

1 **GOVERNMENT RECORDS ACCESS AND**
2 **MANAGEMENT ACT REVISIONS**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Craig A. Frank**

6 Senate Sponsor: David L. Thomas

7
8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the duties of each chief administrative officer of a governmental
11 entity under the Government Records Access and Management Act.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ requires the chief administrative officer of a governmental entity to ensure that all
15 officers and employees that receive or process records requests under the act receive
16 training on the procedures and requirements of the act; and

17 ▶ makes technical changes.

18 **Monies Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **63-2-903**, as last amended by Chapter 40, Laws of Utah 2005

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

27 Section 1. Section **63-2-903** is amended to read:



28 **63-2-903. Duties of governmental entities.**

29 The chief administrative officer of each governmental entity shall:

30 (1) establish and maintain an active, continuing program for the economical and
31 efficient management of the governmental entity's records as provided by this chapter;32 (2) appoint one or more records officers who will be trained to work with the state
33 archives in the care, maintenance, scheduling, disposal, classification, designation, access, and
34 preservation of records;35 (3) ensure that officers and employees of the governmental entity that receive or
36 process records requests receive required training on the procedures and requirements of this
37 chapter;38 ~~[(3)]~~ (4) make and maintain adequate and proper documentation of the organization,
39 functions, policies, decisions, procedures, and essential transactions of the governmental entity
40 designed to furnish information to protect the legal and financial rights of persons directly
41 affected by the entity's activities;42 ~~[(4)]~~ (5) submit to the state archivist proposed schedules of records for final approval
43 by the records committee;44 ~~[(5)]~~ (6) cooperate with the state archivist in conducting surveys made by the state
45 archivist;46 ~~[(6)]~~ (7) comply with rules issued by the Department of Administrative Services as
47 provided by Section 63-2-904;48 ~~[(7)]~~ (8) report to the state archives the designation of record series that it maintains;49 ~~[(8)]~~ (9) report to the state archives the classification of each record series that is
50 classified; and51 ~~[(9)]~~ (10) establish and report to the state archives retention schedules for objects that
52 the governmental entity determines are not defined as a record under Section 63-2-103, but that
53 have historical or evidentiary value.

Legislative Review Note

as of 1-30-06 4:51 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel