

1                                   **OPEN AND PUBLIC MEETINGS REVISIONS**

2   2002 GENERAL SESSION

3   STATE OF UTAH

4   **Sponsor: Gene Davis**

5 **This act modifies the Public Officers Code by amending provisions regarding open and**  
6 **public meetings to include digital and tape recordings as acceptable methods of recording**  
7 **a meeting.**

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10           **52-4-7**, as last amended by Chapter 17, Laws of Utah 1978

11 *Be it enacted by the Legislature of the state of Utah:*

12           Section 1. Section **52-4-7** is amended to read:

13           **52-4-7. Minutes of open meetings -- Public records -- Recording of meetings.**

14           (1) Written minutes or a digital or tape recording shall be kept of all open meetings. Such  
15 minutes or a digital or tape recording shall include:

16           (a) the date, time, and place of the meeting;

17           (b) the names of members present and absent;

18           (c) the substance of all matters proposed, discussed, or decided, and a record, by individual  
19 member, of votes taken;

20           (d) the names of all citizens who appeared and the substance in brief of their testimony;

21 and

22           (e) any other information that any member requests be entered in the minutes.

23           (2) ~~§ [Written]~~ **EXCEPT AS PROVIDED IN SECTION 52-4-7.5, WRITTEN** § minutes or a digital  
23a or tape recording shall be kept of all closed meetings. Such

24 minutes or digital or tape recording shall include:

25           (a) the date, time, and place of the meeting;

26           (b) the names of members present and absent; and

27           (c) the names of all others present except where such disclosure would infringe on the



28 confidence necessary to fulfill the original purpose of closing the meeting.

29 (3) The minutes and recordings are public records and shall be available within a  
30 reasonable time after the meeting. A meeting record kept only by a digital or tape recording must  
31 be converted to written minutes within a reasonable time upon request.

32 (4) All or any part of an open meeting may be recorded by any person in attendance;  
33 provided, the recording does not interfere with the conduct of the meeting.

33a **§ (5) MINUTES OF MEETINGS THAT ARE REQUIRED TO BE RETAINED PERMANENTLY SHALL BE**  
33b **MAINTAINED IN OR CONVERTED TO A FORMAT THAT MEETS LONG-TERM RECORDS STORAGE**  
33c **REQUIREMENTS.**

33d **(6) WRITTEN MINUTES OR DIGITAL OR TAPE RECORDINGS SHALL BE PUBLIC RECORDS**  
33e **PURSUANT TO TITLE 63, CHAPTER 2, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT,**  
33f **BUT ONLY WRITTEN MINUTES SHALL BE EVIDENCE OF THE OFFICIAL ACTION TAKEN AT SUCH**  
33g **MEETING. §**

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**Legislative Review Note**  
**as of 1-14-02 9:07 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**