Open and Public Meetings Act – Quick Summary*

Utah Code Title 52, Chapter 4

Open Government — Government exists to aid in the conduct of the people's business

- Government must take actions openly
- Government must deliberate openly

Public Body — Body created by law, rule, or resolution; two or more persons; supported in whole or part by tax revenue; and has authority to make decisions regarding the public's business

- Public body does not include a political party, group, or caucus and does not include the "rules committee" or a conference committee

Meeting — Convening of a public body with a quorum present for matters under the body's jurisdiction or advisory powers

- All meetings are open to the public unless closed in accordance with the act

Public Notice of Meetings — Not less than 24 hours public notice is required (agenda, date, time, and place)

- Post the notice:
  - With the principal office of the public body
  - On the Utah Public Notice Website
  - With at least one newspaper or local media correspondent
- Agenda must include topics with reasonable specificity to notify the public
- No final action can be taken on a topic not listed on the posted agenda

*This document is a summary of key provisions.
See the specific provisions of the act for additional details.

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Meeting Minutes

Written minutes and a recording must be kept of all open meetings

- Written minutes must include: date, time, and place; members present and absent; record of votes; names of people providing comments and a short summary of comments; and other information regarding what occurred, as requested by a member
- Recording must be complete, unedited, and properly labeled

Emergency Meetings

The 24-hour notice may be disregarded for an emergency meeting

- Must give the best notice practicable including time, place, and topics to be considered
- Must attempt to notify all members
- Majority of members must approve holding the emergency meeting

Closed Meetings

May only be held for certain specified items and in most cases requires a 2/3 vote to close

- A quorum must be present to hold a closed meeting
- Permitted closed meeting topics include; discussion of character, professional competence, or health of an individual; strategy sessions for collective bargaining, litigation, water rights, sale of real property; security and criminal misconduct
- A recording must be kept of a closed meeting with some exceptions

Electronic Meetings

A meeting convened through electronic media may only be held if the public body has adopted a rule or ordinance governing the use of electronic meetings (the Utah Legislature has adopted a rule -- see Interim Rule 3-1-105)

- For the Utah Legislature, the rule requires that a member be more than 50 miles away from the anchor location and request the chair's permission at least three days before the meeting
- The chair must then determine if sufficient equipment and connections are available to allow remote participation and must also obtain permission from the President of the Senate and the Speaker of the House to hold an electronic meeting