is approved by the Legislative  
176 Management Committee; and

177 (C) service and payment for service by the legislator is not in violation of the Utah  
178 Constitution, including Article V and Article VI, Sections 6 and 7.

179 (b) "Authorized legislative training day" means a day that a Legislative Expenses  
180 Oversight Committee designates as an authorized legislative day for training or informational  
181 purposes, including:

182 (i) chair training;

- 183 (ii) an issue briefing;  
184 (iii) legislative leadership instruction;  
185 (iv) legislative process training;  
186 (v) legislative rules training;  
187 (vi) new legislator orientation; or  
188 (vii) another meeting to brief, instruct, orient, or train a legislator in relation to the  
189 legislator's official duties.
- 190 (c) "Legislator" means:  
191 (i) a member of the Utah Senate;  
192 (ii) a member of the Utah House of Representatives; or  
193 (iii) an individual who has been elected as a member described in Subsection (1)(c)(i)  
194 or (ii), but has not yet been sworn in or begun the individual's term of office.
- 195 (2) An institution of higher education that employs an individual who is a legislator:  
196 (a) shall grant leave to the individual on an authorized legislative day for the number of  
197 hours requested by the individual; and  
198 (b) may not terminate the individual's employment, or otherwise penalize or  
199 disadvantage the individual, for taking the leave described in Subsection (2)(a).
- 200 (3) The leave described in Subsection (2) is leave without pay unless the institution of  
201 higher education and the individual described in Subsection (2) agree to terms that are more  
202 favorable to the individual.
- 203 Section 5. Section **53B-2a-119** is enacted to read:  
204 **53B-2a-119. Technical college required to provide leave to a legislator on an**  
205 **authorized legislative day.**
- 206 (1) As used in this section:  
207 (a) "Authorized legislative day" means:  
208 (i) the day on which the Legislature convenes in annual general session, and each day  
209 after that day, until midnight of the 45th day of the annual general session;  
210 (ii) a special session day;  
211 (iii) a veto override session day;  
212 (iv) an interim day designated by the Legislative Management Committee;  
213 (v) an authorized legislative training day; or

214 (vi) any other day on which a meeting of a committee, subcommittee, commission, task  
215 force, or other entity is held, if:

216 (A) the committee, subcommittee, commission, task force, or other entity is created by  
217 statute or joint resolution;

218 (B) the legislator's attendance at the meeting is approved by the Legislative  
219 Management Committee; and

220 (C) service and payment for service by the legislator is not in violation of the Utah  
221 Constitution, including Article V and Article VI, Sections 6 and 7.

222 (b) "Authorized legislative training day" means a day that a Legislative Expenses  
223 Oversight Committee designates as an authorized legislative day for training or informational  
224 purposes, including:

225 (i) chair training;

226 (ii) an issue briefing;

227 (iii) legislative leadership instruction;

228 (iv) legislative process training;

229 (v) legislative rules training;

230 (vi) new legislator orientation; or

231 (vii) another meeting to brief, instruct, orient, or train a legislator in relation to the  
232 legislator's official duties.

233 (c) "Legislator" means:

234 (i) a member of the Utah Senate;

235 (ii) a member of the Utah House of Representatives; or

236 (iii) an individual who has been elected as a member described in Subsection (1)(c)(i)  
237 or (ii), but has not yet been sworn in or begun the individual's term of office.

238 (2) A technical college that employs an individual who is a legislator:

239 (a) shall grant leave to the individual on an authorized legislative day for the number of  
240 hours requested by the individual; and

241 (b) may not terminate the individual's employment, or otherwise penalize or  
242 disadvantage the individual, for taking the leave described in Subsection (2)(a).

243 (3) The leave described in Subsection (2) is leave without pay unless the technical  
244 college and the individual described in Subsection (2) agree to terms that are more favorable to



245 the individual.

246 Section 6. Section **53G-11-208** is enacted to read:

247 **53G-11-208. Local education agency required to provide leave to a legislator on**  
248 **an authorized legislative day.**

249 (1) As used in this section:

250 (a) "Authorized legislative day" means:

251 (i) the day on which the Legislature convenes in annual general session, and each day  
252 after that day, until midnight of the 45th day of the annual general session;

253 (ii) a special session day;

254 (iii) a veto override session day;

255 (iv) an interim day designated by the Legislative Management Committee;

256 (v) an authorized legislative training day; or

257 (vi) any other day on which a meeting of a committee, subcommittee, commission, task  
258 force, or other entity is held, if:

259 (A) the committee, subcommittee, commission, task force, or other entity is created by  
260 statute or joint resolution;

261 (B) the legislator's attendance at the meeting is approved by the Legislative  
262 Management Committee; and

263 (C) service and payment for service by the legislator is not in violation of the Utah  
264 Constitution, including Article V and Article VI, Sections 6 and 7.

265 (b) "Authorized legislative training day" means a day that a Legislative Expenses  
266 Oversight Committee designates as an authorized legislative day for training or informational  
267 purposes, including:

268 (i) chair training;

269 (ii) an issue briefing;

270 (iii) legislative leadership instruction;

271 (iv) legislative process training;

272 (v) legislative rules training;

273 (vi) new legislator orientation; or

274 (vii) another meeting to brief, instruct, orient, or train a legislator in relation to the  
275 legislator's official duties.

276 (c) "Legislator" means:  
277 (i) a member of the Utah Senate;  
278 (ii) a member of the Utah House of Representatives; or  
279 (iii) an individual who has been elected as a member described in Subsection (1)(c)(i)  
280 or (ii), but has not yet been sworn in or begun the individual's term of office.  
281 (2) A local education agency that employs an individual who is a legislator:  
282 (a) shall grant leave to the individual on an authorized legislative day for the number of  
283 hours requested by the individual; and  
284 (b) may not terminate the individual's employment, or otherwise penalize or  
285 disadvantage the individual, for taking the leave described in Subsection (2)(a).  
286 (3) The leave described in Subsection (2) is leave without pay unless the local  
287 education agency and the individual described in Subsection (2) agree to terms that are more  
288 favorable to the individual.  
289 Section 7. Section **63A-17-513** is enacted to read:  
290 **63A-17-513. State employer required to provide leave to a legislator on an**  
291 **authorized legislative day.**  
292 (1) As used in this section:  
293 (a) "Authorized legislative day" means:  
294 (i) the day on which the Legislature convenes in annual general session, and each day  
295 after that day, until midnight of the 45th day of the annual general session;  
296 (ii) a special session day;  
297 (iii) a veto override session day;  
298 (iv) an interim day designated by the Legislative Management Committee;  
299 (v) an authorized legislative training day; or  
300 (vi) any other day on which a meeting of a committee, subcommittee, commission, task  
301 force, or other entity is held, if:  
302 (A) the committee, subcommittee, commission, task force, or other entity is created by  
303 statute or joint resolution;  
304 (B) the legislator's attendance at the meeting is approved by the Legislative  
305 Management Committee; and  
306 (C) service and payment for service by the legislator is not in violation of the Utah

307 Constitution, including Article V and Article VI, Sections 6 and 7.

308 (b) "Authorized legislative training day" means a day that a Legislative Expenses  
309 Oversight Committee designates as an authorized legislative day for training or informational  
310 purposes, including:

311 (i) chair training;

312 (ii) an issue briefing;

313 (iii) legislative leadership instruction;

314 (iv) legislative process training;

315 (v) legislative rules training;

316 (vi) new legislator orientation; or

317 (vii) another meeting to brief, instruct, orient, or train a legislator in relation to the  
318 legislator's official duties.

319 (c) "Legislator" means:

320 (i) a member of the Utah Senate;

321 (ii) a member of the Utah House of Representatives; or

322 (iii) an individual who has been elected as a member described in Subsection (1)(c)(i)

323 or (ii), but has not yet been sworn in or begun the individual's term of office.

324 (d) "State employer" means any employer in the state executive branch.

325 (2) A state employer who employs an individual who is a legislator:

326 (a) shall grant leave to the individual on an authorized legislative day for the number of  
327 hours requested by the individual; and

328 (b) may not terminate the individual's employment, or otherwise penalize or  
329 disadvantage the individual, for taking the leave described in Subsection (2)(a).

330 (3) The leave described in Subsection (2) is leave without pay unless the state  
331 employer and the individual described in Subsection (2) agree to terms that are more favorable  
332 to the individual.

333 **Section 8. Effective date.**

334 This bill takes effect on May 1, 2024.