

HB0325S03 compared with HB0325

~~{Omitted text}~~ shows text that was in HB0325 but was omitted in HB0325S03

inserted text shows text that was not in HB0325 but was inserted into HB0325S03

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1 Government Records Classification Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lisa Shepherd

Senate Sponsor: Keven J. Stratton

3 LONG TITLE

4 General Description:

5 This bill modifies provisions related to the classification of certain government records.

6 Highlighted Provisions:

7 This bill:

- 8 ▶ amends the definition of "initial contact report" for purposes of the Government Records

Access and Management Act;

- 8 ▶ classifies as public any record that documents a governmental entity's receipt or expenditure of funds, including:

- 10 • a record related to a financial account, budget, voucher, or grant;
- 11 • a financial report or general ledger; and
- 12 • a record documenting compensation a governmental entity pays to a vendor;

- 13 ▶ ~~{classifies as private any portion of:}~~

- 14 • if properly classified by the governmental entity, makes private any portion of a record that reveals whether a taxpayer receives a specified property tax exemption, deferral, abatement, or other relief; and

HB0325

HB0325 compared with HB0325S03

- {~~an initial contact report that reveals a victim's name; and~~}

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63G-2-103 , as last amended by Laws of Utah 2025, First Special Session, Chapter 17

63G-2-301 , as last amended by Laws of Utah 2025, First Special Session, Chapter 9

63G-2-302 , as last amended by Laws of Utah 2025, Chapter 172

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

Section 1. Section 63G-2-103 is amended to read:

63G-2-103. Definitions.

As used in this chapter:

(1) "Audit" means:

(a) a systematic examination of financial, management, program, and related records for the purpose of determining the fair presentation of financial statements, adequacy of internal controls, or compliance with laws and regulations; or

(b) a systematic examination of program procedures and operations for the purpose of determining their effectiveness, economy, efficiency, and compliance with statutes and regulations.

(2) "Chief administrative officer" means the chief administrative officer of a governmental entity who is responsible to fulfill the duties described in Section 63A-12-103.

(3) "Chronological logs" mean the regular and customary summary records of law enforcement agencies and other public safety agencies that show:

(a) the time and general nature of police, fire, and paramedic calls made to the agency; and

(b) any arrests or jail bookings made by the agency.

(4) "Classification," "classify," and their derivative forms mean determining whether a record series, record, or information within a record is public, private, controlled, protected, or exempt from disclosure under Subsection 63G-2-201(3)(b).

HB0325 compared with HB0325S03

- 50 (5)
- (a) "Computer program" means:
- 51 (i) a series of instructions or statements that permit the functioning of a computer system in a
manner designed to provide storage, retrieval, and manipulation of data from the computer
system; and
- 54 (ii) any associated documentation and source material that explain how to operate the computer
program.
- 56 (b) "Computer program" does not mean:
- 57 (i) the original data, including numbers, text, voice, graphics, and images;
- 58 (ii) analysis, compilation, and other manipulated forms of the original data produced by use of the
program; or
- 60 (iii) the mathematical or statistical formulas, excluding the underlying mathematical algorithms
contained in the program, that would be used if the manipulated forms of the original data were to
be produced manually.
- 63 (6)
- (a) "Contractor" means:
- 64 (i) any person who contracts with a governmental entity to provide goods or services directly to a
governmental entity; or
- 66 (ii) any private, nonprofit organization that receives funds from a governmental entity.
- 67 (b) "Contractor" does not mean a private provider.
- 68 (7) "Controlled record" means a record containing data on individuals that is controlled as provided by
Section 63G-2-304.
- 70 (8) "Designation," "designate," and their derivative forms mean indicating, based on a governmental
entity's familiarity with a record series or based on a governmental entity's review of a reasonable
sample of a record series, the primary classification that a majority of records in a record series
would be given if classified and the classification that other records typically present in the record
series would be given if classified.
- 75 (9) "Elected official" means each person elected to a state office, county office, municipal office, school
board or school district office, special district office, or special service district office, but does not
include judges.
- 78 (10) "Explosive" means a chemical compound, device, or mixture:

