

Daniel McCay proposes the following substitute bill:

**Infant at Work Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephanie Pitcher**

House Sponsor:

2

3

---



---

**LONG TITLE**

4

**General Description:**

5

This bill makes permanent the Infant at Work Program and expands the program to other executive branch agencies.

7

**Highlighted Provisions:**

8

This bill:

9

▸ defines terms;

10

▸ makes permanent the Infant at Work Program (program) available for Department of Health and Human Services (department) employees and removes obsolete pilot-related references;

12

13

▸ repeals the June 30, 2026 sunset date for the program;

14

▸ authorizes an executive branch agency to opt-in to the program by submitting written notice from the agency head to the Division of Human Resource Management (division);

15

16

▸ makes an agency's participation in the program subject to division approval;

17

▸ authorizes the division to withdraw or revoke an agency's approval if the agency's participation is detrimental to the program's administration or the agency's work

18

19

environment;

20

▸ requires an agency that participates in the program to:

21

• adopt a written participation policy; and

22

• determine whether an employee of the agency may participate in the program based on workplace considerations;

23

24

▸ authorizes the division to adopt rules to administer the program;

25

▸ adds a July 1, 2029 repeal date, subject to review by a legislative interim committee; and

26

▸ makes technical and conforming changes.

27

**Money Appropriated in this Bill:**

28

None

29 **Other Special Clauses:**

30 This bill provides a special effective date.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **63A-17-806**, as last amended by Laws of Utah 2025, Chapter 49434 **63I-1-263**, as last amended by Laws of Utah 2025, Chapters 391, 51235 **63I-2-263**, as last amended by Laws of Utah 2025, Chapters 182, 273 and 277

36

37 *Be it enacted by the Legislature of the state of Utah:*38 Section 1. Section **63A-17-806** is amended to read:39 **63A-17-806 . Definitions -- Infant at Work Program -- Administration.**

40 (1) As used in this section:

41 (a) "Agency head" means the individual who serves as the chief executive officer or  
42 chief administrative officer of an executive branch agency.43 (b) "Eligible employee" means an employee who has been employed by [the Department  
44 of Health and Human Services] a participating agency for a minimum of:

45 (i) 12 consecutive months; and

46 (ii) 1,250 hours, excluding paid time off during the 12-month period immediately  
47 preceding the day on which the employee applies for participation in the program.48 (c) "Executive branch agency" means any department, agency, office, or other  
49 administrative unit of the state executive branch with authority to employ personnel.50 ~~[(b)]~~ (d) "Infant" means a baby that is at least six weeks [of age] old and no more than six  
51 months [of age] old.52 ~~[(e)]~~ (e) "Parent" means:

53 (i) a biological or adoptive parent of an infant; or

54 (ii) an individual who has an infant placed in the individual's foster care by the  
55 Division of Child and Family Services.56 (f) "Participating agency" means an executive branch agency that participates in the  
57 program.58 ~~[(g)]~~ (g) "Program" means the Infant at Work ~~[Pilot]~~Program established in this section.59 (2) There is created the Infant at Work ~~[Pilot]~~Program for eligible employees.60 (3) The Department of Health and Human Services is a participating agency under this  
61 section.62 (4)(a) An executive branch agency may elect to participate in the program by submitting

63 written notice to the division by the agency head.

64 (b) An executive branch agency's participation in the program under Subsection (4)(a) is  
65 subject to:

66 (i) approval by the division; and

67 (ii) compliance with this section and rules made by the division under Subsection (11  
68 ).

69 ~~[(3)]~~ (5) The program shall:

70 (a) allow an eligible employee to bring the eligible employee's infant to work [subject to  
71 the provisions of] in accordance with this section; and

72 (b) be administered by the division[; and] .

73 [(c) be implemented for a minimum of one year.]

