



MINUTES

HOUSE POLITICAL SUBDIVISIONS STANDING COMMITTEE

Friday, February 23, 2024 | 8:00 a.m. | 120 Senate Building

Members Present:

Rep. James A. Dunnigan, Chair
Rep. Michael L. Kohler, Vice Chair
Rep. Gay Lynn Bennion
Rep. James Cobb
Rep. Paul A. Cutler
Rep. Matthew H. Gwynn
Rep. Marsha Judkins

Rep. Trevor Lee
Rep. Rosemary T. Lesser
Rep. Jordan D. Teuscher
Rep. R. Neil Walter

Staff Present:

Nathan W. Brady, Policy Analyst
Linda Service, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Dunnigan called the meeting to order at 8:04 a.m.

MOTION: Rep. Lesser moved to approve the minutes of the February 21, 2024 meeting. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

Rep. G. Bennion
Rep. J. Cobb
Rep. P. Cutler
Rep. J. Dunnigan
Rep. M. Judkins
Rep. M. Kohler
Rep. T. Lee
Rep. R. Lesser
Rep. R. Walter

Nays - 0

Absent - 2

Rep. M. Gwynn
Rep. J. Teuscher

1. H.B. 460 Government Employee Conscience Protection Amendments (*Petersen, M.*)

Rep. Petersen introduced the bill assisted by Robin Wilson, Professor, University of Illinois, College of Law.

Jared Tingey, Legal Director, Utah League of Cities and Towns, spoke to the bill.

Gayle Ruzicka, Utah Eagle Forum, spoke in support of the bill.

Nicolene Peck, Worldwide Organization for Women, spoke in support of the bill.

Mary Ann Christensen, Executive Director, Utah Legislative Watch, spoke in support of the bill.

Stan Rasmussen, Sutherland Institute, spoke in support of the bill.

Adam Kolowich, Legislative Affairs, Utah Association of Counties, spoke to the bill.

MOTION: Rep. Teuscher moved to replace H.B. 460 with 2nd Substitute H.B. 460. The motion passed with a vote of 8 - 0 - 3.

Yeas - 8
Rep. G. Bennion
Rep. J. Cobb
Rep. P. Cutler
Rep. J. Dunnigan
Rep. M. Judkins
Rep. M. Kohler
Rep. T. Lee
Rep. J. Teuscher

Nays - 0

Absent - 3
Rep. M. Gwynn
Rep. R. Lesser
Rep. R. Walter

MOTION: Rep. Teuscher moved to amend 2nd Substitute H.B. 460 with Amendment #1. The motion passed with a vote of 8 - 0 - 3.

Amendment 1
2nd Sub. H.B. 460

1. Page 3, Lines 65 through 76:

65 (g) "Undue hardship" means . given the overall context of the governmental entity's business or operations:
66 (i) a substantial increase in costs to a governmental entity's
budget, that would result from an employee being relieved from performing a certain task; or
67 (ii) a substantial disruption of a governmental entity's operations, that would result from
68 an employee being relieved from performing a certain task.
68 (2) (a) Except as provided in Subsection (2)(b), a governmental entity may not deny an
69 employee's reasonable request to be relieved from performing a certain task if:
70 (i) performing the task would conflict with the employee's sincerely held religious
71 beliefs or conscience;
72 (ii) the employee's asserted religious beliefs or conscience described in Subsection
73 (2)(a)(i) is not asserted for an improper purpose;
74 (iii) the employee has complied with the requirements of Subsection (3); and
75 (iv) relieving the employee from the task would not impose an undue hardship on the
76 governmental entity.

2. Page 6, Lines 155 through 164:

155 (7) (a) Unless required by another provision of the Utah Code and subject to
156 Subsections (7)(b) and (c), a governmental entity may not make public comments about an
157 employee's request to be relieved from performing a certain task or about the dispute between
158 the governmental entity and employee after:
159 (i) the employee has submitted the employee's request described in Subsection (3) and
160 the employee has not yet brought the employee's right of action in court and before the time for
161 the employee to bring a right of action has expired under Subsection (6);
162 (ii) the employee has brought a right of action in court under Subsection (6) and during the pendency of
court proceedings related to the asserted right of action ; or
163 (iii) the employee successfully establishes the employee's right of action under
164 Subsection (6).