HB0325 compared with HB0325S03

- 79 (a) commonly used or intended for the purpose of producing an explosion; and
80 (b) that contains oxidizing or combustive units or other ingredients in proportions, quantities, or
packing so that:
- 82 (i) an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or
mixture may cause a sudden generation of highly heated gases; and
84 (ii) the resultant gaseous pressures are capable of:
- 85 (A) producing destructive effects on contiguous objects; or
86 (B) causing death or serious bodily injury.
- 87 (11) "Government audit agency" means any governmental entity that conducts an audit.
88 (12)
- (a) "Governmental entity" means:
- 89 (i) executive department agencies of the state, the offices of the governor, lieutenant governor,
state auditor, attorney general, and state treasurer, the Board of Pardons and Parole, the Board
of Examiners, the National Guard, the Career Service Review Office, the State Board of
Education, the Utah Board of Higher Education, and the State Archives;
- 94 (ii) the Office of the Legislative Auditor General, Office of the Legislative Fiscal Analyst, Office of
Legislative Research and General Counsel, the Legislature, and legislative committees, except
any political party, group, caucus, or rules or sifting committee of the Legislature;
- 98 (iii) courts, the Judicial Council, the Administrative Office of the Courts, and similar administrative
units in the judicial branch;
- 100 (iv) any state-funded institution of higher education or public education; or
101 (v) any political subdivision of the state, but, if a political subdivision has adopted an ordinance or a
policy relating to information practices pursuant to Section 63G-2-701, this chapter shall apply
to the political subdivision to the extent specified in Section 63G-2-701 or as specified in any
other section of this chapter that specifically refers to political subdivisions.
- 106 (b) "Governmental entity" also means:
- 107 (i) every office, agency, board, bureau, committee, department, advisory board, or commission of an
entity listed in Subsection (12)(a) that is funded or established by the government to carry out the
public's business;
- 110 (ii) as defined in Section 11-13-103, an interlocal entity or joint or cooperative undertaking, except for
the Water District Water Development Council created pursuant to Section 11-13-228;

HB0325 compared with HB0325S03

- (iii) as defined in Section 11-13a-102, a governmental nonprofit corporation;
- (iv) an association as defined in Section 53G-7-1101;
- (v) the Utah Independent Redistricting Commission; and
- (vi) a law enforcement agency, as defined in Section 53-1-102, that employs one or more law enforcement officers, as defined in Section 53-13-103.
- (c) "Governmental entity" does not include the Utah Educational Savings Plan created in Section 53H-10-202.
- (13) "Government Records Office" means the same as that term is defined in Section 63A-12-201.
- (14) "Gross compensation" means every form of remuneration payable for a given period to an individual for services provided including salaries, commissions, vacation pay, severance pay, bonuses, and any board, rent, housing, lodging, payments in kind, and any similar benefit received from the individual's employer.
- (15) "Individual" means a human being.
- (16)
- (a) "Initial contact report" means an initial written or recorded report, however titled, prepared by peace officers engaged in public patrol or response duties describing official actions initially taken in response to either a public complaint about or the discovery of an apparent violation of law, which report may describe:
- (i) the date, time, location, and nature of the complaint, the incident, or offense;
- ~~[(ii) names of victims;]~~
- ~~[(iii)]~~ (ii) the nature or general scope of the agency's initial actions taken in response to the incident;
- ~~[(iv)]~~ (iii) the general nature of any injuries or estimate of damages sustained in the incident;
- ~~[(v)]~~ (iv) the name, address, and other identifying information about any person arrested or charged in connection with the incident; or
- ~~[(vi)]~~ (v) the identity of the public safety personnel, except undercover personnel, or prosecuting attorney involved in responding to the initial incident.
- (b) Initial contact reports do not include follow-up or investigative reports prepared after the initial contact report. However, if the information specified in Subsection (16)(a) appears in follow-up or investigative reports, it may only be treated confidentially if it is private, controlled, protected, or exempt from disclosure under Subsection 63G-2-201(3)(b).

