

AMENDMENT TO REPORT OF THE COMMITTEE OF THE WHOLE

SB121\_H.008

DATE 4/15/2026

Representative Garcia moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Garcia amendment, (L.039) to SB26-121, to show that said amendment passed and that SB26-121, as amended, passed.

Amend reengrossed bill, page 2, strike lines 4 and 5 and substitute:

**"8-6-120. Overtime wages for agricultural employees - agricultural employee overtime pay study - definitions - rules."**

Page 3, after line 13 insert:

**"(3) Overtime pay study.**

(a) WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL ENTER INTO A CONTRACT WITH AN INSTITUTION OF HIGHER EDUCATION WITH DEMONSTRATED EXPERTISE IN LABOR ECONOMICS TO CONDUCT A COMPREHENSIVE, STATEWIDE STUDY OF AGRICULTURAL LABOR CONDITIONS. THE STUDY MUST EXAMINE ALL AGRICULTURAL SECTORS AND INCLUDE, AT A MINIMUM:

(I) WAGE AND COMPENSATION DATA;

(II) ECONOMIC IMPACTS OF OVERTIME THRESHOLDS ON EMPLOYEES AND THEIR FAMILIES AND ON FARM AND RANCH OPERATORS;

(III) INDUSTRY AND STATEWIDE ECONOMIC IMPACTS; AND

(IV) EMPLOYEE PARTICIPATION.

(b) (I) NO LATER THAN TWELVE MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, THE INSTITUTION OF HIGHER EDUCATION CONTRACTING WITH THE DEPARTMENT OF LABOR AND EMPLOYMENT PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION SHALL DELIVER TO THE DEPARTMENT A WRITTEN REPORT SUMMARIZING THE FINDINGS OF THE STUDY.

(II) NO LATER THAN THIRTY DAYS AFTER RECEIVING THE REPORT, THE DEPARTMENT SHALL:

(A) TRANSMIT THE REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

(B) TRANSMIT THE REPORT TO THE GOVERNOR; AND

(C) POST THE REPORT PUBLICLY ON THE DEPARTMENT'S WEBSITE, WHERE IT MUST REMAIN ACCESSIBLE FOR AT LEAST TEN YEARS.

(c) THE DEPARTMENT SHALL ADOPT RULES AS NECESSARY TO IMPLEMENT THIS SUBSECTION (3), INCLUDING PROCEDURES FOR SOLICITING AND SELECTING AN INSTITUTION OF HIGHER EDUCATION, ESTABLISHING CONFIDENTIALITY PROTECTIONS FOR STUDY PARTICIPANTS, AND ADMINISTERING ANY GRANT OR SUBCONTRACT RELATIONSHIPS ESTABLISHED UNDER THE CONTRACT DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION."

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