

2024 UTAH LEGISLATIVE

Report

ACLU of Utah



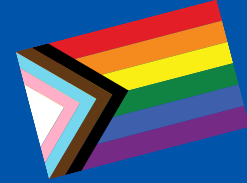
Priority Areas

ACLU of Utah

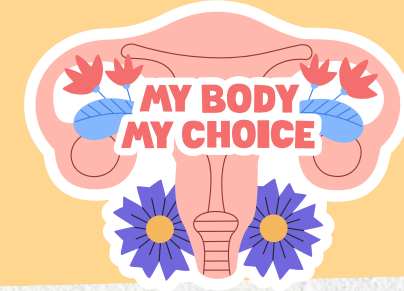
**Right to
Learn**



**LGBTQ+
Rights**



**Reproductive
Freedom**



**Voting
Rights**



**"We the People"
Means ALL the People**

RIGHT TO LEARN

[READ OUR STATEMENT](#)

SUPPORTED

HB585 — STUDENT ACCESS TO BOOKS

OPPOSED

- **HB29 — SENSITIVE MATERIALS REVIEW AMENDMENTS**
- **HB111 — EMPLOYMENT TRAINING REQUIREMENT LIMITATIONS**
- **HB261 — EQUAL OPPORTUNITIES INITIATIVES**
- **HB269 — PUBLIC SCHOOL HISTORY CURRICULA AMENDMENTS**
- **HB303 — SCHOOL CURRICULUM REQUIREMENTS**
- **HB396 — WORKPLACE DISCRIMINATION AMENDMENTS**
- **HB514 — SCHOOL CHAPLAIN AMENDMENTS**
- **SB150 — EXERCISE OF RELIGION AMENDMENTS**



HB29 – Sensitive Materials Review Amendments

ACLU
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Opposed

Bill Sponsor: Rep. Ivory (R)

Floor Sponsor: Sen Weiler (R)

Status: **Passed**

[READ OUR TESTIMONY HERE](#)

Summary:

- The bill allows parents, students, school staff or LEA officials associated with schools /school districts to bring challenges against books or other instructional material (materials distributed in class, websites, presentations, etc.)
- The bill challenged materials are made immediately unavailable in schools and are then deemed either i) objective sensitive material (any description of genitalia in a sexual context, sodomy, "criminal porn," etc.); (ii) subjective sensitive material; or (iii) not sensitive
- Objective sensitive materials remain unavailable in schools. Subjective sensitive materials are made available with parental permission and undergo a more extensive review process
- If three school districts or two school districts and 5 individual charter schools determine the same book to be objective sensitive, a statewide ban is imposed
- The State Board of Education can overturn a statewide ban with a vote within 60 days of being notified of the ban

ACLU Action: We testified against the bill in committee, mobilized community members to speak in committee against the bill, sent action alerts mobilizing folks to contact their Senators and Representatives to vote against the bill and asking the Governor to veto it, [sent a joint Let Utah Read veto letter to the Governor](#). In addition, we organized a [“Read-in” at the Capitol with Let Utah Read](#).



HB303 – School Curriculum Requirements

Opposed

Bill Sponsor: Rep. Stenquist (R)

Floor Sponsor: Sen. Kennedy (R)

Status: **Failed**



Summary: Bill would have prohibited teachers and other school staff from endorsing, promoting, or disparaging views related to religion, political or social beliefs, sexual orientation, or gender identity, or invite, suggest, or encourage that a student reconsider their own views of those subjects. Bill would have also prohibited teachers and school staff from displaying Pride flags or other symbols of their political, religious or social beliefs.

[READ OUR TESTIMONY HERE](#)