HB0325 compared with HB0325S03

(c) Initial contact reports do not include accident reports, as that term is described in Title 41, Chapter 6a, Part 4, Accident Responsibilities.

(17) "Legislative body" means the Legislature.

(18) "Notice of compliance" means a statement confirming that a governmental entity has complied with an order of the director of the Government Records Office.

(19) "Person" means:

(a) an individual;

(b) a nonprofit or profit corporation;

(c) a partnership;

(d) a sole proprietorship;

(e) other type of business organization; or

(f) any combination acting in concert with one another.

(20) "Private provider" means any person who contracts with a governmental entity to provide services directly to the public.

(21) "Private record" means a record containing data on individuals that is private as provided by Section 63G-2-302.

(22) "Protected record" means a record that is classified protected as provided by Section 63G-2-305.

(23) "Public record" means a record that is not private, controlled, or protected and that is not exempt from disclosure as provided in Subsection 63G-2-201(3)(b).

(24) "Reasonable search" means a search that is:

(a) reasonable in scope and intensity; and

(b) not unreasonably burdensome for the government entity.

(25)

(a) "Record" means a book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics:

(i) that is prepared, owned, received, or retained by a governmental entity or political subdivision; and

(ii) where all of the information in the original is reproducible by photocopy or other mechanical or electronic means.

(b) "Record" does not include:

HB0325 compared with HB0325S03

- (i) a personal note or personal communication prepared or received by an employee or officer of a governmental entity:
 - (A) in a capacity other than the employee's or officer's governmental capacity; or
 - (B) that is unrelated to the conduct of the public's business;
- (ii) a temporary draft or similar material prepared for the originator's personal use or prepared by the originator for the personal use of an individual for whom the originator is working;
- (iii) material that is legally owned by an individual in the individual's private capacity;
- (iv) material to which access is limited by the laws of copyright or patent unless the copyright or patent is owned by a governmental entity or political subdivision;
- (v) proprietary software;
- (vi) junk mail or a commercial publication received by a governmental entity or an official or employee of a governmental entity;
- (vii) a book that is cataloged, indexed, or inventoried and contained in the collections of a library open to the public;
- (viii) material that is cataloged, indexed, or inventoried and contained in the collections of a library open to the public, regardless of physical form or characteristics of the material;
- (ix) a daily calendar[-];
- (x) a note prepared by the originator for the originator's own use or for the sole use of an individual for whom the originator is working;
- (xi) a computer program that is developed or purchased by or for any governmental entity for its own use;
- (xii) a note or internal memorandum prepared as part of the deliberative process by:
 - (A) a member of the judiciary;
 - (B) an administrative law judge;
 - (C) a member of the Board of Pardons and Parole; or
 - (D) a member of any other body, other than an association or appeals panel as defined in Section 53G-7-1101, charged by law with performing a quasi-judicial function;
- (xiii) a telephone number or similar code used to access a mobile communication device that is used by an employee or officer of a governmental entity, provided that the employee or officer of the governmental entity has designated at least one business telephone number that is a public record as provided in Section 63G-2-301;

HB0325 compared with HB0325S03

- 212 (xiv) information provided by the Public Employees' Benefit and Insurance Program, created in Section
49-20-103, to a county to enable the county to calculate the amount to be paid to a health care
provider under Subsection 17-63-706(2)(e)(ii);
- 215 (xv) information that an owner of unimproved property provides to a local entity as provided in Section
11-42-205;
- 217 (xvi) a video or audio recording of an interview, or a transcript of the video or audio recording, that is
conducted at a Children's Justice Center established under Section 67-5b-102;
- 220 (xvii) child sexual abuse material, as defined by Section 76-5b-103;
- 221 (xviii) before final disposition of an ethics complaint occurs, a video or audio recording of the closed
portion of a meeting or hearing of:
- 223 (A) a Senate or House Ethics Committee;
- 224 (B) the Independent Legislative Ethics Commission;
- 225 (C) the Independent Executive Branch Ethics Commission, created in Section 63A-14-202; or
- 227 (D) the Political Subdivisions Ethics Review Commission established in Section 63A-15-201;
- 229 (xix) confidential communication described in Section 58-60-102, 58-61-102, or 58-61-702;
- 231 (xx) any item described in Subsection (25)(a) that is:
- 232 (A) described in Subsection 63G-2-305(17), (18), or (23)(b); and
- 233 (B) shared between any of the following entities:
- 234 (I) the Division of Risk Management;
- 235 (II) the Office of the Attorney General;
- 236 (III) the governor's office; or
- 237 (IV) the Legislature;
- 238 (xxi) the email address that a candidate for elective office provides to a filing officer under Subsection
20A-9-201(5)(c)(ii) or 20A-9-203(4)(c)(iv); or
- 240 (xxii) except as provided in Sections 31A-16-105, 31A-16-107.5, and 27a-3-303, an investment policy,
or information related to an investment policy, provided to the insurance commissioner as described
in Title 31A, Chapter 18, Investments.
- 243 (26) "Record series" means a group of records that may be treated as a unit for purposes of designation,
description, management, or disposition.
- 245

HB0325 compared with HB0325S03

(27) "Records officer" means the individual appointed by the chief administrative officer of each governmental entity, or the political subdivision to work with state archives in the care, maintenance, scheduling, designation, classification, disposal, and preservation of records.

(28) "Schedule," "scheduling," and their derivative forms mean the process of specifying the length of time each record series should be retained by a governmental entity for administrative, legal, fiscal, or historical purposes and when each record series should be transferred to the state archives or destroyed.

(29) "Sponsored research" means research, training, and other sponsored activities as defined by the federal Executive Office of the President, Office of Management and Budget:

(a) conducted:

(i) by an institution within the state system of higher education described in Section 53H-1-102; and

(ii) through an office responsible for sponsored projects or programs; and

(b) funded or otherwise supported by an external:

(i) person that is not created or controlled by the institution within the state system of higher education; or

(ii) federal, state, or local governmental entity.

(30) "State archives" means the Division of Archives and Records Service created in Section 63A-12-101.

(31) "State archivist" means the director of the state archives.

(32) "Summary data" means statistical records and compilations that contain data derived from private, controlled, or protected information but that do not disclose private, controlled, or protected information.

Section 2. Section **63G-2-301** is amended to read:

63G-2-301. Public records.

(1) As used in this section:

(a) "Business address" means a single address of a governmental agency designated for the public to contact an employee or officer of the governmental agency.

(b) "Business email address" means a single email address of a governmental agency designated for the public to contact an employee or officer of the governmental agency.

(c) "Business telephone number" means a single telephone number of a governmental agency designated for the public to contact an employee or officer of the governmental agency.

HB0325 compared with HB0325S03

- 39 (d) "Correctional facility" means the same as that term is defined in Section 77-16b-102.
- 40 (2) The following records are public except to the extent they contain information expressly permitted
to be treated confidentially under the provisions of Subsections 63G-2-201(3)(b) and (6)(a):
- 43 (a) laws;
- 44 (b) the name, gender, gross compensation, job title, job description, business address, business email
address, business telephone number, number of hours worked per pay period, dates of employment,
and relevant education, previous employment, and similar job qualifications of a current or former
employee or officer of the governmental entity, excluding:
- 49 (i) undercover law enforcement personnel; and
- 50 (ii) investigative personnel if disclosure could reasonably be expected to impair the effectiveness of
investigations or endanger any individual's safety;
- 52 (c) final opinions, including concurring and dissenting opinions, and orders that are made by a
governmental entity in an administrative, adjudicative, or judicial proceeding except that if the
proceedings were properly closed to the public, the opinion and order may be withheld to the extent
that they contain information that is private, controlled, or protected;
- 57 (d) final interpretations of statutes or rules by a governmental entity unless classified as protected as
provided in Subsection 63G-2-305(17) or (18);
- 59 (e) information contained in or compiled from a transcript, minutes, or report of the open portions of a
meeting of a governmental entity as provided by Title 52, Chapter 4, Open and Public Meetings Act,
including the records of all votes of each member of the governmental entity;
- 63 (f) judicial records unless a court orders the records to be restricted under the rules of civil or criminal
procedure or unless the records are private under this chapter;
- 65 (g) unless otherwise classified as private under Section {~~63G-2-302 or~~} 63G-2-303, records or parts
of records filed with or maintained by county recorders, clerks, treasurers, surveyors, zoning
commissions, the Division of Forestry, Fire, and State Lands, the School and Institutional Trust
Lands Administration, the Division of Oil, Gas, and Mining, the Division of Water Rights, or other
governmental entities that give public notice of:
- 71 (i) titles or encumbrances to real property;
- 72 (ii) restrictions on the use of real property;
- 73 (iii) the capacity of persons to take or convey title to real property; or
- 74 (iv) tax status for real and personal property;

HB0325 compared with HB0325S03

- 75 (h) records of the Department of Commerce that evidence incorporations, mergers, name changes, and
uniform commercial code filings;
- 77 (i) data on individuals that would otherwise be private under this chapter if the individual who is the
subject of the record has given the governmental entity written permission to make the records
available to the public;
- 80 ~~[(j) documentation of the compensation that a governmental entity pays to a contractor or private
provider;]~~
- 82 ~~[(k)]~~ (j) summary data;
- 83 ~~[(h)]~~ (k) voter registration records, including an individual's voting history, except for a voter
registration record or those parts of a voter registration record that are classified as private under
Subsections 63G-2-302(1)(j) through (n) or withheld under Subsection 20A-2-104(7);
- 87 ~~[(m)]~~ (l) for an elected official, as defined in Section 11-47-102, a telephone number, if available,
and email address, if available, where that elected official may be reached as required in Title 11,
Chapter 47, Access to Elected Officials;
- 90 ~~[(n)]~~ (m) for a school community council member, a telephone number, if available, and email address,
if available, where that elected official may be reached directly as required in Section 53G-7-1203;
- 93 ~~[(o)]~~ (n) annual audited financial statements of the Utah Educational Savings Plan described in Section
53H-10-210; and
- 95 ~~[(p)]~~ (o) an initiative packet, as defined in Section 20A-7-101, and a referendum packet, as defined in
Section 20A-7-101, after the packet is submitted to a county clerk.
- 97 (3) The following records are normally public, but to the extent that a record is expressly exempt
from disclosure, access may be restricted under Subsection 63G-2-201(3)(b), Section 63G-2-302,
63G-2-304, or 63G-2-305:
- 100 (a) administrative staff manuals, instructions to staff, and statements of policy;
- 101 (b) records documenting a contractor's or private provider's compliance with the terms of a contract
with a governmental entity;
- 103 (c) records documenting the services provided by a contractor or a private provider to the extent the
records would be public if prepared by the governmental entity;
- 105 (d) contracts entered into by a governmental entity;
- 106 ~~[(e) any account, voucher, or contract that deals with the receipt or expenditure of funds by a
governmental entity;]~~

