

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 source of water supply.

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



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 source of a water supply, if public 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 source of a water supply, 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.
