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S.B. 228
1st Sub. (Green)

Senator Daniel McCay proposes the following substitute bill:

PROPERTY AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions relating to property.

Highlighted Provisions:

This bill:

- requires, when ownership of nonresidential property is transferred, the seller or the closing agent to make available information about the property, including sales price, to the county assessor's office;
- excludes sales price information shared with the county from the definition of a "private record" for purposes of the Government Records Access and Management Act;
- authorizes disclosure of the sales price information under certain circumstances;
- exempts use of property owned by a state institution of education that operates as a private housing facility from the privilege tax; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

26 **Utah Code Sections Affected:**
27 AMENDS:
28 **59-4-101**, as last amended by Laws of Utah 2020, Chapter 105
29 **63G-2-202**, as last amended by Laws of Utah 2021, Chapter 231
30 **63G-2-302**, as last amended by Laws of Utah 2022, Chapters 169, 334
31 **63I-1-257**, as last amended by Laws of Utah 2019, Chapter 136
32 **63I-1-263**, as last amended by Laws of Utah 2022, Chapters 23, 34, 68, 153, 218, 236,
33 249, 274, 296, 313, 361, 362, 417, 419, and 472
34 ENACTS:
35 **57-3-110**, Utah Code Annotated 1953
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37 *Be it enacted by the Legislature of the state of Utah:*
38 Section 1. Section **57-3-110** is enacted to read:
39 **57-3-110. Disclosure of details of real property transaction.**
40 (1) As used in this section:
41 (a) "Database" means a private collection of data that:
42 (i) contains records, including sales prices, for properties purchased and sold in the
43 state of Utah; and
44 (ii) authorizes access to the information described in Subsection (3)(c) to the State Tax
45 Commission or a county assessor in the state:
46 (A) at no cost; and
47 (B) under terms mutually agreed upon by the State Tax Commission, the county
48 assessors, and the database administrator.
49 (b) "Residential property" means a single-family residence or a two-to-four family
50 residence.
51 (2) (a) Except as provided in Subsection (2)(b), within 10 days after the day on which
52 real property other than residential property is transferred, a closing agent shall provide an
53 affidavit to the county assessor of each county in which the property is located.
54 (b) The closing agent is not required to provide the affidavit if the seller of the property
55 certifies that the seller provided the information described in Subsection (3)(c) to a database.
56 (3) The affidavit shall:

57 (a) be on a form approved by the State Tax Commission;
58 (b) be signed by each buyer or the buyer's authorized agent and each seller or the
59 seller's authorized agent; and
60 (c) include only:
61 (i) the full name and current mailing address of each buyer and seller;
62 (ii) the parcel number(s) of the property for which ownership is transferring;
63 (iii) a legal description of the property;
64 (iv) the square footage or the acreage of the property;
65 (v) the amount paid, whether in money or other thing of value, for the property;
66 (vi) the amount paid, whether in money or other thing of value, for any personal
67 property included in the sales price;
68 (vii) if no amount paid is identified, a statement explaining the nature of the transfer of
69 ownership such as transfer into a trust, inheritance, or gift; and
70 (viii) the date of the transfer.
71 (4) The county assessor may subpoena a seller or a closing agent if the county assessor
72 does not receive the affidavit or cannot access the information from the database but may not
73 require the seller or the closing agent to appear in any county other than the county where the
74 subpoena is served.
75 (5) The county assessor shall provide the State Tax Commission with an affidavit
76 provided for a property that is assessed under Title 59, Chapter 2, Part 2, Assessment of
77 Property.
78 (6) (a) The State Tax Commission and a county assessor may not use the information
79 from the affidavit to directly assess the specific property that is the subject of the affidavit.
80 (b) (i) The State Tax Commission or county assessor may use the data from the
81 affidavit to generate and support market values within the State Tax Commission's or the
82 county assessor's jurisdiction and to provide support in response to a property valuation appeal.
83 (ii) The county assessor may use sales price data from specific property as examples in
84 property valuation appeals before a county board of equalization hearing officer, the county
85 board of equalization, the State Tax Commission, or state court.
86 (iii) The State Tax Commission may use sales price data from specific property as
87 examples in valuation appeals before a state court.

88 Section 2. Section **59-4-101** is amended to read:
89 **59-4-101. Tax basis -- Exceptions -- Assessment and collection -- Designation of**
90 **person to receive notice.**
91 (1) (a) Except as provided in Subsections (1)(b), (1)(c), and (3), a tax is imposed on the
92 possession or other beneficial use enjoyed by any person of any real or personal property that is
93 exempt for any reason from taxation, if that property is used in connection with a business
94 conducted for profit.
95 (b) Any interest remaining in the state in state lands after subtracting amounts paid or
96 due in part payment of the purchase price as provided in Subsection 59-2-1103(2)(b)(i) under a
97 contract of sale is subject to taxation under this chapter regardless of whether the property is
98 used in connection with a business conducted for profit.
99 (c) The tax imposed under Subsection (1)(a) does not apply to property exempt from
100 taxation under Section 59-2-1114.
101 (2) (a) The tax imposed under this chapter is the same amount that the ad valorem
102 property tax would be if the possessor or user were the owner of the property.
103 (b) The amount of any payments that are made in lieu of taxes is credited against the
104 tax imposed on the beneficial use of property owned by the federal government.
105 (3) A tax is not imposed under this chapter on the following:
106 (a) the use of property that is a concession in, or relative to, the use of a public airport,
107 park, fairground, or similar property that is available as a matter of right to the use of the
108 general public;
109 (b) the use or possession of property by a religious, educational, or charitable
110 organization;
111 (c) the use or possession of property if the revenue generated by the possessor or user
112 of the property through its possession or use of the property inures only to the benefit of a
113 religious, educational, or charitable organization and not to the benefit of any other person;
114 (d) the possession or other beneficial use of public land occupied under the terms of an
115 agricultural lease or permit issued by the United States or this state;
116 (e) the use or possession of any lease, permit, or easement unless the lease, permit, or
117 easement entitles the lessee or permittee to exclusive possession of the premises to which the
118 lease, permit, or easement relates;

119 (f) the use or possession of property by a public agency, as defined in Section
120 11-13-103, to the extent that the ownership interest of the public agency in that property is
121 subject to a fee in lieu of ad valorem property tax under Section 11-13-302; [~~or~~]
122 (g) the possession or beneficial use of public property as a tollway by a private entity
123 through a tollway development agreement as defined in Section 72-6-202[~~.~~]; or
124 (h) the use or possession of property primarily for housing or a related service or
125 amenity that supports the mission and role of a state institution of higher education on land
126 owned by the state institution of higher education.
127 (4) For purposes of Subsection (3)(e):
128 (a) every lessee, permittee, or other holder of a right to remove or extract the mineral
129 covered by the holder's lease, right permit, or easement, except from brines of the Great Salt
130 Lake, is considered to be in possession of the premises, regardless of whether another party has
131 a similar right to remove or extract another mineral from the same property; and
132 (b) a lessee, permittee, or holder of an easement still has exclusive possession of the
133 premises if the owner has the right to enter the premises, approve leasehold improvements, or
134 inspect the premises.
135 (5) A tax imposed under this chapter is assessed to the possessors or users of the
136 property on the same forms, and collected and distributed at the same time and in the same
137 manner, as taxes assessed owners, possessors, or other claimants of property that is subject to
138 ad valorem property taxation. The tax is not a lien against the property, and no tax-exempt
139 property may be attached, encumbered, sold, or otherwise affected for the collection of the tax.
140 (6) (a) (i) Except as provided in Subsection (6)(a)(ii), if a governmental entity is
141 required under this chapter to send information or notice to a person, the governmental entity
142 shall send the information or notice to:
143 (A) the person required under the applicable provision of this chapter; and
144 (B) each person designated in accordance with Subsection (6)(b) by the person
145 described in Subsection (6)(a)(i)(A).
146 (ii) If a governmental entity is required under Section 59-2-919.1 or 59-2-1317 to send
147 information or notice to a person, the governmental entity shall send the information or notice
148 to:
149 (A) the person required under the applicable section; or

150 (B) one person designated in accordance with Subsection (6)(b) by the person
151 described in Subsection (6)(a)(ii)(A).
152 (b) (i) A person to whom a governmental entity is required under this chapter to send
153 information or notice may designate a person to receive the information or notice in accordance
154 with Subsection (6)(a).
155 (ii) To make a designation described in Subsection (6)(b)(i), the person shall submit a
156 written request to the governmental entity on a form prescribed by the commission.
157 (c) A person who makes a designation described in Subsection (6)(b) may revoke the
158 designation by submitting a written request to the governmental entity on a form prescribed by
159 the commission.
160 (7) Sections 59-2-301.1 through 59-2-301.7 apply for purposes of assessing a tax under
161 this chapter.
162 Section 3. Section **63G-2-202** is amended to read:
163 **63G-2-202. Access to private, controlled, and protected documents.**
164 (1) Except as provided in Subsection (11)(a), a governmental entity:
165 (a) shall, upon request, disclose a private record to:
166 (i) the subject of the record;
167 (ii) the parent or legal guardian of an unemancipated minor who is the subject of the
168 record;
169 (iii) the legal guardian of a legally incapacitated individual who is the subject of the
170 record;
171 (iv) any other individual who:
172 (A) has a power of attorney from the subject of the record;
173 (B) submits a notarized release from the subject of the record or the individual's legal
174 representative dated no more than 90 days before the date the request is made; or
175 (C) if the record is a medical record described in Subsection 63G-2-302(1)(b), is a
176 health care provider, as defined in Section 26-33a-102, if releasing the record or information in
177 the record is consistent with normal professional practice and medical ethics; or
178 (v) any person to whom the record must be provided pursuant to:
179 (A) court order as provided in Subsection (7); or
180 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena

181 Powers; [~~and~~]
182 (b) may disclose a private record described in Subsections 63G-2-302(1)(j) through
183 (m), without complying with Section 63G-2-206, to another governmental entity for a purpose
184 related to:
185 (i) voter registration; or
186 (ii) the administration of an election[~~.~~]; and
187 (c) may disclose a private record described in Subsection 63G-2-302(1)(z)(iv) to:
188 (i) the State Tax Commission as provided in Section 57-3-110; or
189 (ii) a party to an appeal before a county board of equalization hearing officer, county
190 board of equalization, State Tax Commission, or state court if the party executes a
191 nondisclosure agreement before the governmental entity discloses the record.
192 (2) (a) Upon request, a governmental entity shall disclose a controlled record to:
193 (i) a physician, physician assistant, psychologist, certified social worker, insurance
194 provider or producer, or a government public health agency upon submission of:
195 (A) a release from the subject of the record that is dated no more than 90 days prior to
196 the date the request is made; and
197 (B) a signed acknowledgment of the terms of disclosure of controlled information as
198 provided by Subsection (2)(b); and
199 (ii) any person to whom the record must be disclosed pursuant to:
200 (A) a court order as provided in Subsection (7); or
201 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena
202 Powers.
203 (b) A person who receives a record from a governmental entity in accordance with
204 Subsection (2)(a)(i) may not disclose controlled information from that record to any person,
205 including the subject of the record.
206 (3) If there is more than one subject of a private or controlled record, the portion of the
207 record that pertains to another subject shall be segregated from the portion that the requester is
208 entitled to inspect.
209 (4) Upon request, and except as provided in Subsection (11)(b), a governmental entity
210 shall disclose a protected record to:
211 (a) the person that submitted the record;

212 (b) any other individual who:
213 (i) has a power of attorney from all persons, governmental entities, or political
214 subdivisions whose interests were sought to be protected by the protected classification; or
215 (ii) submits a notarized release from all persons, governmental entities, or political
216 subdivisions whose interests were sought to be protected by the protected classification or from
217 their legal representatives dated no more than 90 days prior to the date the request is made;
218 (c) any person to whom the record must be provided pursuant to:
219 (i) a court order as provided in Subsection (7); or
220 (ii) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena
221 Powers; or
222 (d) the owner of a mobile home park, subject to the conditions of Subsection
223 41-1a-116(5).
224 (5) Except as provided in Subsection (1)(b), a governmental entity may disclose a
225 private, controlled, or protected record to another governmental entity, political subdivision,
226 state, the United States, or a foreign government only as provided by Section 63G-2-206.
227 (6) Before releasing a private, controlled, or protected record, the governmental entity
228 shall obtain evidence of the requester's identity.
229 (7) A governmental entity shall disclose a record pursuant to the terms of a court order
230 signed by a judge from a court of competent jurisdiction, provided that:
231 (a) the record deals with a matter in controversy over which the court has jurisdiction;
232 (b) the court has considered the merits of the request for access to the record;
233 (c) the court has considered and, where appropriate, limited the requester's use and
234 further disclosure of the record in order to protect:
235 (i) privacy interests in the case of private or controlled records;
236 (ii) business confidentiality interests in the case of records protected under Subsection
237 63G-2-305(1), (2), (40)(a)(ii), or (40)(a)(vi); and
238 (iii) privacy interests or the public interest in the case of other protected records;
239 (d) to the extent the record is properly classified private, controlled, or protected, the
240 interests favoring access, considering limitations thereon, are greater than or equal to the
241 interests favoring restriction of access; and
242 (e) where access is restricted by a rule, statute, or regulation referred to in Subsection

243 63G-2-201(3)(b), the court has authority independent of this chapter to order disclosure.
244 (8) (a) Except as provided in Subsection (8)(d), a governmental entity may disclose or
245 authorize disclosure of private or controlled records for research purposes if the governmental
246 entity:
247 (i) determines that the research purpose cannot reasonably be accomplished without
248 use or disclosure of the information to the researcher in individually identifiable form;
249 (ii) determines that:
250 (A) the proposed research is bona fide; and
251 (B) the value of the research is greater than or equal to the infringement upon personal
252 privacy;
253 (iii) (A) requires the researcher to assure the integrity, confidentiality, and security of
254 the records; and
255 (B) requires the removal or destruction of the individual identifiers associated with the
256 records as soon as the purpose of the research project has been accomplished;
257 (iv) prohibits the researcher from:
258 (A) disclosing the record in individually identifiable form, except as provided in
259 Subsection (8)(b); or
260 (B) using the record for purposes other than the research approved by the governmental
261 entity; and
262 (v) secures from the researcher a written statement of the researcher's understanding of
263 and agreement to the conditions of this Subsection (8) and the researcher's understanding that
264 violation of the terms of this Subsection (8) may subject the researcher to criminal prosecution
265 under Section 63G-2-801.
266 (b) A researcher may disclose a record in individually identifiable form if the record is
267 disclosed for the purpose of auditing or evaluating the research program and no subsequent use
268 or disclosure of the record in individually identifiable form will be made by the auditor or
269 evaluator except as provided by this section.
270 (c) A governmental entity may require indemnification as a condition of permitting
271 research under this Subsection (8).
272 (d) A governmental entity may not disclose or authorize disclosure of a private record
273 for research purposes as described in this Subsection (8) if the private record is a record

274 described in Subsection 63G-2-302(1)(w).
275 (9) (a) Under Subsections 63G-2-201(5)(b) and 63G-2-401(6), a governmental entity
276 may disclose to persons other than those specified in this section records that are:
277 (i) private under Section 63G-2-302; or
278 (ii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for
279 business confidentiality has been made under Section 63G-2-309.
280 (b) Under Subsection 63G-2-403(11)(b), the State Records Committee may require the
281 disclosure to persons other than those specified in this section of records that are:
282 (i) private under Section 63G-2-302;
283 (ii) controlled under Section 63G-2-304; or
284 (iii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for
285 business confidentiality has been made under Section 63G-2-309.
286 (c) Under Subsection 63G-2-404(7), the court may require the disclosure of records
287 that are private under Section 63G-2-302, controlled under Section 63G-2-304, or protected
288 under Section 63G-2-305 to persons other than those specified in this section.
289 (10) (a) A private record described in Subsection 63G-2-302(2)(f) may only be
290 disclosed as provided in Subsection (1)(a)(v).
291 (b) A protected record described in Subsection 63G-2-305(43) may only be disclosed
292 as provided in Subsection (4)(c) or Section 62A-3-312.
293 (11) (a) A private, protected, or controlled record described in Section 62A-16-301
294 shall be disclosed as required under:
295 (i) Subsections 62A-16-301(1)(b), (2), and (4)(c); and
296 (ii) Subsections 62A-16-302(1) and (6).
297 (b) A record disclosed under Subsection (11)(a) shall retain its character as private,
298 protected, or controlled.
299 Section 4. Section **63G-2-302** is amended to read:
300 **63G-2-302. Private records.**
301 (1) The following records are private:
302 (a) records concerning an individual's eligibility for unemployment insurance benefits,
303 social services, welfare benefits, or the determination of benefit levels;
304 (b) records containing data on individuals describing medical history, diagnosis,

305 condition, treatment, evaluation, or similar medical data;
306 (c) records of publicly funded libraries that when examined alone or with other records
307 identify a patron;
308 (d) records received by or generated by or for:
309 (i) the Independent Legislative Ethics Commission, except for:
310 (A) the commission's summary data report that is required under legislative rule; and
311 (B) any other document that is classified as public under legislative rule; or
312 (ii) a Senate or House Ethics Committee in relation to the review of ethics complaints,
313 unless the record is classified as public under legislative rule;
314 (e) records received by, or generated by or for, the Independent Executive Branch
315 Ethics Commission, except as otherwise expressly provided in Title 63A, Chapter 14, Review
316 of Executive Branch Ethics Complaints;
317 (f) records received or generated for a Senate confirmation committee concerning
318 character, professional competence, or physical or mental health of an individual:
319 (i) if, prior to the meeting, the chair of the committee determines release of the records:
320 (A) reasonably could be expected to interfere with the investigation undertaken by the
321 committee; or
322 (B) would create a danger of depriving a person of a right to a fair proceeding or
323 impartial hearing; and
324 (ii) after the meeting, if the meeting was closed to the public;
325 (g) employment records concerning a current or former employee of, or applicant for
326 employment with, a governmental entity that would disclose that individual's home address,
327 home telephone number, social security number, insurance coverage, marital status, or payroll
328 deductions;
329 (h) records or parts of records under Section 63G-2-303 that a current or former
330 employee identifies as private according to the requirements of that section;
331 (i) that part of a record indicating a person's social security number or federal employer
332 identification number if provided under Section 31A-23a-104, 31A-25-202, 31A-26-202,
333 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
334 (j) that part of a voter registration record identifying a voter's:
335 (i) driver license or identification card number;

