

PUBLIC DOCUMENT SIGNATURE CLASSIFICATION

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jani Iwamoto

House Sponsor: Steve Eliason

LONG TITLE

General Description:

This bill classifies as a protected record signatures on a political petition, on a request to withdraw a signature from a political petition, and on other documents relating to elections.

Highlighted Provisions:

This bill:

- ▶ provides that signatures on a voter registration record, a political petition, a request to withdraw a signature from a political petition, and other documents relating to elections are protected records;
- ▶ permits an individual to view, but not to make a copy of, a signature described in the preceding paragraph;
- ▶ except for a record classified as private, requires a records custodian to provide a list of names instead of a signature protected under the provisions of this bill; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-7-206, as last amended by Laws of Utah 2019, Chapters 210, 217, 255 and last amended by Coordination Clause, Laws of Utah 2019, Chapters 210, and 217

30 **20A-7-605**, as last amended by Laws of Utah 2019, Chapter 203

31 **63G-2-305**, as last amended by Laws of Utah 2019, Chapters 128, 193, 244, and 277

32 ENACTS:

33 **63G-2-305.5**, Utah Code Annotated 1953



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

36 Section 1. Section **20A-7-206** is amended to read:

37 **20A-7-206. Submitting the initiative petition -- Certification of signatures by the**
38 **county clerks -- Transfer to lieutenant governor.**

39 (1) (a) In order to qualify an initiative petition for placement on the regular general
40 election ballot, the sponsors shall deliver a signed and verified initiative packet to the county
41 clerk of the county in which the packet was circulated before 5 p.m. no later than the earlier of:

- 42 (i) 30 days after the day on which the first individual signs the initiative packet;
 - 43 (ii) 316 days after the day on which the application for the initiative petition is filed; or
 - 44 (iii) the February 15 immediately before the next regular general election immediately
- 45 after the application is filed under Section **20A-7-202**.

46 (b) A sponsor may not submit an initiative packet after the deadline described in
47 Subsection (1)(a).

48 (2) For an initiative packet received by the county clerk before December 1, the county
49 clerk shall, within 30 days after the day on which the county clerk receives the packet:

50 (a) determine whether each signer is a registered voter according to the requirements of
51 Section **20A-7-206.3**;

52 (b) certify on the petition whether each name is that of a registered voter;

53 (c) post the name and voter identification number of each registered voter certified
54 under Subsection (2)(b) in a conspicuous location on the county's website for at least 90 days;
55 and

56 (d) deliver the verified initiative packet to the lieutenant governor.

57 (3) For an initiative packet received by the county clerk on or after December 1, the

58 county clerk shall, within 21 days after the day on which the county clerk receives the packet:

59 (a) determine whether each signer is a registered voter according to the requirements of
60 Section 20A-7-206.3;

61 (b) certify on the petition whether each name is that of a registered voter;

62 (c) post the name and [~~precinct~~] voter identification number of each registered voter
63 certified under Subsection (2)(b) in a conspicuous location on the county's website for at least
64 45 days; and

65 (d) deliver the verified initiative packet to the lieutenant governor.

66 (4) Within seven days after timely receipt of a statement described in Subsection
67 20A-7-205(3), the county clerk shall:

68 (a) remove the voter's signature from the posting described in Subsection (2)(c) or
69 (3)(c); and

70 (b) (i) remove the voter's signature from the signature packet totals; and

71 (ii) inform the lieutenant governor of the removal.

72 (5) The county clerk may not certify a signature under Subsection (2) or (3):

73 (a) on an initiative packet that is not verified in accordance with Section 20A-7-205; or

74 (b) that does not have a date of signature next to the signature.

75 (6) In order to qualify an initiative petition for submission to the Legislature, the
76 sponsors shall deliver each signed and verified initiative packet to the county clerk of the
77 county in which the packet was circulated before 5 p.m. no later than the November 15 before
78 the next annual general session of the Legislature immediately after the application is filed
79 under Section 20A-7-202.

80 (7) The county clerk may not certify a signature under Subsection (8) on an initiative
81 packet that is not verified in accordance with Section 20A-7-205.

82 (8) No later than December 15 before the annual general session of the Legislature, the
83 county clerk shall, for an initiative described in Subsection (6):

84 (a) determine whether each signer is a registered voter according to the requirements of
85 Section 20A-7-206.3;

86 (b) certify on the petition whether each name is that of a registered voter; and

87 (c) deliver all of the verified initiative packets to the lieutenant governor.

88 (9) The sponsor or a sponsor's representative may not retrieve an initiative packet from
89 a county clerk after the initiative packet is submitted to the county clerk.

90 Section 2. Section **20A-7-605** is amended to read:

91 **20A-7-605. Obtaining signatures -- Verification -- Removal of signature.**

92 (1) Any Utah voter may sign a local referendum petition if the voter is a legal voter and
93 resides in the local jurisdiction.

94 (2) (a) The sponsors shall ensure that the individual in whose presence each signature
95 sheet was signed:

96 (i) is at least 18 years old and meets the residency requirements of Section [20A-2-105](#);
97 and

98 (ii) verifies each signature sheet by completing the verification printed on the last page
99 of each referendum packet.

100 (b) An individual may not sign the verification printed on the last page of the
101 referendum packet if the individual signed a signature sheet in the referendum packet.

102 (3) (a) Any voter who has signed a referendum petition may have the voter's signature
103 removed from the petition by submitting a statement to that effect to the county clerk.

104 (b) Except as provided in Subsection (3)(c), upon receipt of the statement, the county
105 clerk shall remove the signature of the individual submitting the statement from the referendum
106 petition.

107 (c) A county clerk may not remove signatures from a referendum petition later than
108 seven days after the day on which the sponsors timely submit the last signature packet to the
109 county clerk.

110 (4) The sponsors of a referendum petition:

111 (a) shall, for each signature packet:

112 (i) within seven days after the day on which the first individual signs the signature
113 packet, provide a clear, legible image of all signatures on the signature packet to the county

114 clerk via email or other electronic means; and

115 (ii) immediately send a new image if the county clerk informs the sponsors that the
116 image is not clear and legible;

117 (b) may not permit additional signatures on a signature packet of which the sponsors
118 have sent an image under Subsection (4)(a); and

119 (c) may not submit a signature packet to the county clerk unless the sponsors timely
120 comply with the requirements of Subsection (4)(a) in relation to the signature packet.

121 (5) Each person who gathers a signature removal statement described in Subsection
122 (3):

123 (a) shall, within seven days after the day on which the individual signs the signature
124 removal statement, provide a clear, legible image of the statement to the county clerk via email
125 or other electronic means; and

126 (b) shall, immediately send a new image if the local clerk informs the sender that the
127 image is not clear and legible; and

128 (c) may not submit a signature removal statement to the county clerk, unless the sender
129 timely complies with the requirements of Subsections (5)(a) and (b) in relation to the signature
130 removal statement.

131 (6) (a) The county clerk shall provide to an individual, upon request[:], a document or
132 electronic list containing the name and voter identification number of each individual who
133 signed the initiative packet.

134 [~~(i) an image of a signature packet or signature removal statement with the dates of~~
135 ~~birth redacted; or]~~

136 [~~(ii) instead of providing an image described in Subsection (6)(a)(i), a document or~~
137 ~~electronic list containing the name and other information, other than the dates of birth, that~~
138 ~~appear on an image described in this Subsection (6)(a).]~~

139 (b) Subject to Subsection 20A-7-606.3(3), the local clerk may begin certifying,
140 removing, and tallying signatures upon receipt of an image described in Subsection (4) or (5).

141 Section 3. Section 63G-2-305 is amended to read:

142 **63G-2-305. Protected records.**

143 The following records are protected if properly classified by a governmental entity:

144 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret
145 has provided the governmental entity with the information specified in Section 63G-2-309;

146 (2) commercial information or nonindividual financial information obtained from a
147 person if:

148 (a) disclosure of the information could reasonably be expected to result in unfair
149 competitive injury to the person submitting the information or would impair the ability of the
150 governmental entity to obtain necessary information in the future;

151 (b) the person submitting the information has a greater interest in prohibiting access
152 than the public in obtaining access; and

153 (c) the person submitting the information has provided the governmental entity with
154 the information specified in Section 63G-2-309;

155 (3) commercial or financial information acquired or prepared by a governmental entity
156 to the extent that disclosure would lead to financial speculations in currencies, securities, or
157 commodities that will interfere with a planned transaction by the governmental entity or cause
158 substantial financial injury to the governmental entity or state economy;

159 (4) records, the disclosure of which could cause commercial injury to, or confer a
160 competitive advantage upon a potential or actual competitor of, a commercial project entity as
161 defined in Subsection 11-13-103(4);

162 (5) test questions and answers to be used in future license, certification, registration,
163 employment, or academic examinations;

164 (6) records, the disclosure of which would impair governmental procurement
165 proceedings or give an unfair advantage to any person proposing to enter into a contract or
166 agreement with a governmental entity, except, subject to Subsections (1) and (2), that this
167 Subsection (6) does not restrict the right of a person to have access to, after the contract or
168 grant has been awarded and signed by all parties:

169 (a) a bid, proposal, application, or other information submitted to or by a governmental

170 entity in response to:

- 171 (i) an invitation for bids;
- 172 (ii) a request for proposals;
- 173 (iii) a request for quotes;
- 174 (iv) a grant; or
- 175 (v) other similar document; or

176 (b) an unsolicited proposal, as defined in Section [63G-6a-712](#);

177 (7) information submitted to or by a governmental entity in response to a request for
178 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not restrict
179 the right of a person to have access to the information, after:

180 (a) a contract directly relating to the subject of the request for information has been
181 awarded and signed by all parties; or

182 (b) (i) a final determination is made not to enter into a contract that relates to the
183 subject of the request for information; and

184 (ii) at least two years have passed after the day on which the request for information is
185 issued;

186 (8) records that would identify real property or the appraisal or estimated value of real
187 or personal property, including intellectual property, under consideration for public acquisition
188 before any rights to the property are acquired unless:

189 (a) public interest in obtaining access to the information is greater than or equal to the
190 governmental entity's need to acquire the property on the best terms possible;

191 (b) the information has already been disclosed to persons not employed by or under a
192 duty of confidentiality to the entity;

193 (c) in the case of records that would identify property, potential sellers of the described
194 property have already learned of the governmental entity's plans to acquire the property;

195 (d) in the case of records that would identify the appraisal or estimated value of
196 property, the potential sellers have already learned of the governmental entity's estimated value
197 of the property; or

198 (e) the property under consideration for public acquisition is a single family residence
199 and the governmental entity seeking to acquire the property has initiated negotiations to acquire
200 the property as required under Section 78B-6-505;

201 (9) records prepared in contemplation of sale, exchange, lease, rental, or other
202 compensated transaction of real or personal property including intellectual property, which, if
203 disclosed prior to completion of the transaction, would reveal the appraisal or estimated value
204 of the subject property, unless:

205 (a) the public interest in access is greater than or equal to the interests in restricting
206 access, including the governmental entity's interest in maximizing the financial benefit of the
207 transaction; or

208 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
209 the value of the subject property have already been disclosed to persons not employed by or
210 under a duty of confidentiality to the entity;

211 (10) records created or maintained for civil, criminal, or administrative enforcement
212 purposes or audit purposes, or for discipline, licensing, certification, or registration purposes, if
213 release of the records:

214 (a) reasonably could be expected to interfere with investigations undertaken for
215 enforcement, discipline, licensing, certification, or registration purposes;

216 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
217 proceedings;

218 (c) would create a danger of depriving a person of a right to a fair trial or impartial
219 hearing;

220 (d) reasonably could be expected to disclose the identity of a source who is not
221 generally known outside of government and, in the case of a record compiled in the course of
222 an investigation, disclose information furnished by a source not generally known outside of
223 government if disclosure would compromise the source; or

224 (e) reasonably could be expected to disclose investigative or audit techniques,
225 procedures, policies, or orders not generally known outside of government if disclosure would

226 interfere with enforcement or audit efforts;

227 (11) records the disclosure of which would jeopardize the life or safety of an
228 individual;

229 (12) records the disclosure of which would jeopardize the security of governmental
230 property, governmental programs, or governmental recordkeeping systems from damage, theft,
231 or other appropriation or use contrary to law or public policy;

232 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
233 facility, or records relating to incarceration, treatment, probation, or parole, that would interfere
234 with the control and supervision of an offender's incarceration, treatment, probation, or parole;

235 (14) records that, if disclosed, would reveal recommendations made to the Board of
236 Pardons and Parole by an employee of or contractor for the Department of Corrections, the
237 Board of Pardons and Parole, or the Department of Human Services that are based on the
238 employee's or contractor's supervision, diagnosis, or treatment of any person within the board's
239 jurisdiction;

