

Lisa Shepherd proposes the following substitute bill:

Government Records Classification Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lisa Shepherd

Senate Sponsor: Keven J. Stratton

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- amends the definition of "initial contact report" for purposes of the Government Records Access and Management Act;
- classifies as public any record that documents a governmental entity's receipt or expenditure of funds, including:
 - a record related to a financial account, budget, voucher, or grant;
 - a financial report or general ledger; and
 - a record documenting compensation a governmental entity pays to a vendor;
- classifies as private any portion of a record that reveals whether a taxpayer receives a specified property tax exemption, deferral, abatement, or other relief; 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).

(5)(a) "Computer program" means:

- (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
- (ii) any associated documentation and source material that explain how to operate the computer program.

(b) "Computer program" does not mean:

- (i) the original data, including numbers, text, voice, graphics, and images;
- (ii) analysis, compilation, and other manipulated forms of the original data produced by use of the program; or
- (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.

(6)(a) "Contractor" means:

- 63 (i) any person who contracts with a governmental entity to provide goods or services
64 directly to a governmental entity; or
- 65 (ii) any private, nonprofit organization that receives funds from a governmental entity.
- 66 (b) "Contractor" does not mean a private provider.
- 67 (7) "Controlled record" means a record containing data on individuals that is controlled as
68 provided by Section 63G-2-304.
- 69 (8) "Designation," "designate," and their derivative forms mean indicating, based on a
70 governmental entity's familiarity with a record series or based on a governmental entity's
71 review of a reasonable sample of a record series, the primary classification that a
72 majority of records in a record series would be given if classified and the classification
73 that other records typically present in the record series would be given if classified.
- 74 (9) "Elected official" means each person elected to a state office, county office, municipal
75 office, school board or school district office, special district office, or special service
76 district office, but does not include judges.
- 77 (10) "Explosive" means a chemical compound, device, or mixture:
- 78 (a) commonly used or intended for the purpose of producing an explosion; and
- 79 (b) that contains oxidizing or combustive units or other ingredients in proportions,
80 quantities, or packing so that:
- 81 (i) an ignition by fire, friction, concussion, percussion, or detonator of any part of the
82 compound or mixture may cause a sudden generation of highly heated gases; and
- 83 (ii) the resultant gaseous pressures are capable of:
- 84 (A) producing destructive effects on contiguous objects; or
- 85 (B) causing death or serious bodily injury.
- 86 (11) "Government audit agency" means any governmental entity that conducts an audit.
- 87 (12)(a) "Governmental entity" means:
- 88 (i) executive department agencies of the state, the offices of the governor, lieutenant
89 governor, state auditor, attorney general, and state treasurer, the Board of Pardons
90 and Parole, the Board of Examiners, the National Guard, the Career Service
91 Review Office, the State Board of Education, the Utah Board of Higher
92 Education, and the State Archives;
- 93 (ii) the Office of the Legislative Auditor General, Office of the Legislative Fiscal
94 Analyst, Office of Legislative Research and General Counsel, the Legislature, and
95 legislative committees, except any political party, group, caucus, or rules or sifting
96 committee of the Legislature;

(iii) courts, the Judicial Council, the Administrative Office of the Courts, and similar administrative units in the judicial branch;

(iv) any state-funded institution of higher education or public education; or

(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.

(b) "Governmental entity" also means:

(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;

(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;

(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;

131 ~~[(ii) names of victims;]~~

132 ~~[(iii)]~~ (ii) the nature or general scope of the agency's initial actions taken in response
133 to the incident;

134 ~~[(iv)]~~ (iii) the general nature of any injuries or estimate of damages sustained in the
135 incident;

136 ~~[(v)]~~ (iv) the name, address, and other identifying information about any person
137 arrested or charged in connection with the incident; or

138 ~~[(vi)]~~ (v) the identity of the public safety personnel, except undercover personnel, or
139 prosecuting attorney involved in responding to the initial incident.

140 (b) Initial contact reports do not include follow-up or investigative reports prepared after
141 the initial contact report. However, if the information specified in Subsection (16)(a)
142 appears in follow-up or investigative reports, it may only be treated confidentially if
143 it is private, controlled, protected, or exempt from disclosure under Subsection
144 63G-2-201(3)(b).

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

147 (17) "Legislative body" means the Legislature.

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

150 (19) "Person" means:

151 (a) an individual;

152 (b) a nonprofit or profit corporation;

153 (c) a partnership;

154 (d) a sole proprietorship;

155 (e) other type of business organization; or

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

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

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

161 (22) "Protected record" means a record that is classified protected as provided by Section
162 63G-2-305.

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

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

166 (a) reasonable in scope and intensity; and

167 (b) not unreasonably burdensome for the government entity.

