

# H.B. 477

## GOVERNMENT RECORDS AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 3, 2011 3:06 PM

Representative **Rebecca Chavez-Houck** proposes the following amendments:

1. Page 1, Line 14:

14           {~~→ eliminates codified intent language;~~}

2. Page 4, Lines 91 through 92:

91        {~~REPEALS:~~

92        ~~—— 63G-2-102, as renumbered and amended by Laws of Utah 2008, Chapter 382 }~~

3. Page 17, Line 515 through Page 18, Line 536:

515           (b) "Record" does not mean:

516           [~~(i) a personal note or personal communication]~~

517           { ~~(i) material in the following format:~~

518        ~~—— (A) a voice mail message, or an electronic reproduction or textual representation of a~~  
519        ~~voice mail message;~~

520        ~~—— (B) an instant message, or a similar document, other than an email, that is~~  
521        ~~electronically exchanged in the manner of a contemporaneous conversation, unless the~~  
522        ~~exchange is an electronic meeting as governed by Section 52-4-207;~~

523        ~~—— (C) a video chat, or similar transmission, whether or not the chat or transmission is~~  
524        ~~saved in a retrievable form, that is electronically transmitted and has the form or content of a~~  
525        ~~contemporaneous conversation, unless the video chat or transmission is an electronic meeting~~  
526        ~~as governed by Section 52-4-207; or~~

527        ~~—— (D) a text message, or similar text-based document, other than an email, that is~~  
528        ~~electronically exchanged by means of a phone number;~~

529        ~~—— (ii) }~~    (i) a note prepared by an employee or officer of a governmental entity for the  
530        employee's or officer's own use or reference;

531           { ~~(iii) an oral, written, or video }~~    (ii) a communication prepared or received by an employee or  
532        officer of a governmental entity [~~in the~~] in a capacity other than the employee's or officer's  
533        [~~private capacity~~] official governmental capacity;

534           [(ii)] { ~~(iv) }~~    (iii) a [~~temporary~~] draft or similar material prepared for the originator's [~~personal~~]  
535        use or prepared by the originator for the [~~personal~~] use of an individual for whom the originator  
536        is working;

**Renumber the remaining subsections accordingly**

4. Page 59, Lines 1807 through 1814:

1807            { ~~Section 19. Repealer.~~

1808    ~~— This bill repeals:~~

1809    ~~— Section 63G-2-102, Legislative intent.~~

1810    ~~— Section 20.}~~    Section 19.    Effective date.

1811            If approved by two-thirds of all the members elected to each house, this bill takes effect

1812 upon approval by the governor, or the day following the constitutional time limit of Utah

1813 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,

1814 the date of veto override.