240 (15) records and audit workpapers that identify audit, collection, and operational
241 procedures and methods used by the State Tax Commission, if disclosure would interfere with
242 audits or collections;

243 (16) records of a governmental audit agency relating to an ongoing or planned audit
244 until the final audit is released;

245 (17) records that are subject to the attorney client privilege;

246 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
247 employee, or agent of a governmental entity for, or in anticipation of, litigation or a judicial,
248 quasi-judicial, or administrative proceeding;

249 (19) (a) (i) personal files of a state legislator, including personal correspondence to or
250 from a member of the Legislature; and

251 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
252 legislative action or policy may not be classified as protected under this section; and

253 (b) (i) an internal communication that is part of the deliberative process in connection

254 with the preparation of legislation between:

255 (A) members of a legislative body;

256 (B) a member of a legislative body and a member of the legislative body's staff; or

257 (C) members of a legislative body's staff; and

258 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
259 legislative action or policy may not be classified as protected under this section;

260 (20) (a) records in the custody or control of the Office of Legislative Research and
261 General Counsel, that, if disclosed, would reveal a particular legislator's contemplated
262 legislation or contemplated course of action before the legislator has elected to support the
263 legislation or course of action, or made the legislation or course of action public; and

264 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
265 Office of Legislative Research and General Counsel is a public document unless a legislator
266 asks that the records requesting the legislation be maintained as protected records until such
267 time as the legislator elects to make the legislation or course of action public;

268 (21) research requests from legislators to the Office of Legislative Research and
269 General Counsel or the Office of the Legislative Fiscal Analyst and research findings prepared
270 in response to these requests;

271 (22) drafts, unless otherwise classified as public;

272 (23) records concerning a governmental entity's strategy about:

273 (a) collective bargaining; or

274 (b) imminent or pending litigation;

275 (24) records of investigations of loss occurrences and analyses of loss occurrences that
276 may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
277 Uninsured Employers' Fund, or similar divisions in other governmental entities;

278 (25) records, other than personnel evaluations, that contain a personal recommendation
279 concerning an individual if disclosure would constitute a clearly unwarranted invasion of
280 personal privacy, or disclosure is not in the public interest;

281 (26) records that reveal the location of historic, prehistoric, paleontological, or

282 biological resources that if known would jeopardize the security of those resources or of
283 valuable historic, scientific, educational, or cultural information;

284 (27) records of independent state agencies if the disclosure of the records would
285 conflict with the fiduciary obligations of the agency;

286 (28) records of an institution within the state system of higher education defined in
287 Section 53B-1-102 regarding tenure evaluations, appointments, applications for admissions,
288 retention decisions, and promotions, which could be properly discussed in a meeting closed in
289 accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of
290 the final decisions about tenure, appointments, retention, promotions, or those students
291 admitted, may not be classified as protected under this section;

292 (29) records of the governor's office, including budget recommendations, legislative
293 proposals, and policy statements, that if disclosed would reveal the governor's contemplated
294 policies or contemplated courses of action before the governor has implemented or rejected
295 those policies or courses of action or made them public;

296 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
297 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
298 recommendations in these areas;

299 (31) records provided by the United States or by a government entity outside the state
300 that are given to the governmental entity with a requirement that they be managed as protected
301 records if the providing entity certifies that the record would not be subject to public disclosure
302 if retained by it;

303 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
304 public body except as provided in Section 52-4-206;

305 (33) records that would reveal the contents of settlement negotiations but not including
306 final settlements or empirical data to the extent that they are not otherwise exempt from
307 disclosure;

308 (34) memoranda prepared by staff and used in the decision-making process by an
309 administrative law judge, a member of the Board of Pardons and Parole, or a member of any

310 other body charged by law with performing a quasi-judicial function;

311 (35) records that would reveal negotiations regarding assistance or incentives offered
312 by or requested from a governmental entity for the purpose of encouraging a person to expand
313 or locate a business in Utah, but only if disclosure would result in actual economic harm to the
314 person or place the governmental entity at a competitive disadvantage, but this section may not
315 be used to restrict access to a record evidencing a final contract;

316 (36) materials to which access must be limited for purposes of securing or maintaining
317 the governmental entity's proprietary protection of intellectual property rights including patents,
318 copyrights, and trade secrets;

