

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

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

House Sponsor: Karianne Lisonbee

2  
3 **LONG TITLE**

4 **General Description:**

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

6 **Highlighted Provisions:**

7 This bill:

8 ▶ enacts a one-year statute of limitations period for a lawsuit under the Utah Payment of  
9 Wages Act.

10 **Money Appropriated in this Bill:**

11 None

12 **Other Special Clauses:**

13 None

14 **Utah Code Sections Affected:**

15 AMENDS:

16 **34-28-9.5**, as last amended by Laws of Utah 2024, Chapter 158

17  
18 *Be it enacted by the Legislature of the state of Utah:*

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

20 **34-28-9.5 . Private cause of action.**

- 21 (1) Except as provided in Subsection (2), for a wage claim that is less than or equal to  
22 \$10,000, the employee shall exhaust the employee's administrative remedies described  
23 in Section 34-28-9 and rules made by the commission under Section 34-28-9 before the  
24 employee may file an action in a court with jurisdiction under Title 78A, Judiciary and  
25 Judicial Administration.
- 26 (2) ~~[An] For one year after the day on which the wages were earned, an~~ employee may file  
27 an action for a wage claim in a court ~~that~~ **[without exhausting the administrative remedies**  
28 **described in Section 34-28-9 and rules made by the commission under Section**  
28a **34-28-9]** ~~that~~

29 if:

- 30 (a) the employee's wage claim is over \$10,000;
- 31 (b)(i) the employee's wage claim is less than or equal to \$10,000;
- 32 (ii) the employee asserts one or more additional claims against the same employer;
- 33 and
- 34 (iii) the aggregate amount of damages resulting from the claims described in this
- 35 Subsection (2)(b) is greater than \$10,000; or
- 36 (c)(i) in the same civil action, more than one employee files a wage claim against an
- 37 employer; and
- 38 (ii) the aggregate amount of the employees' combined wage claim is greater than
- 39 \$10,000.
- 40 (3) In an action under this section, the court may award an employee:
- 41 (a) actual damages;
- 42 (b) an amount equal to 2.5% of the unpaid wages owed to the employee, assessed daily
- 43 for the lesser of:
- 44 (i) the period beginning the day on which the court issues a final order and ending the
- 45 day on which the employer pays the unpaid wages owed to the employee; or
- 46 (ii) 20 days after the day on which the court issues a final order; and
- 47 (c) a penalty described in Subsection 34-28-5(1)(c), if applicable.

48 **Section 2. Effective Date.**

49 This bill takes effect on May 6, 2026.