



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

January 24, 2023

Mr. Speaker,

The Business and Labor Committee reports a favorable recommendation on **H.B. 131**, VACCINE PASSPORT PROHIBITION, by Representative W. Brooks, with the following amendments:

1. *Page 3, Lines 82 through 84:*

82 (3) Subsection (2) does not apply to:
83 (a) a vaccination requirement by ~~{a degree-granting}~~ an institution of
higher education, if
84 the vaccination requirement is implemented in accordance with Section 53B-2-113;

2. *Page 4, Lines 96 through 97:*

96 (ii) the contract is not between an employer and the employer's employee;
97 (f) a federal contractor; ~~{or}~~

3. *Page 4, Lines 103 through 104:*

103 (ii) is acting in a public health or medical setting that requires the employee to
receive
104 vaccinations to perform the employee's assigned duties and responsibilities ~~{-}~~ ;
or
(h) a governmental entity that:
(i) establishes a nexus between a vaccination requirement and the employee's
assigned duties and responsibilities; or
(ii) identifies an external requirement for vaccination that is not imposed by the
governmental entity and is related to the employee's duties and responsibilities.

4. *Page 4, Lines 105 through 113:*

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105 ~~{ (4) A governmental entity described in Subsection (3)(g) shall allow the~~
 ~~employee to~~
106 ~~decline vaccination if the employee submits to the governmental entity a written~~
 ~~statement that~~
107 ~~receiving the vaccine would:~~
108 ~~— (a) be injurious to the health and well-being of the employee;~~
109 ~~— (b) conflict with a sincerely held religious belief, practice, or observance of the~~
110 ~~employee; or~~
111 ~~— (c) conflict with a sincerely held personal belief of the employee.~~
112 ~~(5) }~~ (4) Nothing in this section prohibits a governmental entity from
 recommending that an
113 employee receive a vaccine.

5. Page 6, Lines 155 through 158:

155 ~~(e) an employer vaccination requirement of an employee {~~
156 ~~(i) }~~ who, as determined by the employer, has direct exposure to human blood,
 human
157 fecal matter, or other potentially infectious materials that may expose the employee to
 hepatitis
158 or tuberculosis; or
 (f) an employer that:
 (i) establishes a nexus between a vaccination requirement and the employee's
 assigned duties and responsibilities; or
 (ii) identifies an external requirement for vaccination that is not imposed by the
 employer and is related to the employee's duties and responsibilities.

6. Page 6, Lines 159 through 173:

159 ~~{ (ii) whose primary duties and responsibilities, as determined by the~~
 ~~employer, require~~
160 ~~the employee:~~
161 ~~— (A) to enter into a regulated entity in Utah, or a facility in a state or territory~~
 ~~of the~~
162 ~~United States outside of Utah, where vaccination is required under state or federal~~

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law to
163 access the facility; or
164 — (B) to travel to a country that requires vaccination as a condition of entry into
the
165 country.
166 — (4) An employer described in Subsection (3)(c) shall allow the employee to
decline
167 vaccination if the employee submits to the employer a written statement that
receiving the
168 vaccine would:
169 — (a) be injurious to the health and well-being of the employee;
170 — (b) conflict with a sincerely held religious belief, practice, or observance of the
171 employee; or
172 — (c) conflict with a sincerely held personal belief of the employee.
173 — (5) } (4) Nothing in this section prohibits an employer from recommending
that an employee

Respectfully,

A. Cory Maloy
Chair

Voting: 10-2-3

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