

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

March 20, 2024  
Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB24-1260 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 1, strike "and".
- 2 Page 3, strike lines 4 through 6, and substitute "their rights to opt out of  
3 political or religious meetings without fear of retaliation from an  
4 employer, as long as the meetings are not required by law and are not  
5 essential to the employee's job performance; and  
6 (h) While it is important to provide protections to employees, the  
7 protections should not interfere with the ability of employers to provide  
8 diversity, equity, and inclusion training to employees."
- 9 Page 3, after line 14 insert:  
10 "(3) The general assembly further declares that the protections in  
11 this act are not intended to:  
12 (a) Interfere with an employer's right to free speech;  
13 (b) Prohibit an employer's obligation to provide legally required  
14 trainings, such as sexual harassment training, or employer-initiated  
15 trainings related to diversity, equity, and inclusion;  
16 (c) Extend to employees in schools or hospitals run by religious  
17 institutions when discussing religious matters; or  
18 (d) Prohibit an employee from performing any aspects of required  
19 job duties."
- 20 Page 4, line 2, strike "CIVIC, COMMUNITY,".
- 21 Page 4, line 3, strike "ORGANIZATION." and substitute "ORGANIZATION OR  
22 ANY NONPROFIT ORGANIZATION ESTABLISHED FOR CHARITABLE OR  
23 COMMUNITY WELFARE PURPOSES."

1 Page 4, after line 3 insert:

2 "(d) "RELIGIOUS MATTERS" MEANS MATTERS RELATING TO  
3 RELIGIOUS AFFILIATION AND PRACTICE AND THE DECISION TO JOIN OR  
4 SUPPORT ANY RELIGIOUS ORGANIZATION OR A NONPROFIT ORGANIZATION  
5 ESTABLISHED FOR CHARITABLE OR COMMUNITY WELFARE PURPOSES."

6 Page 4, strike lines 4 through 12 and substitute:

7 "(2) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, AN  
8 EMPLOYER SHALL NOT SUBJECT OR THREATEN TO SUBJECT AN EMPLOYEE  
9 TO DISCIPLINE, DISCHARGE, OR AN ADVERSE EMPLOYMENT ACTION ON  
10 ACCOUNT OF THE EMPLOYEE'S REFUSAL TO ATTEND OR PARTICIPATE IN AN  
11 EMPLOYER-SPONSORED MEETING CONCERNING RELIGIOUS OR POLITICAL  
12 MATTERS OR FOR DECLINING TO LISTEN TO SPEECH OR VIEW RELIGIOUS OR  
13 POLITICAL COMMUNICATIONS FROM THE EMPLOYER OR THE AGENT,  
14 REPRESENTATIVE, OR DESIGNEE OF THE EMPLOYER."

15 Page 4, line 16, strike "BY LAW".

16 Page 4, strike lines 17 and 18 and substitute "BY LAW, A COURT ORDER, OR  
17 AN AGREEMENT WITH A GOVERNMENTAL ENTITY TO COMMUNICATE TO  
18 EMPLOYEES, BUT ONLY TO THE EXTENT OF THE LEGAL REQUIREMENT;"

19 Page 4, line 22, strike "DUTIES;" and substitute "DUTIES OR THAT IS  
20 REQUIRED TO PREVENT OR ADDRESS UNLAWFUL DISCRIMINATION AND  
21 HARASSMENT BASED ON A PROTECTED CLASS;"

22 Page 5, line 7, strike "MATERIAL" and substitute "MATTER".

23 Page 5, line 9, strike "CASUAL" and substitute "VOLUNTARY".

24 Page 6, after line 8, insert:

25 "(c) FOR AN ALLEGED VIOLATION OF SUBSECTION (2)(a) OF THIS  
26 SECTION AGAINST AN EMPLOYER, THE EMPLOYER HAS AN AFFIRMATIVE  
27 DEFENSE TO THE ALLEGATION IF THE EMPLOYER ESTABLISHES THAT THE  
28 EMPLOYER CONVEYED IN CLEAR AND CONSPICUOUS TERMS THAT THE  
29 EMPLOYEE HAD THE OPTION TO LEAVE THE MEETING WHERE THE  
30 VIOLATION ALLEGEDLY TOOK PLACE."

31 Page 6, line 10, after "INSTITUTION," insert "NONPROFIT FAITH-BASED

1 HEALTH SYSTEM, NONPROFIT FAITH-BASED HEALTH FACILITY,".

2 Page 6, line 19, strike "SECTION 24-34-601;".

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