HB0325 compared with HB0325S03

- 108 (e) records that document a governmental entity's receipt or expenditure of funds, including:
110 (i) a record related to a financial account, budget, voucher, or grant;
111 (ii) a financial report or general ledger; and
112 (iii) a record that documents the compensation a governmental entity pays to a contractor, vendor, or
private provider;
- 114 (f) records relating to government assistance or incentives publicly disclosed, contracted for, or given
by a governmental entity, encouraging a person to expand or relocate a business in Utah, except as
provided in Subsection 63G-2-305(35);
- 117 (g) chronological logs and initial contact reports;
- 118 (h) correspondence by and with a governmental entity in which the governmental entity determines or
states an opinion upon the rights of the state, a political subdivision, the public, or any person;
- 121 (i) empirical data contained in drafts if:
- 122 (i) the empirical data is not reasonably available to the requester elsewhere in similar form; and
- 124 (ii) the governmental entity is given a reasonable opportunity to correct any errors or make
nonsubstantive changes before release;
- 126 (j) drafts that are circulated to anyone other than:
- 127 (i) a governmental entity;
- 128 (ii) a political subdivision;
- 129 (iii) a federal agency if the governmental entity and the federal agency are jointly responsible for
implementation of a program or project that has been legislatively approved;
- 132 (iv) a government-managed corporation; or
- 133 (v) a contractor or private provider;
- 134 (k) drafts that have never been finalized but were relied upon by the governmental entity in carrying out
action or policy;
- 136 (l) original data in a computer program if the governmental entity chooses not to disclose the program;
- 138 (m) arrest warrants after issuance, except that, for good cause, a court may order restricted access to
arrest warrants prior to service;
- 140 (n) search warrants after execution and filing of the return, except that a court, for good cause, may
order restricted access to search warrants prior to trial;
- 142 (o) records that would disclose information relating to formal charges or disciplinary actions against a
past or present governmental entity employee if:

HB0325 compared with HB0325S03

- 144 (i) the disciplinary action has been completed and all time periods for administrative appeal have
expired; and
- 146 (ii) the charges on which the disciplinary action was based were sustained;
- 147 (p) records maintained by the Division of Forestry, Fire, and State Lands, the School and Institutional
Trust Lands Administration, or the Division of Oil, Gas, and Mining that evidence mineral
production on government lands;
- 150 (q) final audit reports;
- 151 (r) occupational and professional licenses;
- 152 (s) business licenses;
- 153 (t) a notice of violation, a notice of agency action under Section 63G-4-201, or similar records used to
initiate proceedings for discipline or sanctions against persons regulated by a governmental entity,
but not including records that initiate employee discipline; and
- 157 (u)
- (i) records that disclose a standard, regulation, policy, guideline, or rule regarding the operation of a
correctional facility or the care and control of inmates committed to the custody of a correctional
facility; and
- 160 (ii) records that disclose the results of an audit or other inspection assessing a correctional facility's
compliance with a standard, regulation, policy, guideline, or rule described in Subsection (3)(u)(i).
- 163 (4) The list of public records in this section is not exhaustive and should not be used to limit access to
records.
- 406 Section 3. Section **63G-2-302** is amended to read:
- 407 **63G-2-302. Private records.**
- 167 (1) The following records are private:
- 168 (a) records concerning an individual's eligibility for unemployment insurance benefits, social services,
welfare benefits, or the determination of benefit levels;
- 170 (b) records containing data on individuals describing medical history, diagnosis, condition, treatment,
evaluation, or similar medical data;
- 172 (c) records of publicly funded libraries that when examined alone or with other records identify a
patron;
- 174 (d) records received by or generated by or for:
- 175 (i) the Independent Legislative Ethics Commission, except for:

HB0325 compared with HB0325S03

- 176 (A) the commission's summary data report that is required under legislative rule; and
178 (B) any other document that is classified as public under legislative rule; or
179 (ii) a Senate or House Ethics Committee in relation to the review of ethics complaints, unless the record
is classified as public under legislative rule;
- 181 (e) records received by, or generated by or for, the Independent Executive Branch Ethics Commission,
except as otherwise expressly provided in Title 63A, Chapter 14, Review of Executive Branch
Ethics Complaints;
- 184 (f) records received or generated for a Senate confirmation committee concerning character,
professional competence, or physical or mental health of an individual:
- 186 (i) if, prior to the meeting, the chair of the committee determines release of the records:
188 (A) reasonably could be expected to interfere with the investigation undertaken by the committee; or
190 (B) would create a danger of depriving a person of a right to a fair proceeding or impartial hearing; and
192 (ii) after the meeting, if the meeting was closed to the public;
- 193 (g) employment records concerning a current or former employee of, or applicant for employment with,
a governmental entity that would disclose that individual's home address, home telephone number,
social security number, insurance coverage, marital status, or payroll deductions;
- 197 (h) records or parts of records under Section 63G-2-303 that a current or former employee identifies as
private according to the requirements of that section;
- 199 (i) that part of a record indicating a person's social security number or federal employer identification
number if provided under Section 31A-23a-104, 31A-25-202, 31A-26-202, 58-1-301, 58-55-302,
61-1-4, or 61-2f-203;
- 202 (j) that part of a voter registration record identifying a voter's:
- 203 (i) driver license or identification card number;
- 204 (ii) social security number, or last four digits of the social security number;
- 205 (iii) email address;
- 206 (iv) date of birth; or
- 207 (v) phone number;
- 208 (k) a voter registration record that is classified as a private record by the lieutenant governor or a county
clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or 20A-2-204(4)(b);
- 211 (l) a voter registration record that is withheld under Subsection 20A-2-104(7);
212

HB0325 compared with HB0325S03

- (m) a withholding request form described in Subsections 20A-2-104(7) and (8) and any verification submitted in support of the form;
- 214 (n) a record or information regarding whether a voter returned a ballot with postage attached;
- 216 (o) a record that:
- 217 (i) contains information about an individual;
- 218 (ii) is voluntarily provided by the individual; and
- 219 (iii) goes into an electronic database that:
- 220 (A) is designated by and administered under the authority of the Chief Information Officer; and
- 222 (B) acts as a repository of information about the individual that can be electronically retrieved and used to facilitate the individual's online interaction with a state agency;
- 225 (p) information provided to the Commissioner of Insurance under:
- 226 (i) Subsection 31A-23a-115(3)(a);
- 227 (ii) Subsection 31A-23a-302(4); or
- 228 (iii) Subsection 31A-26-210(4);
- 229 (q) information obtained through a criminal background check under Title 11, Chapter 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 231 (r) information provided by an offender that is:
- 232 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and Child Abuse Offender Registry; and
- 234 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 235 (s) a statement and any supporting documentation filed with the attorney general in accordance with Section 34-45-107, if the federal law or action supporting the filing involves homeland security;
- 238 (t) electronic toll collection customer account information received or collected under Section 72-6-118 and customer information described in Section 17B-2a-815 received or collected by a public transit district, including contact and payment information and customer travel data;
- 242 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 243 (v) a completed military-overseas ballot that is electronically transmitted under Title 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 245 (w) records received by or generated by or for the Political Subdivisions Ethics Review Commission established in Section 63A-15-201, except for:
- 247 (i) the commission's summary data report that is required in Section 63A-15-202; and

HB0325 compared with HB0325S03

- 248 (ii) any other document that is classified as public in accordance with Title 63A, Chapter 15, Political
Subdivisions Ethics Review Commission;
- 250 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an incident or
threat;
- 252 (y) a criminal background check or credit history report conducted in accordance with Section
63A-3-201;
- 254 (z) a record described in Subsection 53-5a-104(7);
- 255 (aa) on a record maintained by a county for the purpose of administering property taxes, an individual's:
- 257 (i) email address;
- 258 (ii) phone number; or
- 259 (iii) personal financial information related to a person's payment method;
- 260 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an exemption, deferral,
abatement, or relief under:
- 262 (i) Title 59, Chapter 2, Part 11, Exemptions; or
- 263 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 264 (cc) a record provided by the State Tax Commission in response to a request under Subsection
59-1-403(4)(y)(iii);
- 266 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual child welfare
case, as described in Subsection 36-33-103(3);
- 268 (ee) a record relating to drug or alcohol testing of a state employee under Section 63A-17-1004;
- 270 (ff) a record relating to a request by a state elected official or state employee who has been threatened to
the Division of Technology Services to remove personal identifying information from the open web
under Section 63A-16-109;
- 273 (gg) a record including confidential information as that term is defined in Section 67-27-106; **{ and }**
- 275 (hh) a record or notice received or generated under Title 53, Chapter 30, Security Improvements Act,
relating to:
- 277 (i) an application for certification described in Section 53-30-201; or
- 278 (ii) a security improvement, including a building permit application or building permit for a security
improvement described in Section **{ 53-30-301. }** ~~53-30-301;~~
- 280 ~~{(ii) any portion of a record that reveals whether a taxpayer receives an exemption, deferral, abatement,
or relief under:}~~

