



# House of Representatives *State of Utah*

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January 26, 2006

Mr. Speaker:

The Government Operations Committee reports a favorable recommendation on **H.B. 28**, ACCESS AND FEE AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, by Representative D. Aagard, with the following amendments:

1. *Page 2, Lines 36 through 40:*

36       ▶     ~~{allows}~~    prohibits a governmental entity to charge additional fees  
                  above the actual costs as  
37     determined by the governmental entity's executive officer, for requests from  
38     nongovernmental entities for a series of records if the records are provided in an  
39     electronic spreadsheet format, in an electronic database format, or for the purpose of  
40     resale of the records;

2. *Page 6, Line 178 through 181:*

178       (ii) The additional fees under this section:  
179       (A) shall be reasonable;  
180       (B) may ~~not~~ include charges above the actual costs to fill the request;  
181       (C) are exempt from the limitations provided under Subsections (2)(b) and (c); and

3. *Page 7, Lines 184 through 186*

184       (iii) This Subsection (2)(d) does not apply if:  
185       (A) ~~(I)~~ the requestor of records is a governmental entity; and  
186       {~~(B)~~ ~~(II)~~ the records are used for the benefit of the public ; or  
              (B) the requestor of records demonstrates that release of the records primarily  
              benefits the public rather than the person requesting the records .

4. *Page 18, Lines 544 through 551:*

544       (51) ~~unless otherwise classified as public under Section 63-2-301,~~ an  
              individual's home address, home telephone number, or personal mobile phone  
545       number, if:

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- 546        (a) the individual is required to provide the information in order to comply with a  
          law,  
547        ordinance, rule, or order of a government entity; and  
548        (b) the subject of the record has a reasonable expectation that this information will be  
549        kept confidential due to:  
550        (i) the nature of the law, ordinance, rule, or order; and  
551        (ii) the individual complying with the law, ordinance, rule, or order.

Respectfully,

Douglas C. Aagard  
Committee Chair

Voting: 7-3-1

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