

**MINUTES OF OPEN AND PUBLIC MEETINGS**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melvin R. Brown**

Senate Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill modifies the Open and Public Meetings Act by amending provisions related to minutes of meetings.

**Highlighted Provisions:**

This bill:

▶ requires written minutes of open meetings to be available to the public no later than the earlier of:

- the next scheduled meeting; or
- 14 days after the end of the meeting; and

▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**52-4-203**, as last amended by Laws of Utah 2007, Chapters 35, 204, and 329

---

---

*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 (8), written minutes and a recording shall be  
30 kept of all open meetings.

31 (2) Written minutes of an open meeting shall include:

32 (a) the date, time, and place of the meeting;

33 (b) the names of members present and absent;

34 (c) the substance of all matters proposed, discussed, or decided by the public body  
35 which may include a summary of comments made by members of the public body;

36 (d) a record, by individual member, of each vote taken by the public body;

37 (e) the name of each person who is not a member of the public body, and upon  
38 recognition by the presiding member of the public body, provided testimony or comments to  
39 the public body;

40 (f) the substance, in brief, of the testimony or comments provided by the public under  
41 Subsection (2)(e); and

42 (g) any other information that any member requests be entered in the written minutes  
43 or recording.

44 (3) A recording of an open meeting shall:

45 (a) be a complete and unedited record of all open portions of the meeting from the  
46 commencement of the meeting through adjournment of the meeting; and

47 (b) be properly labeled or identified with the date, time, and place of the meeting.

48 (4) (a) The minutes [~~and recordings~~] of an open meeting [~~are public records and~~] shall  
49 be available [~~within a reasonable time after the meeting.~~] to the public no later than the earlier  
50 of:

51 (i) the next scheduled meeting; or

52 (ii) 14 days after the end of the meeting.

53 (b) The recordings of an open meeting shall be available to the public within a  
54 reasonable time after the meeting.

55 [~~(b)~~] (c) An open meeting record kept only by a recording must be converted to written  
56 minutes within a reasonable time upon request.

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

59 (6) [~~Minutes~~] Written minutes or recordings of an open meeting that are required to be  
60 retained permanently shall be maintained in or converted to a format that meets long-term  
61 records storage requirements.

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

65 (8) Either written minutes or a recording shall be kept of:

66 (a) an open meeting that is a site visit or a traveling tour, if no vote or action is taken  
67 by the public body; and

68 (b) an open meeting of a local district under Title 17B, Limited Purpose Local  
69 Government Entities - Local Districts, or special service district under Title 17A, Chapter 2,  
70 Part 13, Utah Special Service District Act, if the district's annual budgeted expenditures for all  
71 funds, excluding capital expenditures and debt service, are \$50,000 or less.

---

---

**Legislative Review Note**  
**as of 12-12-07 9:17 AM**

**Office of Legislative Research and General Counsel**

---

---

**H.B. 166 - Minutes of Open and Public Meetings**

**Fiscal Note**

2008 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.

---