

30 CHAPTER 12. PUBLIC RECORDS MANAGEMENT ACT

31 63A-12-100. Title.

32 [(1)] This chapter is known as [~~Archives and Records Service.~~] the "Public Records
33 Management Act."

34 [~~(2) As used in this chapter, "governmental entity" has the same meaning as in Section~~
35 ~~63G-2-103.~~]

36 Section 2. Section 63A-12-100.5 is enacted to read:

37 63A-12-100.5. Definitions.

38 The definitions in Section 63G-2-103 apply to this chapter.

39 Section 3. Section 63G-2-502 is amended to read:

40 **63G-2-502. State Records Committee -- Duties.**

41 (1) The records committee shall:

- 42 (a) meet at least once every three months;
- 43 (b) review and approve schedules for the retention and disposal of records;
- 44 (c) hear appeals from determinations of access as provided by Section 63G-2-403; and
- 45 (d) appoint a chairman from among its members.

46 (2) The records committee may:

- 47 (a) make rules to govern its own proceedings as provided by Title 63G, Chapter 3,
- 48 Utah Administrative Rulemaking Act; and
- 49 (b) by order, after notice and hearing, reassign classification and designation for any
- 50 record series by a governmental entity if the governmental entity's classification or designation
- 51 is inconsistent with this chapter.

52 (3) The records committee shall annually appoint an executive secretary to the records
53 committee. The executive secretary may not serve as a voting member of the committee.

54 (4) Five members of the records committee are a quorum for the transaction of
55 business.

56 (5) The state archives shall provide staff and support services for the records
57 committee.

58 (6) Unless otherwise reimbursed, the citizen member, the individual in the private
59 sector, and the representative of the news media shall receive a per diem as established by the
60 Division of Finance in Section 63A-3-106.

61 (7) If the records committee reassigns the classification or designation of a record or
62 record series under Subsection (2)(b), any affected governmental entity or any other interested
63 person may appeal the reclassification or redesignation to the district court. The district court
64 shall hear the matter de novo.

65 (8) The Office of the Attorney General shall provide counsel to the records committee
66 and shall review proposed retention schedules.