Yeas - 8
Rep. G. Bennion
Rep. J. Cobb
Rep. P. Cutler
Rep. J. Dunnigan
Rep. M. Judkins
Rep. M. Kohler
Rep. T. Lee
Rep. J. Teuscher

Nays - 0

Absent - 3
Rep. M. Gwynn
Rep. R. Lesser
Rep. R. Walter

MOTION: Rep. Judkins moved to pass 2nd Substitute H.B. 460 out favorably. The motion passed with a vote of 7 - 3 - 1.

Yeas - 7

Rep. J. Cobb
Rep. P. Cutler
Rep. J. Dunnigan
Rep. M. Judkins
Rep. M. Kohler
Rep. T. Lee
Rep. J. Teuscher

Nays - 3

Rep. G. Bennion
Rep. R. Lesser
Rep. R. Walter

Absent - 1

Rep. M. Gwynn

2. H.B. 567 Fire Regulation Amendments (*Brooks, W.*)

Rep. Brooks introduced the bill.

Bryce Bird, Director, Division of Air Quality, Department of Environmental Quality, spoke to the bill.

MOTION: Rep. Walter moved to pass H.B. 567 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

Rep. G. Bennion
Rep. J. Cobb
Rep. P. Cutler
Rep. J. Dunnigan
Rep. M. Judkins
Rep. M. Kohler
Rep. T. Lee
Rep. J. Teuscher
Rep. R. Walter

Nays - 0

Absent - 2

Rep. M. Gwynn
Rep. R. Lesser

3. H.B. 428 Fireworks Amendments (*Welton, D.*)

Rep. Welton introduced the bill.

Tony Allred, Battalion Chief and Division Chief, Salt Lake City Fire Marshall, spoke to the bill.

Lynn Schofield, Fire Marshall, Provo City, provided a handout "Provo City Take 'Em to the Parks Fireworks Program" and spoke in opposition to the bill.

[Provo City Fireworks Program](#)

Clint Smith, Fire Chief, Draper Fire Department, and currently President of the Utah State Fire Chiefs Association, spoke in opposition to the bill.

MOTION: Rep. Bennion moved to hold the bill.

SUBSTITUTE MOTION: Rep. Kohler moved to replace H.B. 428 with 1st Substitute H.B. 428 The substitute motion passed with a vote of 9 - 0 - 2.



Yeas - 9

Rep. G. Bennion
Rep. J. Cobb
Rep. P. Cutler
Rep. J. Dunnigan
Rep. M. Judkins
Rep. M. Kohler
Rep. T. Lee
Rep. R. Lesser
Rep. J. Teuscher

Nays - 0

Absent - 2

Rep. M. Gwynn
Rep. R. Walter

MOTION: Rep. Lee moved to recommend 1st Substitute H.B. 428 favorably. The motion failed with a vote of 4 - 4 - 3.

Yeas - 4

Rep. J. Cobb
Rep. M. Judkins
Rep. M. Kohler
Rep. T. Lee

Nays - 4

Rep. G. Bennion
Rep. P. Cutler
Rep. J. Dunnigan
Rep. R. Lesser

Absent - 3

Rep. M. Gwynn
Rep. J. Teuscher
Rep. R. Walter

4. 1st Sub. S.B. 190 Higher Education Development Areas (Wilson, C.)

Sen. Wilson introduced the bill assisted by Jim Russell, Director, DFCM, and John Creer, Chief Real Estate Officer, University of Utah.

MOTION: Rep. Kohler moved to adjourn. The motion passed with a vote of 11 - 0 - 0.

Yeas - 11

Rep. G. Bennion
Rep. J. Cobb
Rep. P. Cutler
Rep. J. Dunnigan
Rep. M. Gwynn
Rep. M. Judkins
Rep. M. Kohler
Rep. T. Lee
Rep. R. Lesser
Rep. J. Teuscher
Rep. R. Walter

Nays - 0

Absent - 0

Chair Dunnigan adjourned the meeting at 9:55 a.m.