319 (37) the name of a donor or a prospective donor to a governmental entity, including an
320 institution within the state system of higher education defined in Section 53B-1-102, and other
321 information concerning the donation that could reasonably be expected to reveal the identity of
322 the donor, provided that:

323 (a) the donor requests anonymity in writing;

324 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
325 classified protected by the governmental entity under this Subsection (37); and

326 (c) except for an institution within the state system of higher education defined in
327 Section 53B-1-102, the governmental unit to which the donation is made is primarily engaged
328 in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority
329 over the donor, a member of the donor's immediate family, or any entity owned or controlled
330 by the donor or the donor's immediate family;

331 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and
332 73-18-13;

333 (39) a notification of workers' compensation insurance coverage described in Section
334 34A-2-205;

335 (40) (a) the following records of an institution within the state system of higher
336 education defined in Section 53B-1-102, which have been developed, discovered, disclosed to,
337 or received by or on behalf of faculty, staff, employees, or students of the institution:

- 338 (i) unpublished lecture notes;
- 339 (ii) unpublished notes, data, and information:
- 340 (A) relating to research; and
- 341 (B) of:
- 342 (I) the institution within the state system of higher education defined in Section
- 343 53B-1-102; or
- 344 (II) a sponsor of sponsored research;
- 345 (iii) unpublished manuscripts;
- 346 (iv) creative works in process;
- 347 (v) scholarly correspondence; and
- 348 (vi) confidential information contained in research proposals;
- 349 (b) Subsection (40)(a) may not be construed to prohibit disclosure of public
- 350 information required pursuant to Subsection 53B-16-302(2)(a) or (b); and
- 351 (c) Subsection (40)(a) may not be construed to affect the ownership of a record;
- 352 (41) (a) records in the custody or control of the Office of Legislative Auditor General
- 353 that would reveal the name of a particular legislator who requests a legislative audit prior to the
- 354 date that audit is completed and made public; and
- 355 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
- 356 Office of the Legislative Auditor General is a public document unless the legislator asks that
- 357 the records in the custody or control of the Office of Legislative Auditor General that would
- 358 reveal the name of a particular legislator who requests a legislative audit be maintained as
- 359 protected records until the audit is completed and made public;
- 360 (42) records that provide detail as to the location of an explosive, including a map or
- 361 other document that indicates the location of:
- 362 (a) a production facility; or
- 363 (b) a magazine;
- 364 (43) information:
- 365 (a) contained in the statewide database of the Division of Aging and Adult Services

366 created by Section [62A-3-311.1](#); or

367 (b) received or maintained in relation to the Identity Theft Reporting Information
368 System (IRIS) established under Section [67-5-22](#);

369 (44) information contained in the Management Information System and Licensing
370 Information System described in Title 62A, Chapter 4a, Child and Family Services;

371 (45) information regarding National Guard operations or activities in support of the
372 National Guard's federal mission;

373 (46) records provided by any pawn or secondhand business to a law enforcement
374 agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop and
375 Secondhand Merchandise Transaction Information Act;

376 (47) information regarding food security, risk, and vulnerability assessments performed
377 by the Department of Agriculture and Food;

378 (48) except to the extent that the record is exempt from this chapter pursuant to Section
379 [63G-2-106](#), records related to an emergency plan or program, a copy of which is provided to or
380 prepared or maintained by the Division of Emergency Management, and the disclosure of
381 which would jeopardize:

382 (a) the safety of the general public; or

383 (b) the security of:

384 (i) governmental property;

385 (ii) governmental programs; or

386 (iii) the property of a private person who provides the Division of Emergency
387 Management information;

388 (49) records of the Department of Agriculture and Food that provides for the
389 identification, tracing, or control of livestock diseases, including any program established under
390 Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
391 of Animal Disease;

392 (50) as provided in Section [26-39-501](#):

393 (a) information or records held by the Department of Health related to a complaint

394 regarding a child care program or residential child care which the department is unable to
395 substantiate; and

396 (b) information or records related to a complaint received by the Department of Health
397 from an anonymous complainant regarding a child care program or residential child care;

398 (51) unless otherwise classified as public under Section 63G-2-301 and except as
399 provided under Section 41-1a-116, an individual's home address, home telephone number, or
400 personal mobile phone number, if:

401 (a) the individual is required to provide the information in order to comply with a law,
402 ordinance, rule, or order of a government entity; and