HB417 – School Materials Amendments

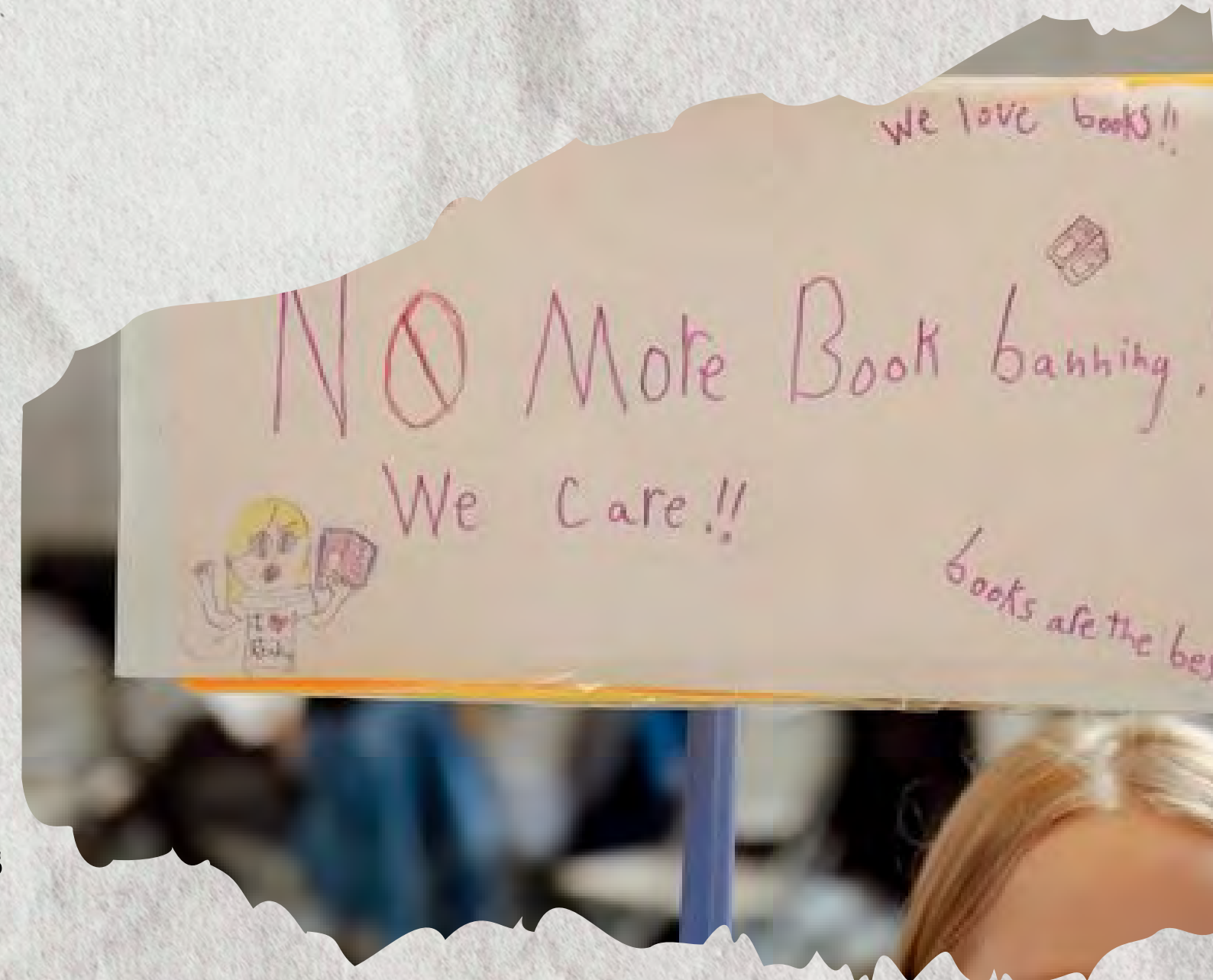
Opposed

Bill Sponsor: Rep. Ivory (R)

Status: **Failed**

Summary:

- Would have required any material available to students to be “the least sexualized, violent, or vulgar material that communicates” the principles the material is supposed to teach;
- Would have required LEAs to inform parents of all subjective sensitive instructional materials available and each instructional material that a student borrows;
- If passed, this bill would have provided a private right of action against LEAs that allow students access to sensitive material;
- If passed, this bill would have provided criminal penalties for teachers, school librarians, and other school staff who allow objective sensitive materials to be accessible to students



HB514 – School Chaplain Amendments



Opposed

Bill Sponsor: Rep. Stratton (R)

Floor Sponsor: Sen. Johnson (R)

Status: Failed



Summary: The bill would have allowed volunteer chaplains in K-12 public schools. While the school chaplain program would have been voluntary for school districts, parents, and students, placing chaplains in schools creates an inherently coercive environment for our students that goes against the separation of church and state principles enshrined in our Constitution.

[READ OUR TESTIMONY](#)

ACLU Action: We testified against this bill in committee.

