

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 water shares.

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 of an individual;

(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 water shares, if public discussion of the transaction
33 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
36 terms;
- 37 (e) strategy sessions to discuss the sale of real property, including any form of a water
38 right or water shares, if:
- 39 (i) public discussion of the transaction would:
- 40 (A) disclose the appraisal or estimated value of the property under consideration; or
41 (B) prevent the public body from completing the transaction on the best possible
42 terms;
- 43 (ii) the public body previously gave public notice that the property would be offered
44 for sale; and
- 45 (iii) the terms of the sale are publicly disclosed before the public body approves the
46 sale;
- 47 (f) discussion regarding deployment of security personnel, devices, or systems;
48 (g) investigative proceedings regarding allegations of criminal misconduct; and
49 (h) discussion by a county legislative body of commercial information as defined in
50 Section 59-1-404.
- 51 (2) A public body may not interview a person applying to fill an elected position in a
52 closed meeting.