403 (b) the subject of the record has a reasonable expectation that this information will be
404 kept confidential due to:

405 (i) the nature of the law, ordinance, rule, or order; and

406 (ii) the individual complying with the law, ordinance, rule, or order;

407 (52) the portion of the following documents that contains a candidate's residential or
408 mailing address, if the candidate provides to the filing officer another address or phone number
409 where the candidate may be contacted:

410 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
411 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405, 20A-9-408,
412 20A-9-408.5, 20A-9-502, or 20A-9-601;

413 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or

414 (c) a notice of intent to gather signatures for candidacy, described in Section
415 20A-9-408;

416 (53) the name, home address, work addresses, and telephone numbers of an individual
417 that is engaged in, or that provides goods or services for, medical or scientific research that is:

418 (a) conducted within the state system of higher education, as defined in Section
419 53B-1-102; and

420 (b) conducted using animals;

421 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance

422 Evaluation Commission concerning an individual commissioner's vote on whether or not to
423 recommend that the voters retain a judge including information disclosed under Subsection
424 [78A-12-203\(5\)\(e\)](#);

425 (55) information collected and a report prepared by the Judicial Performance
426 Evaluation Commission concerning a judge, unless Section [20A-7-702](#) or Title 78A, Chapter
427 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public,
428 the information or report;

429 (56) records contained in the Management Information System created in Section
430 [62A-4a-1003](#);

431 (57) records provided or received by the Public Lands Policy Coordinating Office in
432 furtherance of any contract or other agreement made in accordance with Section [63J-4-603](#);

433 (58) information requested by and provided to the 911 Division under Section
434 [63H-7a-302](#);

435 (59) in accordance with Section [73-10-33](#):

436 (a) a management plan for a water conveyance facility in the possession of the Division
437 of Water Resources or the Board of Water Resources; or

438 (b) an outline of an emergency response plan in possession of the state or a county or
439 municipality;

440 (60) the following records in the custody or control of the Office of Inspector General
441 of Medicaid Services, created in Section [63A-13-201](#):

442 (a) records that would disclose information relating to allegations of personal
443 misconduct, gross mismanagement, or illegal activity of a person if the information or
444 allegation cannot be corroborated by the Office of Inspector General of Medicaid Services
445 through other documents or evidence, and the records relating to the allegation are not relied
446 upon by the Office of Inspector General of Medicaid Services in preparing a final investigation
447 report or final audit report;

448 (b) records and audit workpapers to the extent they would disclose the identity of a
449 person who, during the course of an investigation or audit, communicated the existence of any

450 Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or
451 regulation adopted under the laws of this state, a political subdivision of the state, or any
452 recognized entity of the United States, if the information was disclosed on the condition that
453 the identity of the person be protected;

454 (c) before the time that an investigation or audit is completed and the final
455 investigation or final audit report is released, records or drafts circulated to a person who is not
456 an employee or head of a governmental entity for the person's response or information;

457 (d) records that would disclose an outline or part of any investigation, audit survey
458 plan, or audit program; or

459 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
460 investigation or audit;

461 (61) records that reveal methods used by the Office of Inspector General of Medicaid
462 Services, the fraud unit, or the Department of Health, to discover Medicaid fraud, waste, or
463 abuse;

464 (62) information provided to the Department of Health or the Division of Occupational
465 and Professional Licensing under Subsection 58-68-304(3) or (4);

466 (63) a record described in Section 63G-12-210;

467 (64) captured plate data that is obtained through an automatic license plate reader
468 system used by a governmental entity as authorized in Section 41-6a-2003;

469 (65) any record in the custody of the Utah Office for Victims of Crime relating to a
470 victim, including:

471 (a) a victim's application or request for benefits;

472 (b) a victim's receipt or denial of benefits; and

473 (c) any administrative notes or records made or created for the purpose of, or used to,
474 evaluate or communicate a victim's eligibility for or denial of benefits from the Crime Victim
475 Reparations Fund;

476 (66) an audio or video recording created by a body-worn camera, as that term is
477 defined in Section 77-7a-103, that records sound or images inside a hospital or health care

478 facility as those terms are defined in Section 78B-3-403, inside a clinic of a health care
479 provider, as that term is defined in Section 78B-3-403, or inside a human service program as
480 that term is defined in Section 62A-2-101, except for recordings that:

- 481 (a) depict the commission of an alleged crime;
- 482 (b) record any encounter between a law enforcement officer and a person that results in
483 death or bodily injury, or includes an instance when an officer fires a weapon;
- 484 (c) record any encounter that is the subject of a complaint or a legal proceeding against
485 a law enforcement officer or law enforcement agency;
- 486 (d) contain an officer involved critical incident as defined in Subsection
487 76-2-408(1)~~(d)~~(f); or
- 488 (e) have been requested for reclassification as a public record by a subject or
489 authorized agent of a subject featured in the recording;
- 490 (67) a record pertaining to the search process for a president of an institution of higher
491 education described in Section 53B-2-102, except for application materials for a publicly
492 announced finalist; and
- 493 (68) an audio recording that is:
 - 494 (a) produced by an audio recording device that is used in conjunction with a device or
495 piece of equipment designed or intended for resuscitating an individual or for treating an
496 individual with a life-threatening condition;
 - 497 (b) produced during an emergency event when an individual employed to provide law
498 enforcement, fire protection, paramedic, emergency medical, or other first responder service:
 - 499 (i) is responding to an individual needing resuscitation or with a life-threatening
500 condition; and
 - 501 (ii) uses a device or piece of equipment designed or intended for resuscitating an
502 individual or for treating an individual with a life-threatening condition; and
 - 503 (c) intended and used for purposes of training emergency responders how to improve
504 their response to an emergency situation;
- 505 (69) records submitted by or prepared in relation to an applicant seeking a

506 recommendation by the Research and General Counsel Subcommittee, the Budget
507 Subcommittee, or the Audit Subcommittee, established under Section 36-12-8, for an
508 employment position with the Legislature;

509 (70) work papers as defined in Section 31A-2-204;

510 (71) a record made available to Adult Protective Services or a law enforcement agency
511 under Section 61-1-206;

512 (72) a record submitted to the Insurance Department in accordance with Section
513 31A-37-201; and

514 (73) a record described in Section 31A-37-503.

515 (74) any record created by the Division of Occupational and Professional Licensing as
516 a result of Subsection 58-37f-304(5) or 58-37f-702(2)(a)(ii); [and]

517 (75) a record described in Section 72-16-306 that relates to the reporting of an injury
518 involving an amusement ride[-];

519 (76) except as provided in Subsection 63G-2-305.5(1), the signature of an individual
520 on a political petition, or on a request to withdraw a signature from a political petition,
521 including a petition or request described in the following titles:

522 (a) Title 10, Utah Municipal Code;

523 (b) Title 17, Counties;

524 (c) Title 17B, Limited Purpose Local Government Entities - Local Districts;

525 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and

526 (e) Title 20A, Election Code;

527 (77) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in
528 a voter registration record; and

529 (78) except as provided in Subsection 63G-2-305.5(3), any signature, other than a
530 signature described in Subsection (76) or (77), in the custody of the lieutenant governor or a
531 local political subdivision collected or held under, or in relation to, Title 20A, Election Code.

532 Section 4. Section 63G-2-305.5 is enacted to read:

533 **63G-2-305.5. Viewing or obtaining lists of signatures.**

534 (1) The records custodian of a signature described in Subsection 63G-2-305(76) shall,
535 upon request, except for a name or signature classified as private under Title 20A, Chapter 2,
536 Voter Registration:

537 (a) provide a list of the names of the individuals who signed the petition or request; and
538 (b) permit an individual to view, but not take a copy or other image of, the signatures
539 on a political petition described in Subsection 63G-2-305(76).

540 (2) The records custodian of a signature described in Subsection 63G-2-305(77) shall,
541 upon request, except for a name or signature classified as private under Title 20A, Chapter 2,
542 Voter Registration:

543 (a) provide a list of the names of registered voters, excluding the names that are
544 classified as private under Title 20A, Chapter 2, Voter Registration; and

545 (b) except for a signature classified as private under Title 20A, Chapter 2, Voter
546 Registration, permit an individual to view, but not take a copy or other image of, the signature
547 on a voter registration record.

548 (3) Except for a signature classified as private under Title 20A, Chapter 2, Voter
549 Registration, the records custodian of a signature described in Subsection 63G-2-305(78) shall,
550 upon request, permit an individual to view, but not take a copy or other image of, a signature.