HB261 – Equal Opportunities

Initiatives

Opposed

ACLU
UT

Bill Sponsor: Rep. Hall (R)

Floor Sponsor: Rep. Grover (R)

Status: Signed into law

Summary: The bill requires DEI programs and offices be removed from public colleges, universities and K-12 schools, and government offices, and requires those entities to open any specific race- or gender-based efforts to all individuals. The bill also prohibits these institutions from encouraging their staff to sign any sort of diversity statement, and they cannot ask job applicants about their beliefs on DEI as part of the hiring process.

ACLU Action: We participated by supporting other coalitions opposing the bill and other similar anti-DEI efforts in this session. We issued a statement opposing the bill on January 12, 2024

HB111 – Employment Training Requirement Limitations

Opposed

Bill Sponsor: Rep. Jimenez (R)

Floor Sponsor: Sen. McCay (R)

Status: Failed

Summary: Initially, the bill would have prohibited private employers from having DEI trainings or related requirements. The bill was amended to put requirements on private employers prohibiting them from having their employees sign any written attestations to their beliefs regarding DEI.

SB136 – Reauthorization of Administrative Rules

Opposed

Bill Sponsor: Sen. Bramble (R)

Floor Sponsor: Rep. Birkeland (R)

Status: Passed

Summary: This is an annual bill to reauthorize all administrative rules. In initial versions of the bill this year, the Educational Equity Rule was excluded from reauthorization, however, the State Board of Education revised the rule after HB261 passed, and the bill was amended to reauthorize all rules.

LGBTQ+ RIGHTS

SUPPORTED

HCR18 – HOUSE CONCURRENT RESOLUTION CONDEMNING AND CENSURING STATE SCHOOL BOARD MEMBER NATALIE CLINE

HJR2 – JOINT RESOLUTION FOR GENDER REASSIGNMENT

OPPOSED

SB105 – STUDENT PRIVACY AND MODESTY IN PUBLIC EDUCATION

HB257 – SEX-BASED DESIGNATIONS FOR PRIVACY, ANTI-BULLYING, AND WOMEN'S OPPORTUNITIES

HB253 – USE OF SEX-DESIGNATED FACILITIES IN PUBLIC AND HIGHER EDUCATION

HB316 – INMATE ASSIGNMENT AMENDMENTS

HB527 – PUBLIC EMPLOYEE GENDER-SPECIFIC LANGUAGE REQUIREMENTS

[READ OUR "REPEAL TO APPEAL" Statement](#)



Supported

HCR18 - House Concurrent Resolution Condemning and Censuring State School Board Member Natalie Cline

Bill Sponsor: Rep. Spendlove (R)

Floor Sponsor: Sen. Millner (R)

Status: Passed

Summary: This bill condemned and censured State Board of Education Member Natalie Cline due to her social media posts falsely accusing a girls' high school basketball player of lying about her gender identity.

HJR2 - Joint Resolution for Gender Reassignment

Bill Sponsor: Rep. Hayes (D)

Status: Failed

Summary: Resolution would have directed the Public Employees' Benefit and Insurance Program to provide gender reassignment surgical benefits to state employees and beneficiaries.

SB105 - Student Privacy and Modesty in Public Education

Bill Sponsor: Sen. Plumb (D)

Status: Failed

Summary: Bill would have prohibited any requirement that a student undress in the presence of another individual in public schools.



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[READ HB 257 FAQ HERE](#)

Bill Sponsor: Rep. Birkeland (R)
Floor Sponsor: Sen. McGay (R)
Status: Signed into law

Summary:

- Bill creates a standard for determining a person's sex under state law; imposes sex-based regulations to privacy spaces in public schools and changing rooms in publicly owned or controlled facilities; and establishes criminal offenses involving unauthorized access to sex-designated privacy spaces.
- Defines male as "the characteristic of an individual whose biological reproductive system is of the general type that functions to fertilize the ova of a female." Moreover, man means "an adult human male," and father means "a parent who is of the male sex."
- Defines female as "means the characteristic of an individual whose biological reproductive system is of the general type that functions in a way that could produce ova." Further, woman means "an adult human female" and mother means "a parent who is of the female sex."
- Defines sex, "in relation to an individual, [as] the individual's biological sex, either male or female, at birth, according to distinct reproductive roles as manifested by: (a) sex and reproductive organ anatomy; (b) chromosomal makeup; and (c) endogenous hormone profiles."
- Imposes unduly restrictive rules on accessing facilities and programs based on a person's sex designated at birth, the bill disrupts the ability of individuals and communities to live their lives as valued members of society fully and publicly.

