

HB0288S03 compared with HB0288

~~{deleted text}~~ shows text that was in HB0288 but was deleted in HB0288S03.

inserted text shows text that was not in HB0288 but was inserted into HB0288S03.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Curtis S. Bramble proposes the following substitute bill:

EDUCATIONAL RECORDS PROTECTION AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Craig Hall

Senate Sponsor: ~~{~~ Todd Weiler

LONG TITLE

General Description:

This bill amends provisions related to the disclosure of education records ~~{ that are subject to federal law }~~.

Highlighted Provisions:

This bill:

- ▶ ~~{exempts certain}~~ amends provisions related to the disclosure of education records ~~{from the Government Records and Access Management Act}~~ as defined under federal law; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

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None

Utah Code Sections Affected:

AMENDS:

63G-2-107, as renumbered and amended by Laws of Utah 2008, Chapter 382

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63G-2-107** is amended to read:

63G-2-107. Disclosure of records subject to federal law.

(1) Notwithstanding [the provisions of Subsections 63G-2-201(6)(a) and (b)]

Subsection 63G-2-201(6), this chapter does not apply to:

~~— (1) —~~ a record containing protected health information as defined in 45 C.F.R., Part 164, Standards for Privacy of Individually Identifiable Health Information, if the record is:

~~[(+)] (a)~~ controlled or maintained by a governmental entity; and

~~[(2)] (b)~~ governed by 45 C.F.R., Parts 160 and 164, Standards for Privacy of

Individually Identifiable Health Information ~~{ }~~. ~~{ } or~~

(2) The disclosure of an education record as defined in the Family Educational Rights and Privacy Act, 34 C.F.R. Part 99, ~~{ if the record }~~ that is:

~~— (a) —~~ controlled or maintained by a governmental entity ~~{ } and~~

~~— (b) —~~ shall be governed by the Family Educational Rights and Privacy Act, 34 C.F.R. Part 99.

~~{ }~~

Legislative Review Note

Office of Legislative Research and General Counsel