

# 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.