ACLU Action: We testified against this bill in committee and mobilized members of the impacted community to testify as well. We sent out action alerts and a veto letter.

[READ VETO LETTER HERE](#)

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HB257 – Sex-based Designations for Privacy, Anti-Bullying, and Women's Opportunities

Opposed

[READ 'RALLY AGAINST TRANSPHOBIA' SPEECH](#)



**HB316 -
Inmate
Assignment
Amendments**

Opposed

Bill Sponsor: Rep. Lisonbee (R)
Floor Sponsor: Sen. Balderree (R)
Status: **Passed**

Summary: This bill requires individuals who are trans and in custody to be housed in accordance with their sex assigned at birth (which is already the practice). It allows individuals who are trans and in custody or the Department of Corrections or jail to make a request to house the individual in accordance with their gender identity. Once the request is made, the individual undergoes an individualized security analysis which focuses on the individual's threat to others as opposed to the threat posed to the individual if they were to stay in housing that does not align with their gender identity.

ACLU Action: We testified against this bill in committee.



Opposed

HB527 – Public Employee Gender-specific Language Requirements

Bill Sponsor: Rep. Jimenez (R)

Status: Failed

Summary: The bill prohibits:

- LEAs and school boards from disciplining employees who refer to students by their “birth name or biological gender in good faith” or by the name or gender that their parents prefer;
- Public employers from disciplining employees who use pronouns or other gender-specific language either in good faith or because of their “religious or moral belief” in relation to another person that conflicts with that person’s preference; and
- The bill exempts employees with conflicting religious or moral beliefs from an employer’s rules regarding gender-specific language and pronouns.

HB253 – Use of Sex-designated Facilities in Public and Higher Education

Bill Sponsor: Rep. Lyman (R)

Status: Failed

Summary: Bathroom bill for public and higher education.

REPRODUCTIVE FREEDOM

SUPPORTED

HB504 — ABORTION REVISIONS



ACLU

**MORE
ACCESS.**

**MORE
PROVIDERS.**

**FEWER
POLITICIANS.**

Reproductive Freedom Bills

HB504 – Abortion Revisions

Bill Sponsor: Rep. King (D)

Status: Failed

Summary: Bill would have repealed all abortion restrictions

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VOTING RIGHTS

SUPPORTED

HB28 — EMERGENCY RESPONDER VOTING AMENDMENTS

HB79 — INITIATIVES AND REFERENDA AMENDMENTS

HB233 — ELECTION CODE MODIFICATIONS

OPPOSED

HB92 — VOTING AMENDMENTS

HB185 — PRIMARY BALLOT REQUIREMENTS

HB214 — ELECTION MODIFICATIONS

HB284/HJR14 — INITIATIVE AMENDMENTS

HB489 — PARTY AFFILIATION DISCLOSURE AMENDMENTS

HB294 — ELECTION CODE AMENDMENTS



[VIEW OUR BLOG POST](#)

HB92 – Voting Amendments

Bill Sponsor: Rep. Strong (R)

Status: **Failed**

Summary: Bill would have classified voters who missed one election in a two-year period as “inactive,” removing them from the list of people who get mail-in ballots as a matter of course.

HB214 – Election Modifications

Bill Sponsor: Rep. Thurston (R)

Status: **Failed**

Summary: This bill would have changed the deadline for which mail-in ballots must be received to by the time the polls closed on election day (as opposed to current law which requires ballots to be postmarked by election day)

ACLU Action: We opposed this bill in committee along with the Let Utah Vote coalition.

HB284/HJR14 – Initiative Amendments

Bill Sponsor: Rep. Kyle (R)

Floor Sponsor: Sen. Fillmore (R)

Status: **Failed**

Summary: Companion bills would have required a ballot initiative to raise the threshold for passing ballot initiatives that impose or increase a tax to 60% from 50%

Internal notes:

ACLU Action: We opposed this bill in committee along with other Let Utah Vote members. We also organized a press conference in opposition to the bill with LUV and sent out action alerts.

HB294 – Election Code Amendments

Bill Sponsor: Rep. Ward (R)

Status: **Failed**

Summary: Bill would have provided that regular primary elections be conducted as open, top-two political primaries (regardless of political party).

