



UTAH STATE SENATE

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February 3, 2006

Mr. President:

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 190**, SHARED GOVERNMENT RECORDS AMENDMENTS, by Senator M. Dmitrich, with the following amendments:

1. *Page 1, Lines 18 through 20:*

- 18 ▶ provides that a ~~{ person may not submit a request for a record to a }~~
 governmental
19 entity that has received ~~{ the }~~ a record as a shared record from another
 governmental
20 entity for enforcing, litigating, or investigating the law or for auditing purposes may not
provide the record;
= ▶ provides that if a governmental entity is prohibited from providing certain
records, it shall deny the records request and inform the person making the
request that records requests must be submitted to the governmental entity
that prepares, owns, or retains the record; and
 ▶ make technical changes .

2. *Page 2, Lines 38 through 45:*

- 38 (2) (a) Subject to Subsection (2)(b), a person making a request for a record shall
 submit
39 the request to the governmental entity that prepares, owns, or retains the record.

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- 40 (b) ~~{A person may not submit a request for a record to a governmental entity that has~~
41 ~~received the record}~~ In response to a request for a record, a governmental entity may not
provide a record that it has received under Section 63-2-206 as a shared record if the record was
shared for the purpose of:
- 42 (i) enforcing, litigating, or investigating civil, criminal, or administrative law; or
43 (ii) auditing, if the governmental entity is authorized by state statute to conduct an
44 audit. =
- (c) If a governmental entity is prohibited from providing a record under Subsection (2)(b), it
shall:
- (i) deny the records request; and
(ii) inform the person making the request that records requests must be submitted to the
governmental entity that prepares, owns, or retains the record.
- 45 [(2)] ~~{(c)}~~ (d) A governmental entity may make rules in accordance with Title 63, Chapter

Respectfully,

Parley G. Hellewell
Committee Chair

Voting: 4-0-1

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