

H.B. 337

OPEN GOVERNMENT AMENDMENTS

Representative **John Dougall** proposes 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:
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~~
140 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.