

1st Sub. S.B. 154
Legislative Audit Amendments

Senate Amendments

Amendment 2

February 20, 2025 01:43 PM

Senator **Brady Brammer** proposes the following amendments:

1. *Line 150 through 164:*

150 the office, for review.

(ii) The office shall select as the arbitrator an individual who:
(A) is licensed to practice law in the state of Utah; and
(B) does not have a known, direct, or material interest in the outcome of the arbitration proceeding or a known, existing, or substantial relationship with the entity or, except for selection by the office for the arbitration, the office.

151 {(ii)} (iii) The legislative auditor general shall provide to the entity:

152 (A) notification in writing of each contested privilege claim; and

153 (B) the arbitrator's information.

154 {(iii)} (iv) The entity:

155 (A) shall provide to the arbitrator the privileged item described in the contested

156 privilege claim no later than seven business days after receiving the written

157 notification described in Subsection ~~{(10)(e)(ii)}~~ ~~(10)(e)(iii)~~; and

158 (B) may provide supplemental information in support of a privilege claim.

159 {(iv)} (v) No later than seven business days after the arbitrator receives the privileged item
160 under Subsection ~~{(10)(e)(iii)}~~ ~~(10)(e)(iv)~~, the arbitrator shall:

161 (A) conduct an in camera review of the privileged item and authority for the
162 relevant privilege claim;

163 (B) review supplemental information submitted under Subsection ~~{(10)(e)(iii)(B)}~~ ~~(10)(e)(iv)~~
164 ~~(B)~~

and any supplemental information provided by the legislative auditor general;

2. *Line 167 through 169:*

167 favoring access to the legislative auditor general.

168 {(v)} (vi) If the arbitrator determines that an entity does not have a valid privilege claim, the
169 entity shall:

3. *Line 174 through 176:*

174 (i) a privileged item; or

175 (ii) supplemental information described in Subsection ~~{(10)(e)(iii)(B)}~~ ~~(10)(e)(iv)(B)~~.

176 (g) Provisions of Subsection (10)(e) are not subject to Title 78B, Chapter 11, Utah

4. *Line 225 through 227:*

- 225 (i) a privileged item, as defined in Subsection (10)(a); and
226 (ii) supplemental information described in Subsection {~~(10)(e)(iii)(B)~~} ~~(10)(e)(iv)(B)~~.
227 [~~12~~](13) The legislative auditor general shall: