

JAIL PHOTO DISTRIBUTION PROHIBITION

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Keven J. Stratton

Senate Sponsor: _____

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:

- ▶ classifies as a protected record an image taken of an individual during the process of booking the individual into jail, unless the individual is convicted of a criminal offense based upon the conduct for which the individual is incarcerated; 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

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



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

29 **17-22-30. Prohibition on providing copy of booking photograph -- Statement**
30 **required -- Criminal liability for false statement -- Remedy for failure to remove or**
31 **delete.**

32 (1) As used in this section:

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

35 (i) for identification purposes; and

36 (ii) when the individual is booked into a county jail.

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

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

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

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

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

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

51 (4) (a) Except as provided in Subsection (5), a publish-for-pay publication or a
52 publish-for-pay website shall remove and destroy a booking photograph of an individual who
53 submits a request for removal and destruction within 30 calendar days after the day on which
54 the individual makes the request.

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

58 (c) If the publish-for-pay publication or publish-for-pay website described in

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

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

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

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

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

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

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

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

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

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

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

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

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

89 **63G-2-305. Protected records.**

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

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

93 (2) commercial information or nonindividual financial information obtained from a
94 person if:

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

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

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

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

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

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

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

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

118 (i) an invitation for bids;

119 (ii) a request for proposals;

120 (iii) a request for quotes;

- 121 (iv) a grant; or
- 122 (v) other similar document; or
- 123 (b) an unsolicited proposal, as defined in Section [63G-6a-712](#);
- 124 (7) information submitted to or by a governmental entity in response to a request for
- 125 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not restrict
- 126 the right of a person to have access to the information, after:
 - 127 (a) a contract directly relating to the subject of the request for information has been
 - 128 awarded and signed by all parties; or
 - 129 (b) (i) a final determination is made not to enter into a contract that relates to the
 - 130 subject of the request for information; and
 - 131 (ii) at least two years have passed after the day on which the request for information is
 - 132 issued;
 - 133 (8) records that would identify real property or the appraisal or estimated value of real
 - 134 or personal property, including intellectual property, under consideration for public acquisition
 - 135 before any rights to the property are acquired unless:
 - 136 (a) public interest in obtaining access to the information is greater than or equal to the
 - 137 governmental entity's need to acquire the property on the best terms possible;
 - 138 (b) the information has already been disclosed to persons not employed by or under a
 - 139 duty of confidentiality to the entity;
 - 140 (c) in the case of records that would identify property, potential sellers of the described
 - 141 property have already learned of the governmental entity's plans to acquire the property;
 - 142 (d) in the case of records that would identify the appraisal or estimated value of
 - 143 property, the potential sellers have already learned of the governmental entity's estimated value
 - 144 of the property; or
 - 145 (e) the property under consideration for public acquisition is a single family residence
 - 146 and the governmental entity seeking to acquire the property has initiated negotiations to acquire
 - 147 the property as required under Section [78B-6-505](#);
 - 148 (9) records prepared in contemplation of sale, exchange, lease, rental, or other
 - 149 compensated transaction of real or personal property including intellectual property, which, if
 - 150 disclosed prior to completion of the transaction, would reveal the appraisal or estimated value
 - 151 of the subject property, unless:

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

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

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

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

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

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

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

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

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

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

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

182 (14) records that, if disclosed, would reveal recommendations made to the Board of

183 Pardons and Parole by an employee of or contractor for the Department of Corrections, the
184 Board of Pardons and Parole, or the Department of Human Services that are based on the
185 employee's or contractor's supervision, diagnosis, or treatment of any person within the board's
186 jurisdiction;

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

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

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

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

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

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

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

202 (A) members of a legislative body;

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

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

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

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

211 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
212 Office of Legislative Research and General Counsel is a public document unless a legislator
213 asks that the records requesting the legislation be maintained as protected records until such

214 time as the legislator elects to make the legislation or course of action public;

215 (21) research requests from legislators to the Office of Legislative Research and

216 General Counsel or the Office of the Legislative Fiscal Analyst and research findings prepared

217 in response to these requests;

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

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

220 (a) collective bargaining; or

221 (b) imminent or pending litigation;

222 (24) records of investigations of loss occurrences and analyses of loss occurrences that

223 may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the

224 Uninsured Employers' Fund, or similar divisions in other governmental entities;

225 (25) records, other than personnel evaluations, that contain a personal recommendation

226 concerning an individual if disclosure would constitute a clearly unwarranted invasion of

227 personal privacy, or disclosure is not in the public interest;

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

229 biological resources that if known would jeopardize the security of those resources or of

230 valuable historic, scientific, educational, or cultural information;

231 (27) records of independent state agencies if the disclosure of the records would

232 conflict with the fiduciary obligations of the agency;

233 (28) records of an institution within the state system of higher education defined in

234 Section [53B-1-102](#) regarding tenure evaluations, appointments, applications for admissions,

235 retention decisions, and promotions, which could be properly discussed in a meeting closed in

236 accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of

237 the final decisions about tenure, appointments, retention, promotions, or those students

238 admitted, may not be classified as protected under this section;

239 (29) records of the governor's office, including budget recommendations, legislative

240 proposals, and policy statements, that if disclosed would reveal the governor's contemplated

241 policies or contemplated courses of action before the governor has implemented or rejected

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

243 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,

244 revenue estimates, and fiscal notes of proposed legislation before issuance of the final

245 recommendations in these areas;

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

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

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

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

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

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

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

270 (a) the donor requests anonymity in writing;

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

273 (c) except for an institution within the state system of higher education defined in
274 Section 53B-1-102, the governmental unit to which the donation is made is primarily engaged
275 in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority

276 over the donor, a member of the donor's immediate family, or any entity owned or controlled
277 by the donor or the donor's immediate family;

278 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and
279 73-18-13;

280 (39) a notification of workers' compensation insurance coverage described in Section
281 34A-2-205;

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

285 (i) unpublished lecture notes;

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

287 (A) relating to research; and

288 (B) of:

289 (I) the institution within the state system of higher education defined in Section
290 53B-1-102; or

291 (II) a sponsor of sponsored research;

292 (iii) unpublished manuscripts;

293 (iv) creative works in process;

294 (v) scholarly correspondence; and

295 (vi) confidential information contained in research proposals;

296 (b) Subsection (40)(a) may not be construed to prohibit disclosure of public
297 information required pursuant to Subsection 53B-16-302(2)(a) or (b); and

298 (c) Subsection (40)(a) may not be construed to affect the ownership of a record;

299 (41) (a) records in the custody or control of the Office of Legislative Auditor General
300 that would reveal the name of a particular legislator who requests a legislative audit prior to the
301 date that audit is completed and made public; and

302 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
303 Office of the Legislative Auditor General is a public document unless the legislator asks that
304 the records in the custody or control of the Office of Legislative Auditor General that would
305 reveal the name of a particular legislator who requests a legislative audit be maintained as
306 protected records until the audit is completed and made public;

307 (42) records that provide detail as to the location of an explosive, including a map or
308 other document that indicates the location of:

- 309 (a) a production facility; or
- 310 (b) a magazine;

311 (43) information:

- 312 (a) contained in the statewide database of the Division of Aging and Adult Services
313 created by Section [62A-3-311.1](#); or
- 314 (b) received or maintained in relation to the Identity Theft Reporting Information
315 System (IRIS) established under Section [67-5-22](#);

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

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

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

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

325 (48) except to the extent that the record is exempt from this chapter pursuant to Section
326 [63G-2-106](#), records related to an emergency plan or program, a copy of which is provided to or
327 prepared or maintained by the Division of Emergency Management, and the disclosure of
328 which would jeopardize:

- 329 (a) the safety of the general public; or
- 330 (b) the security of:
 - 331 (i) governmental property;
 - 332 (ii) governmental programs; or
 - 333 (iii) the property of a private person who provides the Division of Emergency
334 Management information;

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

338 of Animal Disease;

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

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

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

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

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

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

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

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

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

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

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

361 (c) a notice of intent to gather signatures for candidacy, described in Section
362 20A-9-408;

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

365 (a) conducted within the state system of higher education, as defined in Section
366 53B-1-102; and

367 (b) conducted using animals;

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

369 Evaluation Commission concerning an individual commissioner's vote on whether or not to
370 recommend that the voters retain a judge including information disclosed under Subsection
371 [78A-12-203\(5\)\(e\)](#);

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

376 (56) records contained in the Management Information System created in Section
377 [62A-4a-1003](#);

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

380 (58) information requested by and provided to the 911 Division under Section
381 [63H-7a-302](#);

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

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

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

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

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

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

400 the identity of the person be protected;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

431 death or bodily injury, or includes an instance when an officer fires a weapon;
432 (c) record any encounter that is the subject of a complaint or a legal proceeding against
433 a law enforcement officer or law enforcement agency;
434 (d) contain an officer involved critical incident as defined in Subsection
435 76-2-408(1)(f); or
436 (e) have been requested for reclassification as a public record by a subject or
437 authorized agent of a subject featured in the recording;
438 (67) a record pertaining to the search process for a president of an institution of higher
439 education described in Section 53B-2-102, except for application materials for a publicly
440 announced finalist;
441 (68) an audio recording that is:
442 (a) produced by an audio recording device that is used in conjunction with a device or
443 piece of equipment designed or intended for resuscitating an individual or for treating an
444 individual with a life-threatening condition;
445 (b) produced during an emergency event when an individual employed to provide law
446 enforcement, fire protection, paramedic, emergency medical, or other first responder service:
447 (i) is responding to an individual needing resuscitation or with a life-threatening
448 condition; and
449 (ii) uses a device or piece of equipment designed or intended for resuscitating an
450 individual or for treating an individual with a life-threatening condition; and
451 (c) intended and used for purposes of training emergency responders how to improve
452 their response to an emergency situation;
453 (69) records submitted by or prepared in relation to an applicant seeking a
454 recommendation by the Research and General Counsel Subcommittee, the Budget
455 Subcommittee, or the Audit Subcommittee, established under Section 36-12-8, for an
456 employment position with the Legislature;
457 (70) work papers as defined in Section 31A-2-204;
458 (71) a record made available to Adult Protective Services or a law enforcement agency
459 under Section 61-1-206;
460 (72) a record submitted to the Insurance Department in accordance with Section
461 31A-37-201 or 31A-22-653;

- 462 (73) a record described in Section 31A-37-503[-];
- 463 (74) any record created by the Division of Occupational and Professional Licensing as
- 464 a result of Subsection 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 465 (75) a record described in Section 72-16-306 that relates to the reporting of an injury
- 466 involving an amusement ride;
- 467 (76) except as provided in Subsection 63G-2-305.5(1), the signature of an individual
- 468 on a political petition, or on a request to withdraw a signature from a political petition,
- 469 including a petition or request described in the following titles:
- 470 (a) Title 10, Utah Municipal Code;
- 471 (b) Title 17, Counties;
- 472 (c) Title 17B, Limited Purpose Local Government Entities - Local Districts;
- 473 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 474 (e) Title 20A, Election Code;
- 475 (77) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in
- 476 a voter registration record;
- 477 (78) except as provided in Subsection 63G-2-305.5(3), any signature, other than a
- 478 signature described in Subsection (76) or (77), in the custody of the lieutenant governor or a
- 479 local political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- 480 (79) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part
- 481 5, Victims Guidelines for Prosecutors Act;
- 482 (80) a record submitted to the Insurance Department under Subsection
- 483 31A-47-103(1)(b); [~~and~~]
- 484 (81) personal information, as defined in Section 63G-26-102, to the extent disclosure is
- 485 prohibited under Section 63G-26-103[-]; and
- 486 (82) an image taken of an individual during the process of booking the individual into
- 487 jail, unless the individual is convicted of a criminal offense based upon the conduct for which
- 488 the individual is incarcerated.