74 ~~[(4)]~~ (6) The division shall establish an application process for [eligible employees of the  
75 Department of Health and Human Services] an eligible employee of a participating  
76 agency to apply to the program that includes:

77 [(a) a process for evaluating whether an eligible employee's work environment is  
78 appropriate for an infant;]

79 ~~[(b)]~~ (a) guidelines for infant health and safety; and

80 ~~[(c)]~~ (b) guidelines regarding an eligible employee's initial and ongoing participation in  
81 the program.

82 (7)(a) A participating agency shall determine whether an eligible employee who applies  
83 to the program under Subsection (6) may participate in the program based on:

84 (i) the eligible employee's work environment; and

85 (ii) the participating agency's operational needs.

86 ~~[(5)]~~ (b) If [the division approves the] a participating agency approves an eligible  
87 employee for participation in the program, the eligible employee shall have the sole  
88 responsibility for the care and safety of the infant at the workplace.

89 ~~[(6)]~~ (8) The division may not require [the Department of Health and Human Services] a  
90 participating agency to designate or set aside space for an eligible employee's infant  
91 other than the eligible employee's existing work space.

92 (9) The division may withdraw or revoke a participating agency's approval to participate in  
93 the program if the division determines that the participating agency:

94 (a) is not in compliance with this section or rules made by the division under Subsection  
95 (11); or

96 (b) participates in a manner that is detrimental to the effective administration of the

- 97            program.
- 98    (10)(a) A participating agency shall, in consultation with the division, adopt a written
- 99            policy consistent with this section that provides guidance to eligible employees who
- 100           seek to participate in the program.
- 101    (b) A policy adopted under Subsection (10)(a) shall:
- 102           (i) be approved by the division;
- 103           (ii) incorporate the application process established by the division under Subsection
- 104           (6);
- 105           (iii) describe the criteria the participating agency will use in making an approval
- 106           determination under Subsection (7);
- 107           (iv) provide for revocation of an eligible employee's approval if participation in the
- 108           program becomes detrimental to the work environment or business operations;
- 109           (v) provide that an eligible employee may request temporary telework or remote
- 110           work in connection with participation in the program, subject to the approval and
- 111           operational needs of the participating agency; and
- 112           (vi) establish general participation requirements with which an employee who brings
- 113           an infant to the workplace, and any alternate care provider, shall comply.
- 114           including requirements relating to:
- 115           (A) infant health and safety; and
- 116           (B) an eligible employee's initial and ongoing participating in the program.
- 117    (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 118           division may make rules necessary to administer the program.
- 119    ~~[(7) The division, in consultation with the Department of Health and Human Services, shall~~
- 120           ~~make rules that the department determines necessary to establish the program in~~
- 121           ~~accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.]~~
- 122           Section 2. Section **63I-1-263** is amended to read:
- 123           **63I-1-263 . Repeal dates: Titles 63A to 63O.**
- 124    (1) Section 63A-17-806, Definitions -- Infant at Work Program -- Administration, is
- 125           repealed July 1, 2029.
- 126    (2) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1,
- 127           2028.
- 128    ~~[(2)]~~ (3) Title 63C, Chapter 18, Behavioral Health Crisis Response Committee, is repealed
- 129           December 31, 2026.
- 130    ~~[(3)]~~ (4) Title 63C, Chapter 25, State Finance Review Commission, is repealed July 1, 2027.