336 (ii) social security number, or last four digits of the social security number;
337 (iii) email address;
338 (iv) date of birth; or
339 (v) phone number;
340 (k) a voter registration record that is classified as a private record by the lieutenant
341 governor or a county clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or
342 20A-2-204(4)(b);
343 (l) a voter registration record that is withheld under Subsection 20A-2-104(7);
344 (m) a withholding request form described in Subsections 20A-2-104(7) and (8) and any
345 verification submitted in support of the form;
346 (n) a record that:
347 (i) contains information about an individual;
348 (ii) is voluntarily provided by the individual; and
349 (iii) goes into an electronic database that:
350 (A) is designated by and administered under the authority of the Chief Information
351 Officer; and
352 (B) acts as a repository of information about the individual that can be electronically
353 retrieved and used to facilitate the individual's online interaction with a state agency;
354 (o) information provided to the Commissioner of Insurance under:
355 (i) Subsection 31A-23a-115(3)(a);
356 (ii) Subsection 31A-23a-302(4); or
357 (iii) Subsection 31A-26-210(4);
358 (p) information obtained through a criminal background check under Title 11, Chapter
359 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;
360 (q) information provided by an offender that is:
361 (i) required by the registration requirements of Title 77, Chapter 41, Sex and Kidnap
362 Offender Registry or Title 77, Chapter 43, Child Abuse Offender Registry; and
363 (ii) not required to be made available to the public under Subsection 77-41-110(4) or
364 77-43-108(4);
365 (r) a statement and any supporting documentation filed with the attorney general in
366 accordance with Section 34-45-107, if the federal law or action supporting the filing involves

367 homeland security;
368 (s) electronic toll collection customer account information received or collected under
369 Section 72-6-118 and customer information described in Section 17B-2a-815 received or
370 collected by a public transit district, including contact and payment information and customer
371 travel data;
372 (t) an email address provided by a military or overseas voter under Section
373 20A-16-501;
374 (u) a completed military-overseas ballot that is electronically transmitted under Title
375 20A, Chapter 16, Uniform Military and Overseas Voters Act;
376 (v) records received by or generated by or for the Political Subdivisions Ethics Review
377 Commission established in Section 63A-15-201, except for:
378 (i) the commission's summary data report that is required in Section 63A-15-202; and
379 (ii) any other document that is classified as public in accordance with Title 63A,
380 Chapter 15, Political Subdivisions Ethics Review Commission;
381 (w) a record described in Section 53G-9-604 that verifies that a parent was notified of
382 an incident or threat;
383 (x) a criminal background check or credit history report conducted in accordance with
384 Section 63A-3-201;
385 (y) a record described in Subsection 53-5a-104(7);
386 (z) on a record maintained by a county or the State Tax Commission for the purpose of
387 administering property taxes, an individual's:
388 (i) email address;
389 (ii) phone number; [~~or~~]
390 (iii) personal financial information related to a person's payment method; or
391 (iv) information described in Subsections 57-3-110(3)(c)(v), (vi), or (vii);
392 (aa) a record submitted by a taxpayer to establish the taxpayer's eligibility for an
393 exemption, deferral, abatement, or relief under:
394 (i) Title 59, Chapter 2, Part 11, Exemptions, Deferrals, and Abatements;
395 (ii) Title 59, Chapter 2, Part 12, Property Tax Relief;
396 (iii) Title 59, Chapter 2, Part 18, Tax Deferral and Tax Abatement; or
397 (iv) Title 59, Chapter 2, Part 19, Armed Forces Exemptions;

398 (bb) a record provided by the State Tax Commission in response to a request under
399 Subsection 59-1-403(4)(y)(iii);
400 (cc) a record of the Child Welfare Legislative Oversight Panel regarding an individual
401 child welfare case, as described in Subsection 36-33-103(3); and
402 (dd) a record relating to drug or alcohol testing of a state employee under Section
403 63A-17-1004.
404 (2) The following records are private if properly classified by a governmental entity:
405 (a) records concerning a current or former employee of, or applicant for employment
406 with a governmental entity, including performance evaluations and personal status information
407 such as race, religion, or disabilities, but not including records that are public under Subsection
408 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);
409 (b) records describing an individual's finances, except that the following are public:
410 (i) records described in Subsection 63G-2-301(2);
411 (ii) information provided to the governmental entity for the purpose of complying with
412 a financial assurance requirement; or
413 (iii) records that must be disclosed in accordance with another statute;
414 (c) records of independent state agencies if the disclosure of those records would
415 conflict with the fiduciary obligations of the agency;
416 (d) other records containing data on individuals the disclosure of which constitutes a
417 clearly unwarranted invasion of personal privacy;
418 (e) records provided by the United States or by a government entity outside the state
419 that are given with the requirement that the records be managed as private records, if the
420 providing entity states in writing that the record would not be subject to public disclosure if
421 retained by it;
422 (f) any portion of a record in the custody of the Division of Aging and Adult Services,
423 created in Section 62A-3-102, that may disclose, or lead to the discovery of, the identity of a
424 person who made a report of alleged abuse, neglect, or exploitation of a vulnerable adult; and
425 (g) audio and video recordings created by a body-worn camera, as defined in Section
426 77-7a-103, that record sound or images inside a home or residence except for recordings that:
427 (i) depict the commission of an alleged crime;
428 (ii) record any encounter between a law enforcement officer and a person that results in