HB0325 compared with HB0325S03

- 282 {~~(i) Title 59, Chapter 2, Part 11, Exemptions; or~~}
- 283 {~~(ii) Title 59, Chapter 2a, Tax Relief Through Property Tax; and~~}
- 284 {~~(jj) any portion of an initial contact report that reveals the name of a victim.~~}
- 285 (2) The following records are private if properly classified by a governmental entity:
- 286 (a) records concerning a current or former employee of, or applicant for employment with a
governmental entity, including performance evaluations and personal status information such
as race, religion, or disabilities, but not including records that are public under Subsection
63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);
- 291 (b) records describing an individual's finances, except that the following are public:
- 292 (i) records described in Subsection 63G-2-301(2);
- 293 (ii) information provided to the governmental entity for the purpose of complying with a financial
assurance requirement; or
- 295 (iii) records that must be disclosed in accordance with another statute;
- 296 (c) records of independent state agencies if the disclosure of those records would conflict with the
fiduciary obligations of the agency;
- 298 (d) other records containing data on individuals the disclosure of which constitutes a clearly
unwarranted invasion of personal privacy;
- 300 (e) records provided by the United States or by a government entity outside the state that are given
with the requirement that the records be managed as private records, if the providing entity states in
writing that the record would not be subject to public disclosure if retained by it;
- 304 (f) any portion of a record in the custody of the Division of Aging and Adult Services, created in
Section 26B-6-102, that may disclose, or lead to the discovery of, the identity of a person who made
a report of alleged abuse, neglect, or exploitation of a vulnerable adult; ~~and~~
- 308 (g) audio and video recordings created by a body-worn camera, as defined in Section 77-7a-103, that
record sound or images inside a home or residence except for recordings that:
- 311 (i) depict the commission of an alleged crime;
- 312 (ii) record any encounter between a law enforcement officer and a person that results in death or bodily
injury, or includes an instance when an officer fires a weapon;
- 314 (iii) record any encounter that is the subject of a complaint or a legal proceeding against a law
enforcement officer or law enforcement agency;
- 316 (iv) contain an officer-involved critical incident as defined in Subsection 76-2-408(1)(f); or

HB0325 compared with HB0325S03

- 318 (v) have been requested for reclassification as a public record by a subject or authorized agent of a
subject featured in the recording~~[.]~~ ; and
- 556 (h) any portion of a record that reveals whether a taxpayer receives an exemption, deferral, abatement,
or relief under:
- 558 (i) Section 59-2-1106; or
- 559 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax.
- 320 (3)
- (a) As used in this Subsection (3), "medical records" means medical reports, records, statements,
history, diagnosis, condition, treatment, and evaluation.
- 322 (b) Medical records in the possession of the University of Utah Hospital, its clinics, doctors, or
affiliated entities are not private records or controlled records under Section 63G-2-304 when the
records are sought:
- 325 (i) in connection with any legal or administrative proceeding in which the patient's physical, mental, or
emotional condition is an element of any claim or defense; or
- 327 (ii) after a patient's death, in any legal or administrative proceeding in which any party relies upon the
condition as an element of the claim or defense.
- 329 (c) Medical records are subject to production in a legal or administrative proceeding according to
state or federal statutes or rules of procedure and evidence as if the medical records were in the
possession of a nongovernmental medical care provider.
- 572 Section 4. **Effective date.**
Effective Date.
This bill takes effect on May 6, 2026.

2-11-26 11:20 AM