

1 **REPORTS AND NOTICES AMENDMENTS**

2 1998 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Gene Davis**

5 AN ACT RELATING TO STATE AFFAIRS IN GENERAL; MODIFYING CERTAIN
6 RESTRICTIONS ON REPORTS AND NOTICES PREPARED BY GOVERNMENT
7 ENTITIES; AND MAKING TECHNICAL CORRECTIONS.

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10 **63-93-201**, as enacted by Chapter 256, Laws of Utah 1997

11 **63-93-202**, as enacted by Chapter 256, Laws of Utah 1997

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

13 Section 1. Section **63-93-201** is amended to read:

14 **63-93-201. Prohibition -- Penalty.**

15 (1) Except as provided in [~~Subsections~~] Subsection (2) [~~and (3)~~], a government entity may
16 not include, as part of any report, the photograph[;] or likeness[; ~~name, or signature~~] of any elected
17 official.

18 ~~[(2) Notwithstanding Subsection (1), a report may contain the name or signature of an~~
19 ~~elected official if the name or signature is required for attribution.]~~

20 ~~[(3) Notwithstanding Subsection (1), a]~~

21 (2) A report may contain the photograph[;] or likeness[; ~~name, or signature~~] of the chief
22 executive officer of a government entity if the report is promotional literature.

23 Section 2. Section **63-93-202** is amended to read:

24 **63-93-202. Penalties.**

25 If an elected official's photograph[;] or likeness[; ~~name, or signature~~] appears on any report
26 in violation of this section that was prepared under the authority or at the direction of the elected
27 official, that elected official is personally liable for the cost of preparing and distributing the report.

Legislative Review Note
as of 2-13-98 2:52 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel