

JAIL PHOTO DISTRIBUTION PROHIBITION

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Keven J. Stratton

Senate Sponsor: Michael S. Kennedy

Cosponsors:	Karianne Lisonbee	Mike Schultz
Francis D. Gibson	Stephanie Pitcher	
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LONG TITLE

General Description:

This bill amends provisions relating to the disclosure of an image taken during the process of booking an individual into jail.

Highlighted Provisions:

This bill:

- ▶ subject to certain exceptions, classifies as a protected record an image taken of an individual during the process of booking the individual into jail; and
- ▶ prohibits a sheriff from disclosing a protected record described in this bill.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-22-30, as last amended by Laws of Utah 2019, Chapter 93

63G-2-305, as last amended by Laws of Utah 2020, Chapters 112, 198, 339, 349, 382, and 393

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

Section 1. Section 17-22-30 is amended to read:

17-22-30. Prohibition on providing copy of booking photograph -- Statement required -- Criminal liability for false statement -- Remedy for failure to remove or delete.

(1) As used in this section:

(a) "Booking photograph" means a photograph or image of an individual that is generated:

- (i) for identification purposes; and
- (ii) when the individual is booked into a county jail.

(b) "Publish-for-pay publication" or "publish-for-pay website" means a publication or website that requires the payment of a fee or other consideration in order to remove or delete a booking photograph from the publication or website.

(2) A sheriff may not provide a copy of a booking photograph in any format to a person requesting a copy of the booking photograph if:

(a) the booking photograph will be placed in a publish-for-pay publication or posted to a publish-for-pay website[-]; or

(b) the booking photograph is a protected record under Subsection [63G-2-305\(82\)](#).

(3) (a) A person who requests a copy of a booking photograph from a sheriff shall, at the time of making the request, submit a statement signed by the person affirming that the booking photograph will not be placed in a publish-for-pay publication or posted to a publish-for-pay website.

(b) A person who submits a false statement under Subsection (3)(a) is subject to criminal liability as provided in Section [76-8-504](#).

(4) (a) Except as provided in Subsection (5), a publish-for-pay publication or a publish-for-pay website shall remove and destroy a booking photograph of an individual who

55 submits a request for removal and destruction within 30 calendar days after the day on which
56 the individual makes the request.

57 (b) A publish-for-pay publication or publish-for-pay website described in Subsection
58 (4)(a) may not condition removal or destruction of the booking photograph on the payment of a
59 fee in an amount greater than \$50.

60 (c) If the publish-for-pay publication or publish-for-pay website described in
61 Subsection (4)(a) does not remove and destroy the booking photograph in accordance with
62 Subsection (4)(a), the publish-for-pay publication or publish-for-pay website is liable for:

63 (i) all costs, including reasonable attorney fees, resulting from any legal action the
64 individual brings in relation to the failure of the publish-for-pay publication or publish-for-pay
65 website to remove and destroy the booking photograph; and

66 (ii) a civil penalty of \$50 per day for each day after the 30-day deadline described in
67 Subsection (4)(a) on which the booking photograph is visible or publicly accessible in the
68 publish-for-pay publication or on the publish-for-pay website.

69 (5) (a) A publish-for-pay publication or a publish-for-pay website shall remove and
70 destroy a booking photograph of an individual who submits a request for removal and
71 destruction within seven calendar days after the day on which the individual makes the request
72 if:

73 (i) the booking photograph relates to a criminal charge:

74 (A) on which the individual was acquitted or not prosecuted; or

75 (B) that was expunged, vacated, or pardoned; and

76 (ii) the individual submits, in relation to the request, evidence of a disposition
77 described in Subsection (5)(a)(i).

