



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 23, 2024

Mr. Speaker,

The Political Subdivisions Committee recommends **H.B. 460**, GOVERNMENT EMPLOYEE CONSCIENCE PROTECTION AMENDMENTS, by Representative M. J. Petersen, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 460**, GOVERNMENT EMPLOYEE CONSCIENCE PROTECTION AMENDMENTS with the following amendments:

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.
- 69 (2) (a) Except as provided in Subsection (2)(b), a governmental entity may not deny
an
- 70 employee's **reasonable** request to be relieved from performing a certain task if:
- 71 (i) performing the task would conflict with the employee's sincerely held religious
beliefs or conscience;
- 72 (ii) the employee's asserted religious beliefs or conscience described in Subsection
(2)(a)(i) is not asserted for an improper purpose;
- 73 (iii) the employee has complied with the requirements of Subsection (3); and
- 74 (iv) relieving the employee from the task would not impose an undue hardship on
the
- 76 governmental entity.

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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).

Respectfully,

James A. Dunnigan
Chair

Voting: 7-3-1

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