

OPEN AND PUBLIC MEETING ACT

AMENDMENTS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Glenn A. Donnelson

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

This bill modifies the Open and Public Meeting Act by amending provisions related to written or recorded minutes for certain special districts.

Highlighted Provisions:

This bill:

► provides that all special districts under Title 17A with annual budgeted expenditures of \$50,000 or less may keep either written minutes or a recording of their open meetings.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

52-4-203, as renumbered and amended by Chapter 14 and last amended by Chapters 263 and 265, Laws of Utah 2006

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

Section 1. Section **52-4-203** is amended to read:



28 **52-4-203. Minutes of open meetings -- Public records -- Recording of meetings.**

29 (1) Except as provided under Subsection (7), written minutes and a recording shall be
30 kept of all open meetings. The minutes and a recording shall include:

- 31 (a) the date, time, and place of the meeting;
- 32 (b) the names of members present and absent;
- 33 (c) the substance of all matters proposed, discussed, or decided;
- 34 (d) a record, by individual member, of votes taken;
- 35 (e) the name of each person who provided testimony and the substance in brief of their
36 testimony; and
- 37 (f) any other information that any member requests be entered in the minutes or
38 recording.

39 (2) A recording of an open meeting shall be a complete and unedited record of all open
40 portions of the meeting from the commencement of the meeting through adjournment of the
41 meeting.

42 (3) (a) The minutes and recordings of an open meeting are public records and shall be
43 available within a reasonable time after the meeting.

44 (b) An open meeting record kept only by a recording must be converted to written
45 minutes within a reasonable time upon request.

46 (4) All or any part of an open meeting may be independently recorded by any person in
47 attendance if the recording does not interfere with the conduct of the meeting.

48 (5) Minutes or recordings of an open meeting that is required to be retained
49 permanently shall be maintained in or converted to a format that meets long-term records
50 storage requirements.

51 (6) Written minutes and recordings of open meetings are public records under Title 63,
52 Chapter 2, Government Records Access and Management Act, but written minutes shall be the
53 official record of action taken at the meeting.

54 (7) Either written minutes or a recording shall be kept of:

- 55 (a) an open meeting that is a site visit or a traveling tour, if no vote or action is taken
56 by the public body; and
- 57 (b) an open meeting of ~~[an independent]~~ a special district as defined under Title 17A,
58 Special Districts, or a local district under Title 17B, Chapter 2, Local Districts, if the district's

59 annual budgeted expenditures for all funds, excluding capital expenditures and debt service, are
60 \$50,000 or less.

Legislative Review Note
as of **1-10-07 12:26 PM**

Office of Legislative Research and General Counsel

H.B. 257 - Open and Public Meeting Act Amendments

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

1/22/2007, 2:44:15 PM, Lead Analyst: Ricks, G.

Office of the Legislative Fiscal Analyst