WE THE PEOPLE MEANS ALL THE PEOPLE

(Other bills impacting Civil
rights and liberties)

SUPPORTED

- **HB278 — INMATE
EDUCATION AMENDMENTS**

OPPOSED

- **HJR8 — JOINT RESOLUTION AMENDING RULES OF CIVIL
PROCEDURE ON CHANGE OF JUDGE AS A MATTER OF
RIGHT**
- **SB57 — UTAH CONSTITUTIONAL SOVEREIGNTY ACT**
- **HB165 — FEDERAL LAW
ENFORCEMENT AMENDMENTS**
- **HJR12 — JOINT RESOLUTION ON THE ILLEGAL
IMMIGRATION CRISIS**



HB278 – Inmate Education Amendments

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Supported

Bill Sponsor: Rep. Ballard (R)

Floor Sponsor: Sen. Escamilla (D)

Status: Failed

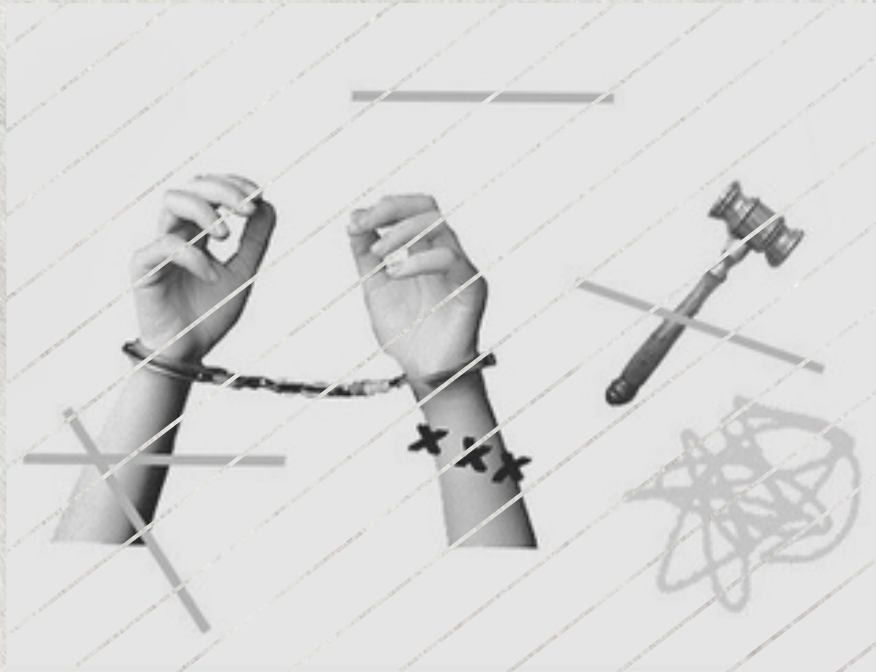
Summary: Bill would have directed the Higher Education and Corrections Council to facilitate postsecondary education for inmates housed in county jails; directed the Utah Board of Higher Education to assign student success advisors to correctional facilities; required an institution of higher education to consider an inmate a state resident for tuition purposes; and required the Department of Corrections to provide certain assistance to an inmate participating in a postsecondary certificate or degree program.



**SB200 – State Commission on Criminal
and Juvenile Justice Amendments**

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Opposed



Bill Sponsor: Sen. McKell (R)

Floor Sponsor: Rep. Lisonbee (R)

Status: Passed

Summary: The bill removes the “ethnic composition” and “civil rights” seats from the Sentencing Commission and prohibits the Commission from taking stances on bills.

[READ OUR VETO LETTER HERE](#)

HB 165 – Federal Law Enforcement Amendments **Opposed**

Bill Sponsor: Rep. Lee (R)

Floor Sponsor: Rep. Kennedy (R)

Status: Passed

Summary: This bill requires federal officers to give written notice to local law enforcement and the Attorney General three days in advance of releasing an individual lacking legal immigration status into the state.

[READ OUR VETO LETTER HERE](#)

HJR 12 – Joint Resolution on the Illegal Immigration Crisis **Opposed**

Bill Sponsor: Rep. Lee (R)

Status: Failed

Summary: Joint resolution condemning the federal government for its failure to respond appropriately to the immigration crisis and urges Congress to pass legislation relating to immigration.