- 131 ~~[(4)]~~ (5) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- 132 ~~[(5)]~~ (6) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
- 133 ~~[(6)]~~ (7) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is repealed  
134 July 1, 2028.
- 135 ~~[(7)]~~ (8) Section 63G-6a-805, Purchase from community rehabilitation programs, is repealed  
136 July 1, 2026.
- 137 ~~[(8)]~~ (9) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,  
138 2028.
- 139 ~~[(9)]~~ (10) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July  
140 1, 2029.
- 141 ~~[(10)]~~ (11) Subsection 63J-1-602.2(16), related to the Communication Habits to reduce  
142 Adolescent Threats (CHAT) Pilot Program, is repealed July 1, 2029.
- 143 ~~[(11)]~~ (12) Subsection 63J-1-602.2(26), regarding the Utah Seismic Safety Commission, is  
144 repealed January 1, 2025.
- 145 ~~[(12)]~~ (13) Section 63L-11-204, Canyon resource management plan, is repealed July 1, 2027.
- 146 ~~[(13)]~~ (14) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee,  
147 is repealed July 1, 2027.
- 148 ~~[(14)]~~ (15) Title 63M, Chapter 7, Part 7, Domestic Violence Offender Treatment Board, is  
149 repealed July 1, 2027.
- 150 ~~[(15)]~~ (16) Section 63M-7-902, Creation -- Membership -- Terms -- Vacancies -- Expenses,  
151 is repealed July 1, 2029.
- 152 ~~[(16)]~~ (17) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.
- 153 ~~[(17)]~~ (18) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 154 ~~[(18)]~~ (19) Subsection 63N-2-511(1)(b), regarding the Board of Tourism Development, is  
155 repealed July 1, 2030.
- 156 ~~[(19)]~~ (20) Section 63N-2-512, Hotel Impact Mitigation Fund, is repealed July 1, 2028.
- 157 ~~[(20)]~~ (21) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is  
158 repealed July 1, 2027.
- 159 ~~[(21)]~~ (22) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is  
160 repealed July 1, 2028.
- 161 ~~[(22)]~~ (23) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed  
162 July 1, 2028.
- 163 ~~[(23)]~~ (24) Section 63N-4-804, Rural Opportunity Advisory Committee, is repealed July 1,  
164 2027.

- 165 [(24)] (25) Subsection 63N-4-805(5)(b), regarding the Rural Employment Expansion  
166 Program, is repealed July 1, 2028.
- 167 [(25)] (26) Subsection 63N-7-101(1), regarding the Board of Tourism Development, is  
168 repealed July 1, 2030.
- 169 [(26)] (27) Subsection 63N-7-102(3)(c), regarding a requirement for the Utah Office of  
170 Tourism to receive approval from the Board of Tourism Development, is repealed July  
171 1, 2030.
- 172 [(27)] (28) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed July 1,  
173 2030.
- 174 Section 3. Section **63I-2-263** is amended to read:  
175 **63I-2-263 . Repeal dates: Titles 63A through 63O.**
- 176 [(1) Title 63A, Chapter 2, Part 5, Educational Interpretation and Translation Services  
177 Procurement Advisory Council is repealed July 1, 2025.]
- 178 [(2)] (1) Section 63A-5b-807, Eminent domain of unincorporated city owned land, is  
179 repealed January 1, 2027.
- 180 [(3) Section 63A-17-806, Definitions -- Infant at Work Pilot Program -- Administration --  
181 Report, is repealed June 30, 2026.]
- 182 [(4) Section 63C-1-103, Appointment and terms of boards, committees, councils, and  
183 commissions transitioning on October 1, 2024, or December 31, 2024, is repealed July  
184 1, 2025.]
- 185 [(5) Section 63C-1-104, Appointment and terms of boards transitioning on October 1, 2024,  
186 is repealed January 1, 2025.]
- 187 [(6) Subsection 63G-6a-802(1)(e), regarding a procurement for a presidential debate, is  
188 repealed January 1, 2025.]
- 189 [(7) Subsection 63G-6a-802(3)(b)(iii), regarding a procurement for a presidential debate, is  
190 repealed January 1, 2025.]
- 191 [(8)] (2) Subsection 63H-7a-403(2)(b), regarding the charge to maintain the public safety  
192 communications network, is repealed July 1, 2033.
- 193 [(9)] (3) Subsection 63J-1-602.2(30), regarding funding the Enterprise Zone Act, is repealed  
194 December 31, 2026.
- 195 [(10)] (4) Subsection 63J-1-602.2(46), regarding appropriations to the State Tax  
196 Commission for deferral reimbursements, is repealed July 1, 2027.
- 197 [(11) Section 63M-7-221, Expungement working group, is repealed April 30, 2025.]
- 198 [(12)] (5) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed December 31, 2026.

199           Section 4. **Effective Date.**  
200           This bill takes effect on July 1, 2026.