

**CLOSED MEETINGS AMENDMENTS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Patrick Painter**

Senate Sponsor: Curtis S. Bramble

---

---

**LONG TITLE**

**General Description:**

This bill modifies when a closed meeting may be held under the Open and Public Meetings Act.

**Highlighted Provisions:**

This bill:

▶ allows a closed meeting to be held to discuss the purchase, exchange, lease, or sale of a water right or ~~H→ [source of water supply]~~ water shares ←H .

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**52-4-205**, as renumbered and amended by Laws of Utah 2006, Chapter 14

---

---

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

Section 1. Section **52-4-205** is amended to read:

**52-4-205. Purposes of closed meetings.**

(1) A closed meeting described under Section 52-4-204 may only be held for:

(a) discussion of the character, professional competence, or physical or mental health

H.B. 189



28 of an individual;

29 (b) strategy sessions to discuss collective bargaining;

30 (c) strategy sessions to discuss pending or reasonably imminent litigation;

31 (d) strategy sessions to discuss the purchase, exchange, or lease of real property,

32 including any form of a water right or ~~H~~→ [source of a water supply] water shares ~~←H~~, if public

32a discussion of the

33 transaction would:

34 (i) disclose the appraisal or estimated value of the property under consideration; or

35 (ii) prevent the public body from completing the transaction on the best possible terms;

36 (e) strategy sessions to discuss the sale of real property, including any form of a water

37 right or ~~H~~→ [source of a water supply] water shares ~~←H~~, if:

38 (i) public discussion of the transaction would:

39 (A) disclose the appraisal or estimated value of the property under consideration; or

40 (B) prevent the public body from completing the transaction on the best possible terms;

41 (ii) the public body previously gave public notice that the property would be offered for

42 sale; and

43 (iii) the terms of the sale are publicly disclosed before the public body approves the

44 sale;

45 (f) discussion regarding deployment of security personnel, devices, or systems;

46 (g) investigative proceedings regarding allegations of criminal misconduct; and

47 (h) discussion by a county legislative body of commercial information as defined in

48 Section 59-1-404.

49 (2) A public body may not interview a person applying to fill an elected position in a

50 closed meeting.

---

---

**Legislative Review Note**  
**as of 1-25-10 2:48 PM**

**Office of Legislative Research and General Counsel**

---

---

**H.B. 189 - Closed Meetings Amendments**

**Fiscal Note**

2010 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.

---