78 (b) If the publish-for-pay publication or publish-for-pay website described in
79 Subsection (5)(a) does not remove and destroy the booking photograph in accordance with
80 Subsection (5)(a), the publish-for-pay publication or publish-for-pay website is liable for:

81 (i) all costs, including reasonable attorney fees, resulting from any legal action that the

82 individual brings in relation to the failure of the publish-for-pay publication or publish-for-pay
83 website to remove and destroy the booking photograph; and

84 (ii) a civil penalty of \$100 per day for each day after the seven-day deadline described
85 in Subsection (5)(a) on which the booking photograph is visible or publicly accessible in the
86 publish-for-pay publication or on the publish-for-pay website.

87 (c) An act of a publish-for-pay publication or publish-for-pay website described in
88 Subsection (5)(a) that seeks to condition removal or destruction of the booking photograph on
89 the payment of any fee or amount constitutes theft by extortion under Section 76-6-406.

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

91 **63G-2-305. Protected records.**

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

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

95 (2) commercial information or nonindividual financial information obtained from a
96 person if:

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

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

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

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

108 (4) records, the disclosure of which could cause commercial injury to, or confer a

109 competitive advantage upon a potential or actual competitor of, a commercial project entity as
110 defined in Subsection 11-13-103(4);

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

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

118 (a) a bid, proposal, application, or other information submitted to or by a governmental
119 entity in response to:

120 (i) an invitation for bids;

121 (ii) a request for proposals;

122 (iii) a request for quotes;

123 (iv) a grant; or

124 (v) other similar document; or

125 (b) an unsolicited proposal, as defined in Section 63G-6a-712;

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

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

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

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

135 (8) records that would identify real property or the appraisal or estimated value of real

136 or personal property, including intellectual property, under consideration for public acquisition
137 before any rights to the property are acquired unless:

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

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

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

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

147 (e) the property under consideration for public acquisition is a single family residence
148 and the governmental entity seeking to acquire the property has initiated negotiations to acquire
149 the property as required under Section [78B-6-505](#);

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

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

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

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

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

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

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

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

173 (e) reasonably could be expected to disclose investigative or audit techniques,
174 procedures, policies, or orders not generally known outside of government if disclosure would
175 interfere with enforcement or audit efforts;

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

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

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

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

189 (15) records and audit workpapers that identify audit, collection, and operational

190 procedures and methods used by the State Tax Commission, if disclosure would interfere with
191 audits or collections;

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

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

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

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

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

202 (b) (i) an internal communication that is part of the deliberative process in connection
203 with the preparation of legislation between:

204 (A) members of a legislative body;

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

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

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

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

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

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

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

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

222 (a) collective bargaining; or

223 (b) imminent or pending litigation;

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

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

230 (26) records that reveal the location of historic, prehistoric, paleontological, or
231 biological resources that if known would jeopardize the security of those resources or of
232 valuable historic, scientific, educational, or cultural information;

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

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

241 (29) records of the governor's office, including budget recommendations, legislative
242 proposals, and policy statements, that if disclosed would reveal the governor's contemplated
243 policies or contemplated courses of action before the governor has implemented or rejected

244 those policies or courses of action or made them public;

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

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

252 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
253 public body except as provided in Section [52-4-206](#);

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

257 (34) memoranda prepared by staff and used in the decision-making process by an
258 administrative law judge, a member of the Board of Pardons and Parole, or a member of any
259 other body charged by law with performing a quasi-judicial function;

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

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

268 (37) the name of a donor or a prospective donor to a governmental entity, including an
269 institution within the state system of higher education defined in Section [53B-1-102](#), and other
270 information concerning the donation that could reasonably be expected to reveal the identity of

271 the donor, provided that:

272 (a) the donor requests anonymity in writing;

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

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

280 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and
281 73-18-13;

282 (39) a notification of workers' compensation insurance coverage described in Section
283 34A-2-205;

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

287 (i) unpublished lecture notes;

288 (ii) unpublished notes, data, and information:

289 (A) relating to research; and

290 (B) of:

291 (I) the institution within the state system of higher education defined in Section
292 53B-1-102; or

293 (II) a sponsor of sponsored research;

294 (iii) unpublished manuscripts;

295 (iv) creative works in process;

296 (v) scholarly correspondence; and

297 (vi) confidential information contained in research proposals;

298 (b) Subsection (40)(a) may not be construed to prohibit disclosure of public
299 information required pursuant to Subsection 53B-16-302(2)(a) or (b); and
300 (c) Subsection (40)(a) may not be construed to affect the ownership of a record;
301 (41) (a) records in the custody or control of the Office of Legislative Auditor General
302 that would reveal the name of a particular legislator who requests a legislative audit prior to the
303 date that audit is completed and made public; and
304 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
305 Office of the Legislative Auditor General is a public document unless the legislator asks that
306 the records in the custody or control of the Office of Legislative Auditor General that would
307 reveal the name of a particular legislator who requests a legislative audit be maintained as
308 protected records until the audit is completed and made public;
309 (42) records that provide detail as to the location of an explosive, including a map or
310 other document that indicates the location of:
311 (a) a production facility; or
312 (b) a magazine;
313 (43) information:
314 (a) contained in the statewide database of the Division of Aging and Adult Services
315 created by Section 62A-3-311.1; or
316 (b) received or maintained in relation to the Identity Theft Reporting Information
317 System (IRIS) established under Section 67-5-22;
318 (44) information contained in the Management Information System and Licensing
319 Information System described in Title 62A, Chapter 4a, Child and Family Services;
320 (45) information regarding National Guard operations or activities in support of the
321 National Guard's federal mission;
322 (46) records provided by any pawn or secondhand business to a law enforcement
323 agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop and
324 Secondhand Merchandise Transaction Information Act;

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

327 (48) except to the extent that the record is exempt from this chapter pursuant to Section
328 63G-2-106, records related to an emergency plan or program, a copy of which is provided to or
329 prepared or maintained by the Division of Emergency Management, and the disclosure of
330 which would jeopardize:

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

332 (b) the security of:

333 (i) governmental property;

334 (ii) governmental programs; or

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

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

341 (50) as provided in Section 26-39-501:

342 (a) information or records held by the Department of Health related to a complaint
343 regarding a child care program or residential child care which the department is unable to
344 substantiate; and

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

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

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

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

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

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

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

359 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
360 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405, 20A-9-408,
361 20A-9-408.5, 20A-9-502, or 20A-9-601;

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

363 (c) a notice of intent to gather signatures for candidacy, described in Section
364 20A-9-408;

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

367 (a) conducted within the state system of higher education, as defined in Section
368 53B-1-102; and

369 (b) conducted using animals;

370 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
371 Evaluation Commission concerning an individual commissioner's vote on whether or not to
372 recommend that the voters retain a judge including information disclosed under Subsection
373 78A-12-203(5)(e);

374 (55) information collected and a report prepared by the Judicial Performance
375 Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter
376 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public,
377 the information or report;

378 (56) records contained in the Management Information System created in Section

379 62A-4a-1003;

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

382 (58) information requested by and provided to the 911 Division under Section
383 63H-7a-302;

384 (59) in accordance with Section 73-10-33:

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

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

389 (60) the following records in the custody or control of the Office of Inspector General
390 of Medicaid Services, created in Section 63A-13-201:

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

397 (b) records and audit workpapers to the extent they would disclose the identity of a
398 person who, during the course of an investigation or audit, communicated the existence of any
399 Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or
400 regulation adopted under the laws of this state, a political subdivision of the state, or any
401 recognized entity of the United States, if the information was disclosed on the condition that
402 the identity of the person be protected;

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

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

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

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

413 (62) information provided to the Department of Health or the Division of Occupational
414 and Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
415 58-68-304(3) and (4);

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

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

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

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

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

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

426 (66) an audio or video recording created by a body-worn camera, as that term is
427 defined in Section 77-7a-103, that records sound or images inside a hospital or health care
428 facility as those terms are defined in Section 78B-3-403, inside a clinic of a health care
429 provider, as that term is defined in Section 78B-3-403, or inside a human service program as
430 that term is defined in Section 62A-2-101, except for recordings that:

431 (a) depict the commission of an alleged crime;

432 (b) record any encounter between a law enforcement officer and a person that results in

433 death or bodily injury, or includes an instance when an officer fires a weapon;
434 (c) record any encounter that is the subject of a complaint or a legal proceeding against
435 a law enforcement officer or law enforcement agency;
436 (d) contain an officer involved critical incident as defined in Subsection
437 76-2-408(1)(f); or
438 (e) have been requested for reclassification as a public record by a subject or
439 authorized agent of a subject featured in the recording;
440 (67) a record pertaining to the search process for a president of an institution of higher
441 education described in Section 53B-2-102, except for application materials for a publicly
442 announced finalist;
443 (68) an audio recording that is:
444 (a) produced by an audio recording device that is used in conjunction with a device or
445 piece of equipment designed or intended for resuscitating an individual or for treating an
446 individual with a life-threatening condition;
447 (b) produced during an emergency event when an individual employed to provide law
448 enforcement, fire protection, paramedic, emergency medical, or other first responder service:
449 (i) is responding to an individual needing resuscitation or with a life-threatening
450 condition; and
451 (ii) uses a device or piece of equipment designed or intended for resuscitating an
452 individual or for treating an individual with a life-threatening condition; and
453 (c) intended and used for purposes of training emergency responders how to improve
454 their response to an emergency situation;
455 (69) records submitted by or prepared in relation to an applicant seeking a
456 recommendation by the Research and General Counsel Subcommittee, the Budget
457 Subcommittee, or the Audit Subcommittee, established under Section 36-12-8, for an
458 employment position with the Legislature;
459 (70) work papers as defined in Section 31A-2-204;

460 (71) a record made available to Adult Protective Services or a law enforcement agency
461 under Section [61-1-206](#);

462 (72) a record submitted to the Insurance Department in accordance with Section
463 [31A-37-201](#) or [31A-22-653](#);

464 (73) a record described in Section [31A-37-503](#)[-];

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

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

469 (76) except as provided in Subsection [63G-2-305.5\(1\)](#), the signature of an individual
470 on a political petition, or on a request to withdraw a signature from a political petition,
471 including a petition or request described in the following titles:

472 (a) Title 10, Utah Municipal Code;

473 (b) Title 17, Counties;

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

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

476 (e) Title 20A, Election Code;

477 (77) except as provided in Subsection [63G-2-305.5\(2\)](#), the signature of an individual in
478 a voter registration record;

479 (78) except as provided in Subsection [63G-2-305.5\(3\)](#), any signature, other than a
480 signature described in Subsection (76) or (77), in the custody of the lieutenant governor or a
481 local political subdivision collected or held under, or in relation to, Title 20A, Election Code;

482 (79) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part
483 5, Victims Guidelines for Prosecutors Act;

484 (80) a record submitted to the Insurance Department under Subsection [~~[31A-47-103](#)~~]
485 [31A-48-103](#)(1)(b); [~~and~~]

486 (81) personal information, as defined in Section [63G-26-102](#), to the extent disclosure is

487 prohibited under Section 63G-26-103[?]; and

488 (82) (a) an image taken of an individual during the process of booking the individual
489 into jail, unless:

490 (i) the individual is convicted of a criminal offense based upon the conduct for which
491 the individual was incarcerated at the time the image was taken;

492 (ii) a law enforcement agency releases or disseminates the image after determining
493 that:

494 (A) the individual is a fugitive or an imminent threat to an individual or to public
495 safety; and

496 (B) releasing or disseminating the image will assist in apprehending the individual or
497 reducing or eliminating the threat; or

498 (iii) a judge orders the release or dissemination of the image based on a finding that the
499 release or dissemination is in furtherance of a legitimate law enforcement interest.