

S.B. 181

POLITICAL SUBDIVISIONS PROPERTY AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 3

FEBRUARY 20, 2013 12:38 PM

Senator **Wayne A. Harper** proposes the following amendments:

1. *Page 1, Line 11:*

11 {~~—consideration in the form of~~} fair market value for the property.

2. *Page 1, Line 17:*

17 {~~—consideration in the form of~~} fair market value for the property; and

3. *Page 6, Lines 165 through 170:*

165 (1) "Consideration" means something ;

(a) of value given or done in exchange for

166 something given or done by another, including money, a service, or labor {~~—~~} ; or

(b) provided in the public interest supporting health, safety, and welfare of the citizens of a political subdivision.

167 (2) "Educational entity" means {~~—~~}

168 ~~—(a)~~ a school district or charter school {~~—; and~~

169 ~~—(b) an institution of higher education as described in Section 53B-2-101~~ } .

170 (3) "Fair market value" means the {~~—amount~~} consideration at which property would change hands

4. *Page 6, Line 170:*

170 (3) "Fair market value" means the {~~—amount~~} consideration at which property would change hands

5. *Page 7, Line 197:*

197 dispose of property without receiving {~~—consideration in the form of~~} fair market value for the

6. *Page 7, Line 204:*

204 (i) subject to Subsection (3), a record requested in accordance with Title 63G, Chapter 2, Government Records

7. *Page 7, Line 206:*

206 (ii) is requested for a purpose, including media purposes, other than commercial use; ~~{or}~~

8. Page 7, Line 208:

208 political subdivision, or the federal government ~~{-}~~ ;

(f) the acquisition or disposal of property in accordance with Section 10-8-2; or

(g) any transfer of property specifically authorized by law.

(3)(a) If a records request has apparent significant commercial value, the custodian of the property may require the requestor to attest in writing, under penalty of perjury, whether the material is to be used for commercial resale purposes.

(b) If the request is for commercial resale purposes, the requestor shall pay fair market value for the property as provided in Subsection (1).