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**STATE DATA PORTAL AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Deidre M. Henderson**

House Sponsor: Steve Eliason

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to the availability of public information and the duties of the Utah Transparency Advisory Board.

**Highlighted Provisions:**

This bill:

**⌚→ ▶ modifies the composition of the Utah Transparency Advisory board; ←⌚**

- ▶ directs the Utah Transparency Advisory Board to analyze ways to make the information on the Utah Public Finance Website more relevant to citizens;
- ▶ directs the Utah Transparency Advisory Board to identify and prioritize public information in the possession of a state agency or political subdivision that may be appropriate for publication on the public information website;
- ▶ directs the **⌚→ [~~Division of Finance~~] Department of Administrative Services ←⌚** to:
  - by certain dates, modify the public information website to include a single point of access for all Government Records Access and Management requests for executive agencies, **⌚→ [~~political subdivisions, and special districts]~~ school districts, charter schools, public transit districts, counties, municipalities, local districts, and special service districts ←⌚** ; and
  - modify the public information website to include links to already existing public information, provide multiple download options, provide additional public information when identified, and include technical elements that the Utah Transparency Advisory Board identifies as useful to a citizen using the website;
- ▶ makes technical changes.

S.B. 70



- 59 (i) an individual representing counties, appointed by the governor;
- 60 (j) an individual representing municipalities, appointed by the governor; ~~H→~~ [and]
- 60a **(k) an individual representing special districts, appointed by the governor; and**
- 61 ~~(k)~~ **(l)** ~~←H~~ two individuals who are members of the public and who have knowledge,
- 62 expertise, or experience in matters relating to the board's duties under Subsection (10),
- 63 appointed by the board members identified in Subsections (2)(a) through ~~H→~~ ~~(j)~~ **(k)** ~~←H~~ .
- 64 (3) The board shall:
- 65 (a) advise the division on matters related to the implementation and administration of
- 66 this part;
- 67 (b) develop plans, make recommendations, and assist in implementing the provisions
- 68 of this part;
- 69 (c) determine what public financial information shall be provided by participating state
- 70 and local entities, if the public financial information:
- 71 (i) only includes records that:
- 72 (A) are classified as public under Title 63G, Chapter 2, Government Records Access
- 73 and Management Act;
- 74 (B) are an accounting of money, funds, accounts, bonds, loans, expenditures, or
- 75 revenues, regardless of the source; and
- 76 (C) are owned, held, or administered by the participating state or local entity that is
- 77 required to provide the record; and
- 78 (ii) is of the type or nature that should be accessible to the public via a website based
- 79 on considerations of:
- 80 (A) the cost effectiveness of providing the information;
- 81 (B) the value of providing the information to the public; and
- 82 (C) privacy and security considerations;
- 83 (d) evaluate the cost effectiveness of implementing specific information resources and
- 84 features on the website;
- 85 (e) establish size or budget thresholds to identify those local entities that qualify as
- 86 participating local entities as defined in this part, giving special consideration to the budget and
- 87 resource limitations of an entity with a current annual budget of less than \$10,000,000;
- 88 (f) require participating local entities to provide public financial information in
- 89 accordance with the requirements of this part, with a specified content, reporting frequency,

152 for continuous publication of and updates to public information;

153 (iv) the identification of public information not currently made available online and the  
 154 implementation of a process, including a timeline and benchmarks, for making that public  
 155 information available online; and

156 (v) accountability on the part of those who create, maintain, manage, or store public  
 157 information or post it to an information website.

158 (d) The department shall implement the board's recommendations, including the  
 159 establishment of an information website, to the extent that implementation:

160 (i) is approved by the Legislative Management Committee;

161 (ii) does not require further legislative appropriation; and

162 (iii) is within the department's existing statutory authority.

163 (11) The department shall, in consultation with the board ~~it~~ and as funding allows ~~it~~ ,  
 163a modify the information

164 website described in Subsection (10) to:

165 (a) by January 1, 2015, serve as a ~~single~~ point of access for Government Records  
 166 Access and Management requests for ~~all~~ executive agencies;

167 (b) by January 1, 2016, serve as a ~~single~~ point of access for Government Records  
 168 Access and Management requests for ~~all political subdivisions~~ :

168a (i) school districts;

168b (ii) charter schools;

168c (iii) public transit districts created under Title 17B, Chapter 2a, Part 8, Public  
 168d Transit District Act;

168e (iv) counties; and

168f (v) municipalities ~~;~~

169 (c) by January 1, 2017, serve as a ~~single~~ point of access for Government Records  
 170 Access and Management requests for ~~all special districts~~ :

170a (i) local districts under Title 17B, Limited Purpose Local Government Entities-  
 170b Local Districts; and

170c (ii) special service districts under Title 17D, Chapter 1, Special Service District  
 170d Act ~~;~~

171 (d) ~~;~~ except as provided in Subsection (12)(a), ~~;~~ provide link capabilities to other  
 171a existing repositories of public information,

172 including maps, photograph collections, legislatively required reports, election data, statute,

173 rules, regulations, and local ordinances that exist on other agency and political subdivision

174 websites;

175 (e) provide multiple download options in different formats, including nonproprietary,  
176 open formats where possible;

177 (f) provide any other public information that the board, under Subsection (10),  
178 identifies as appropriate for publication on the information website; and

179 (g) incorporate technical elements the board identifies as useful to a citizen using the  
180 information website.

180a **§→ (12)(a) The department, in consultation with the board, shall establish by rule any**  
180b **restrictions on the inclusion of maps and photographs, as described in Subsection (11)(d), on**  
180c **the website described in Subsection (10) if the inclusion would pose a potential security**  
180d **concern.**

180e **(b) The website described in Subsection (10) may not publish any record that is classified as**  
180f **private, protected, or controlled under Title 63G, Chapter 2, Government Records Access and**  
180g **Management Act. ←§**

181 Section 2. Section **63A-3-404** is amended to read:

182 **63A-3-404. Rulemaking authority.**