

## 2nd Sub. H.B. 460

# GOVERNMENT EMPLOYEE CONSCIENCE PROTECTION AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 23, 2024 7:17 AM

Representative **Michael J. Petersen** proposes 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  
66 operations:

(i) a substantial increase in costs to a governmental entity's  
66 budget, that would result from an employee being relieved from performing a certain task; or

(ii) a substantial disruption of a governmental entity's operations, that would result from  
67 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).