

## Part 5 State Records Committee

### **63G-2-501 State Records Committee created -- Membership -- Terms -- Vacancies -- Expenses.**

- (1) There is created the State Records Committee within the Department of Administrative Services to consist of the following seven individuals:
  - (a) an individual in the private sector whose profession requires the individual to create or manage records that if created by a governmental entity would be private or controlled;
  - (b) the director of the Division of State History or the director's designee;
  - (c) the governor or the governor's designee;
  - (d) two citizen members;
  - (e) one person representing political subdivisions, as recommended by the Utah League of Cities and Towns; and
  - (f) one individual representing the news media.
- (2) The members specified in Subsections (1)(a), (d), (e), and (f) shall be appointed by the governor with the consent of the Senate.
- (3)
  - (a) Except as required by Subsection (3)(b), as terms of current committee members expire, the governor shall appoint each new member or reappointed member to a four-year term.
  - (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every two years.
  - (c) Each appointed member is eligible for reappointment for one additional term.
- (4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- (5) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 335, 2015 General Session

### **63G-2-502 State Records Committee -- Duties.**

- (1) The records committee shall:
  - (a) meet at least once every three months;
  - (b) review and approve schedules for the retention and disposal of records;
  - (c) hear appeals from determinations of access as provided by Section 63G-2-403;
  - (d) determine disputes submitted by the state auditor under Subsection 67-3-1(15)(d); and
  - (e) appoint a chairman from among its members.
- (2) The records committee may:
  - (a) make rules to govern its own proceedings as provided by Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

- (b) by order, after notice and hearing, reassign classification and designation for any record series by a governmental entity if the governmental entity's classification or designation is inconsistent with this chapter.
- (3) The records committee shall annually appoint an executive secretary to the records committee. The executive secretary may not serve as a voting member of the committee.
- (4) Five members of the records committee are a quorum for the transaction of business.
- (5) The state archives shall provide staff and support services for the records committee.
- (6) If the records committee reassigns the classification or designation of a record or record series under Subsection (2)(b), any affected governmental entity or any other interested person may appeal the reclassification or redesignation to the district court. The district court shall hear the matter de novo.
- (7) The Office of the Attorney General shall provide counsel to the records committee and shall review proposed retention schedules.

Amended by Chapter 174, 2015 General Session