

**Effective 5/12/2015**

**63G-2-402 Appealing a decision of a chief administrative officer.**

- (1) If the decision of the chief administrative officer of a governmental entity under Section 63G-2-401 is to affirm the denial of a record request, the requester may:
  - (a)
    - (i) appeal the decision to the records committee, as provided in Section 63G-2-403; or
    - (ii) petition for judicial review of the decision in district court, as provided in Section 63G-2-404;  
or
  - (b) appeal the decision to the local appeals board if:
    - (i) the decision is of a chief administrative officer of a governmental entity that is a political subdivision; and
    - (ii) the political subdivision has established a local appeals board.
- (2) A requester who appeals a chief administrative officer's decision to the records committee or a local appeals board does not lose or waive the right to seek judicial review of the decision of the records committee or local appeals board.
- (3) As provided in Section 63G-2-403, an interested party may appeal to the records committee a chief administrative officer's decision under Section 63G-2-401 affirming an access denial.

Amended by Chapter 335, 2015 General Session