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**HJR8 – Joint Resolution
Amending Rules of Civil
Procedure on Change of
Judge as a Matter of Right**

Opposed

Bill Sponsor: Rep. Gricius (R)

Floor Sponsor: Sen. Grover (R)

Status: Passed

Summary: Gives both plaintiffs and defendants in civil cases the ability to move to strike the assigned judge as a matter of right

**SB57 – Utah Constitutional
Sovereignty Act**

Opposed

Bill Sponsor: Sen. Sandall (R)

Floor Sponsor: Rep. Ivory (R)

Status: Passed

Summary: Allows the Legislature, by concurrent resolution, to prohibit the enforcement of a federal directive within the state by government officers if the Legislature determines the directive violates state sovereignty

ACLU Action: We sent a veto letter on this.

[READ VETO LETTER HERE](#)

VETO LETTERS

We wrote 5 veto letters this year!

[READ VETO LETTERS HERE](#)

We Mobilized Together.

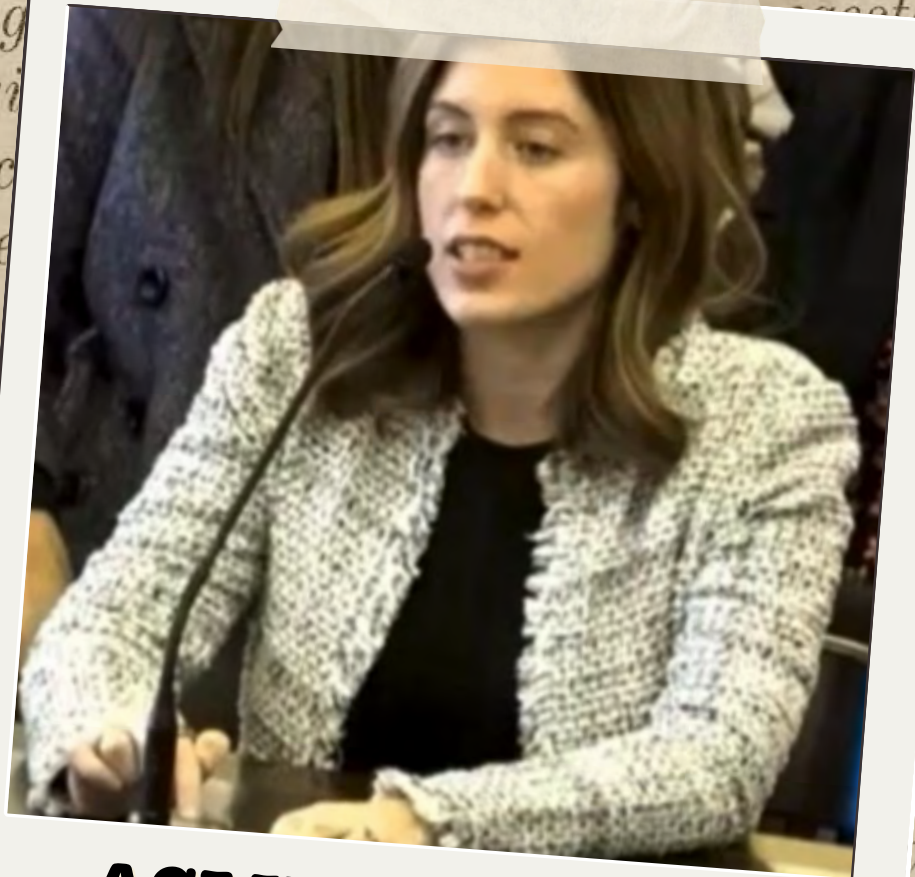
20K+ WEBSITE VISITORS
DURING THE SESSION

3K+ UTAHNS TOOK ACTION
TOGETHER

1K+ NEW ACTION-TAKERS

200+ PEOPLE ATTENDED THE
READ-IN AT UT STATE CAPITOL

15K SMS MESSAGES WERE SENT
TO SUPPORTERS TO ENGAGE
THEM DIRECTLY IN ACTION



**ACLU OF UTAH
STAFF IN ACTION**



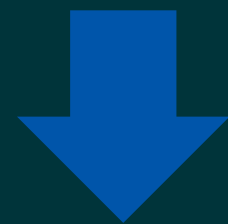
**ACLU OF UTAH
STAFF IN ACTION**



**ACLU OF UTAH
STAFF IN ACTION**

THE END:

Thank you for taking the time to read our report, being involved with us this legislative session and supporting us.



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