

H.B. 0131

VACCINE PASSPORT PROHIBITION

Representative **Walt Brooks** proposes 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:*

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 ~~{(f)}~~ 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 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