



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 29, 2012

Madam Speaker:

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 337**, OPEN GOVERNMENT AMENDMENTS, by Representative J. Dougall, with the following amendments:

1. *Page 2, Line 37:*

37 63G-2-1004, Utah Code Annotated 1953
= **63G-2-1005, Utah Code Annotated 1953**

2. *Page 4, Lines 107 through 109:*

107 (5) "Public body" is as defined in Section 52-4-103.
(6) "Restricted information" means:
(a) a private, protected, or controlled record;
(b) private, protected, or controlled information;
(c) a record or information that is protected from release by state law;
(d) a record or information that is protected from release by federal law or rule;
(e) a medical record; or
(f) medical information;
108 ~~{(6)}~~ **(7)** "Website" means the Utah Public Records Website created under
 Section
109 63G-2-1003.

3. *Page 4, Line 116 through Page 5, Line 125:*

116 (3) Except as provided in Subsection (5)(b), (c), or (d), or by rule made under
117 Subsection 63G-2-1004(1)(b), on or after July 1, 2012, a government entity may, and
 beginning
118 on July 1, 2013, a government entity shall, post on the website all of the following records
 of
119 the government entity:

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- 120 (a) ordinances;
- 121 (b) rules adopted by the governing body of a government entity , unless the rules
are posted on the website described in Subsection (6)(d) ;
- 122 (c) policies adopted by the governing body of a government entity;
- 123 (d) statutorily required reports that do not contain {information that is private,
protected,
124 or controlled} restricted information ;
- 125 (e) manuals that do not contain {information that is private, protected, or
controlled} restricted information ;

4. Page 5, Line 132:

- 132 (k) a record described in Subsection 63G-2-301 {~~(1)(c)~~} (3) that contains
information to

5. Page 5, Lines 139 through 141:

- 139 (a) (i) the records provided contain restricted information {that is private,
protected, or controlled} ;
- 140 and
- 141 (ii) the restricted information {described in Subsection (4)(a)(i)} is
provided to the requestor.

6. Page 6, Lines 173 through 174:

- 173 branch; {~~and~~}
(d) the website of the Division of Administrative Rules; and
- 174 {~~(d)~~} (e) a page that contains links to:

7. Page 8, Lines 230 through 231:

- 230 (11) Nothing in this part is intended to require a government entity to post {a
private,
231 protected, or controlled record} restricted information on the website.



8. *Page 9, Lines 253 through 256:*

253 (3) The division may not make rules that require a government entity to post {~~a~~
private;

254 protected, or controlled record} restricted information on the website.

255 (4) The division shall present all proposed rules made under this part to the

256 Administrative Rules Review Committee, created in Section 63G-3-501.

Section 7. Section 63G-2-1005 is enacted to read:

63G-2-1005. Limitations on posting.

Notwithstanding any provision of this part, or rules made under this part, a government entity is not required to, and may not be required to:

(1) redact restricted information from a record in order to require the record to be, or make the record eligible to be, posted on the website; or

(2) post a record on the website that contains restricted information.

Respectfully,

R. Curt Webb
Committee Chair

Voting: 9-0-3

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