

Anthony E. Loubet proposes the following substitute bill:

**Utah Payment of Wages Act Statute of Limitations**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

House Sponsor: Karianne Lisonbee

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**LONG TITLE**

**General Description:**

This bill modifies the private cause of action for the payment of wages.

**Highlighted Provisions:**

This bill:

- enacts a statute of limitations period for a lawsuit under the Utah Payment of Wages Act.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**34-28-9.5**, as last amended by Laws of Utah 2024, Chapter 158

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

Section 1. Section **34-28-9.5** is amended to read:

**34-28-9.5 . Private cause of action.**

- (1) Except as provided in Subsection (2), for a wage claim that is less than or equal to \$10,000, the employee shall exhaust the employee's administrative remedies described in Section 34-28-9 and rules made by the commission under Section 34-28-9 before the employee may file an action in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration.
- (2) An employee may file an action for a wage claim in a court without exhausting the administrative remedies described in Section 34-28-9 and rules made by the commission under Section 34-28-9 if:
  - (a) the employee's wage claim is over \$10,000;
  - (b)(i) the employee's wage claim is less than or equal to \$10,000;

30 (ii) the employee asserts one or more additional claims against the same employer;  
31 and

32 (iii) the aggregate amount of damages resulting from the claims described in this  
33 Subsection (2)(b) is greater than \$10,000; or

34 (c)(i) in the same civil action, more than one employee files a wage claim against an  
35 employer; and

36 (ii) the aggregate amount of the employees' combined wage claim is greater than  
37 \$10,000.

38 (3) In an action under this section, the court may award an employee:

39 (a) actual damages;

40 (b) an amount equal to 2.5% of the unpaid wages owed to the employee, assessed daily  
41 for the lesser of:

42 (i) the period beginning the day on which the court issues a final order and ending the  
43 day on which the employer pays the unpaid wages owed to the employee; or

44 (ii) 20 days after the day on which the court issues a final order; and

45 (c) a penalty described in Subsection 34-28-5(1)(c), if applicable.

46 (4) In an action under this section, an employee may only file a wage claim in a court with  
47 jurisdiction for three years after the day on which the employee earns the wages.

48 **Section 2. Effective Date.**

49 This bill takes effect on May 6, 2026.