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

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

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

175 (b) "Record" does not include:

176 (i) a personal note or personal communication prepared or received by an employee
177 or officer of a governmental entity:

178 (A) in a capacity other than the employee's or officer's governmental capacity; or

179 (B) that is unrelated to the conduct of the public's business;

180 (ii) a temporary draft or similar material prepared for the originator's personal use or
181 prepared by the originator for the personal use of an individual for whom the
182 originator is working;

183 (iii) material that is legally owned by an individual in the individual's private capacity;

184 (iv) material to which access is limited by the laws of copyright or patent unless the
185 copyright or patent is owned by a governmental entity or political subdivision;

186 (v) proprietary software;

187 (vi) junk mail or a commercial publication received by a governmental entity or an
188 official or employee of a governmental entity;

189 (vii) a book that is cataloged, indexed, or inventoried and contained in the collections
190 of a library open to the public;

191 (viii) material that is cataloged, indexed, or inventoried and contained in the
192 collections of a library open to the public, regardless of physical form or
193 characteristics of the material;

194 (ix) a daily calendar ;

195 (x) a note prepared by the originator for the originator's own use or for the sole use of
196 an individual for whom the originator is working;

197 (xi) a computer program that is developed or purchased by or for any governmental
198 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;
- (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);
- (xv) information that an owner of unimproved property provides to a local entity as provided in Section 11-42-205;
- (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;
- (xvii) child sexual abuse material, as defined by Section 76-5b-103;
- (xviii) before final disposition of an ethics complaint occurs, a video or audio recording of the closed portion of a meeting or hearing of:
- (A) a Senate or House Ethics Committee;
 - (B) the Independent Legislative Ethics Commission;
 - (C) the Independent Executive Branch Ethics Commission, created in Section 63A-14-202; or
 - (D) the Political Subdivisions Ethics Review Commission established in Section 63A-15-201;
- (xix) confidential communication described in Section 58-60-102, 58-61-102, or 58-61-702;
- (xx) any item described in Subsection (25)(a) that is:
- (A) described in Subsection 63G-2-305(17), (18), or (23)(b); and
 - (B) shared between any of the following entities:

- (I) the Division of Risk Management;
- (II) the Office of the Attorney General;
- (III) the governor's office; or
- (IV) the Legislature;
- (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
- (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.
- (26) "Record series" means a group of records that may be treated as a unit for purposes of designation, description, management, or disposition.
- (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.

(d) "Correctional facility" means the same as that term is defined in Section 77-16b-102.

(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):

(a) laws;

(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:

(i) undercover law enforcement personnel; and

(ii) investigative personnel if disclosure could reasonably be expected to impair the effectiveness of investigations or endanger any individual's safety;

(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;

(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);

(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;

(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;

(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:

(i) titles or encumbrances to real property;

(ii) restrictions on the use of real property;

(iii) the capacity of persons to take or convey title to real property; or

(iv) tax status for real and personal property;

(h) records of the Department of Commerce that evidence incorporations, mergers, name changes, and uniform commercial code filings;

(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;

~~[(j)] documentation of the compensation that a governmental entity pays to a contractor or private provider;~~

~~[(k)]~~ (j) summary data;

~~[(l)]~~ (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);

~~[(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;

~~[(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;

~~[(o)]~~ (n) annual audited financial statements of the Utah Educational Savings Plan

described in Section 53H-10-210; and

~~[(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.

(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:

(a) administrative staff manuals, instructions to staff, and statements of policy;

(b) records documenting a contractor's or private provider's compliance with the terms of a contract with a governmental entity;

(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;

(d) contracts entered into by a governmental entity;

~~[(e) any account, voucher, or contract that deals with the receipt or expenditure of funds by a governmental entity;]~~

(e) records that document a governmental entity's receipt or expenditure of funds, including:

(i) a record related to a financial account, budget, voucher, or grant;

(ii) a financial report or general ledger; and

(iii) a record that documents the compensation a governmental entity pays to a contractor, vendor, or private provider;

(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);

(g) chronological logs and initial contact reports;

(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;

(i) empirical data contained in drafts if:

(i) the empirical data is not reasonably available to the requester elsewhere in similar form; and

(ii) the governmental entity is given a reasonable opportunity to correct any errors or make nonsubstantive changes before release;

(j) drafts that are circulated to anyone other than:

(i) a governmental entity;

- (ii) a political subdivision;
- (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;
- (iv) a government-managed corporation; or
- (v) a contractor or private provider;
- (k) drafts that have never been finalized but were relied upon by the governmental entity in carrying out action or policy;
- (l) original data in a computer program if the governmental entity chooses not to disclose the program;
- (m) arrest warrants after issuance, except that, for good cause, a court may order restricted access to arrest warrants prior to service;
- (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;
- (o) records that would disclose information relating to formal charges or disciplinary actions against a past or present governmental entity employee if:
 - (i) the disciplinary action has been completed and all time periods for administrative appeal have expired; and
 - (ii) the charges on which the disciplinary action was based were sustained;
- (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;
- (q) final audit reports;
- (r) occupational and professional licenses;
- (s) business licenses;
- (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
- (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
- (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).

- (4) The list of public records in this section is not exhaustive and should not be used to limit access to records.

Section 3. Section **63G-2-302** is amended to read:

63G-2-302 . Private records.

