

1 **GOVERNMENT RECORDS ACCESS AND**
2 **MANAGEMENT TASK FORCE**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Douglas C. Aagard**

7 **LONG TITLE**

8 **General Description:**

9 This bill creates the Government Records Access and Management Task Force.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ creates the Government Records Access and Management Task Force;
- 13 ▶ sets forth the duties of the task force; and
- 14 ▶ requires the task force report to the Public Utilities and Technology Interim

15 Committee and the Government Operations Interim Committee.

16 **Monies Appropriated in this Bill:**

17 This bill appropriates

- 18 ▶ \$6,000 to the Senate; and
- 19 ▶ \$8,400 to the House of Representatives.

20 **Other Special Clauses:**

21 This bill is repealed November 30, 2005.

22 **Uncodified material Affected:**

23 ENACTS UNCODIFIED MATERIAL

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

26 Section 1. **Government Records Access and Management Task Force -- Creation**
27 **-- Membership -- Interim rules followed -- Compensation -- Staff.**



28 (1) There is created the Government Records Access and Management Task Force
29 consisting of the following 12 members:

30 (a) five members of the Senate appointed by the president of the Senate, no more than
31 three of whom may be from the same political party; and

32 (b) seven members of the House of Representatives appointed by the speaker of the
33 House of Representatives, no more than four of whom may be from the same political party.

34 (2) (a) The president of the Senate shall designate a member of the Senate appointed
35 under Subsection (1)(a) as a cochair of the task force.

36 (b) The speaker of the House of Representatives shall designate a member of the House
37 of Representatives appointed under Subsection (1)(b) as a cochair of the task force.

38 (3) In conducting its business, the task force shall comply with the rules of legislative
39 interim committees.

40 (4) Salaries and expenses of the members of the task force shall be paid in accordance
41 with Section 36-2-2 and Legislative Joint Rule 15.03.

42 (5) The Office of Legislative Research and General Counsel shall provide staff support
43 to the task force.

44 **Section 2. Duties -- Interim report.**

45 (1) The task force shall review and make recommendations on the following issues:

46 (a) whether or not under Title 63, Chapter 2, Government Records Access and
47 Management Act, a governmental entity should be required to manipulate electronic data to
48 provide a compilation, summary, or other record not maintained by the governmental entity;

49 (b) whether or not a governmental entity should be required to disclose under Title 63,
50 Chapter 2, Government Records Access and Management Act, a compilation or summary of
51 records that the governmental entity:

52 (i) produces as a product; and

53 (ii) routinely offers for sale or license;

54 (c) when, if ever, a governmental entity may charge fair market value for providing a
55 record;

56 (d) if market based fees are permitted, how to set those fees;

57 (e) when, if ever, a governmental entity may disclose private records to a private entity
58 under a contract that ensures the confidentiality of the private records;

59 (f) whether to classify as a private record under the Title 63, Chapter 2, Government
60 Records Access and Management Act:

61 (i) information that would disclose both an individual's name and that individual's:

62 (A) home address;

63 (B) home telephone number;

64 (C) Social Security number; or

65 (D) marital status; or

66 (ii) a record concerning an individual that discloses personal status information such as
67 race, religion, or disabilities;

68 (g) any changes needed to Title 63, Chapter 2, Government Records Access and
69 Management Act, to address technologies including providing for access to electronic
70 information;

71 (h) protecting privacy rights related to the judiciary;

72 (i) protecting privacy rights related to law enforcement;

73 (j) deterring nuisance filings;

74 (k) addressing the sharing between the state and local governments of information or
75 data related to a parcel of real property; and

76 (l) any other issue the task force chooses to address related to Title 63, Chapter 2,
77 Government Records Access and Management Act.

78 (2) Before November 30, 2005, the task force shall present a final report, including any
79 proposed legislation, to the:

80 (a) Public Utilities and Technology Interim Committee; and

81 (b) Government Operations Interim Committee.

82 **Section 3. Appropriation.**

83 There is appropriated from the General Fund for fiscal year 2005-06 only:

84 (1) \$6,000 to the Senate to pay for the compensation and expenses of senators on the
85 task force; and

86 (2) \$8,400 to the House of Representatives to pay for the compensation and expenses
87 of representatives on the task force.

88 **Section 4. Repeal date.**

89 This bill is repealed November 30, 2005.

Legislative Review Note
as of 1-14-05 2:58 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

This bill appropriates \$14,400 from the General Fund in FY 2006. The funds will be distributed \$6,000 to the Senate and \$8,400 to the House of Representatives.

	<u>FY 2006</u> <u>Approp.</u>	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2006</u> <u>Revenue</u>	<u>FY 2007</u> <u>Revenue</u>
General Fund	\$14,400	\$0	\$0	\$0
TOTAL	\$14,400	\$0	\$0	\$0

Individual and Business Impact

No fiscal impact.