- (1) The following records are private:

- (a) records concerning an individual's eligibility for unemployment insurance benefits, social services, welfare benefits, or the determination of benefit levels;
- (b) records containing data on individuals describing medical history, diagnosis, condition, treatment, evaluation, or similar medical data;
- (c) records of publicly funded libraries that when examined alone or with other records identify a patron;
- (d) records received by or generated by or for:
 - (i) the Independent Legislative Ethics Commission, except for:
 - (A) the commission's summary data report that is required under legislative rule;
 - and
 - (B) any other document that is classified as public under legislative rule; or
 - (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;
- (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;
- (f) records received or generated for a Senate confirmation committee concerning character, professional competence, or physical or mental health of an individual:
 - (i) if, prior to the meeting, the chair of the committee determines release of the records:
 - (A) reasonably could be expected to interfere with the investigation undertaken by the committee; or
 - (B) would create a danger of depriving a person of a right to a fair proceeding or impartial hearing; and
 - (ii) after the meeting, if the meeting was closed to the public;
- (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;
- (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;
- (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;
- (j) that part of a voter registration record identifying a voter's:
- (i) driver license or identification card number;
 - (ii) social security number, or last four digits of the social security number;
 - (iii) email address;
 - (iv) date of birth; or
 - (v) phone number;
- (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);
- (l) a voter registration record that is withheld under Subsection 20A-2-104(7);
- (m) a withholding request form described in Subsections 20A-2-104(7) and (8) and any verification submitted in support of the form;
- (n) a record or information regarding whether a voter returned a ballot with postage attached;
- (o) a record that:
- (i) contains information about an individual;
 - (ii) is voluntarily provided by the individual; and
 - (iii) goes into an electronic database that:
 - (A) is designated by and administered under the authority of the Chief Information Officer; and
 - (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;
- (p) information provided to the Commissioner of Insurance under:
- (i) Subsection 31A-23a-115(3)(a);
 - (ii) Subsection 31A-23a-302(4); or
 - (iii) Subsection 31A-26-210(4);
- (q) information obtained through a criminal background check under Title 11, Chapter

- 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;
- (r) information provided by an offender that is:
- (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and Child Abuse Offender Registry; and
 - (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- (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;
- (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;
- (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- (v) a completed military-overseas ballot that is electronically transmitted under Title 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- (w) records received by or generated by or for the Political Subdivisions Ethics Review Commission established in Section 63A-15-201, except for:
- (i) the commission's summary data report that is required in Section 63A-15-202; and
 - (ii) any other document that is classified as public in accordance with Title 63A, Chapter 15, Political Subdivisions Ethics Review Commission;
- (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an incident or threat;
- (y) a criminal background check or credit history report conducted in accordance with Section 63A-3-201;
- (z) a record described in Subsection 53-5a-104(7);
- (aa) on a record maintained by a county for the purpose of administering property taxes, an individual's:
- (i) email address;
 - (ii) phone number; or
 - (iii) personal financial information related to a person's payment method;
- (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an exemption, deferral, abatement, or relief under:
- (i) Title 59, Chapter 2, Part 11, Exemptions; or
 - (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;

- (cc) a record provided by the State Tax Commission in response to a request under Subsection 59-1-403(4)(y)(iii);
- (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual child welfare case, as described in Subsection 36-33-103(3);
- (ee) a record relating to drug or alcohol testing of a state employee under Section 63A-17-1004;
- (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;
- (gg) a record including confidential information as that term is defined in Section 67-27-106;[-and]
- (hh) a record or notice received or generated under Title 53, Chapter 30, Security Improvements Act, relating to:
- (i) an application for certification described in Section 53-30-201; or
- (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;
- and
- (ii) any portion of a record that reveals whether a taxpayer receives an exemption, deferral, abatement, or relief under:
- (i) Section 59-2-1106; or
- (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax.
- (2) The following records are private if properly classified by a governmental entity:
- (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);
- (b) records describing an individual's finances, except that the following are public:
- (i) records described in Subsection 63G-2-301(2);
- (ii) information provided to the governmental entity for the purpose of complying with a financial assurance requirement; or
- (iii) records that must be disclosed in accordance with another statute;
- (c) records of independent state agencies if the disclosure of those records would conflict with the fiduciary obligations of the agency;

- (d) other records containing data on individuals the disclosure of which constitutes a clearly unwarranted invasion of personal privacy;
- (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;
- (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
- (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:
 - (i) depict the commission of an alleged crime;
 - (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;
 - (iii) record any encounter that is the subject of a complaint or a legal proceeding against a law enforcement officer or law enforcement agency;
 - (iv) contain an officer-involved critical incident as defined in Subsection 76-2-408(1)(f); or
 - (v) have been requested for reclassification as a public record by a subject or authorized agent of a subject featured in the recording.

(3)(a) As used in this Subsection (3), "medical records" means medical reports, records, statements, history, diagnosis, condition, treatment, and evaluation.

- (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:
 - (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
 - (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.
- (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.

573 Section 4. **Effective Date.**

574 This bill takes effect on May 6, 2026.