429 death or bodily injury, or includes an instance when an officer fires a weapon;
430 (iii) record any encounter that is the subject of a complaint or a legal proceeding
431 against a law enforcement officer or law enforcement agency;
432 (iv) contain an officer involved critical incident as defined in Subsection
433 76-2-408(1)(f); or
434 (v) have been requested for reclassification as a public record by a subject or
435 authorized agent of a subject featured in the recording.
436 (3) (a) As used in this Subsection (3), "medical records" means medical reports,
437 records, statements, history, diagnosis, condition, treatment, and evaluation.
438 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
439 doctors, or affiliated entities are not private records or controlled records under Section
440 63G-2-304 when the records are sought:
441 (i) in connection with any legal or administrative proceeding in which the patient's
442 physical, mental, or emotional condition is an element of any claim or defense; or
443 (ii) after a patient's death, in any legal or administrative proceeding in which any party
444 relies upon the condition as an element of the claim or defense.
445 (c) Medical records are subject to production in a legal or administrative proceeding
446 according to state or federal statutes or rules of procedure and evidence as if the medical
447 records were in the possession of a nongovernmental medical care provider.
448 Section 5. Section **63I-1-257** is amended to read:
449 **63I-1-257. Repeal dates: Title 57.**
450 Section 57-3-110 is repealed July 1, 2026.
451 Section 6. Section **63I-1-263** is amended to read:
452 **63I-1-263. Repeal dates: Titles 63A to 63N.**
453 (1) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital
454 improvement funding, is repealed July 1, 2024.
455 (2) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1,
456 2023.
457 (3) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review
458 Committee, are repealed July 1, 2023.
459 (4) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

460 (a) Section 63A-18-102 is repealed;
461 (b) Section 63A-18-201 is repealed; and
462 (c) Section 63A-18-202 is repealed.
463 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
464 1, 2028.
465 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
466 2025.
467 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
468 2024.
469 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
470 repealed July 1, 2023.
471 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
472 July 1, 2023.
473 (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is
474 repealed July 1, 2026.
475 (11) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
476 (12) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
477 (13) Subsection 63G-2-202(1)(c), relating to private records described in Subsection
478 63G-2-302(1)(z)(iv), is repealed July 1, 2026.
479 (14) Subsection 63G-2-302(1)(z)(iv), relating to information described in Subsections
480 57-3-110(3)(c)(v), (vi), and (vii), is repealed July 1, 2026.
481 [~~(13)~~] (15) Section 63G-6a-805, which creates the Purchasing from Persons with
482 Disabilities Advisory Board, is repealed July 1, 2026.
483 [~~(14)~~] (16) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed
484 July 1, 2028.
485 [~~(15)~~] (17) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed
486 July 1, 2024.
487 [~~(16)~~] (18) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,
488 2026.
489 [~~(17)~~] (19) Subsection 63J-1-602.1(17), relating to the Nurse Home Visiting Restricted
490 Account, is repealed July 1, 2026.

491 [~~(18)~~] (20) Subsection 63J-1-602.2(6), referring to dedicated credits to the Utah
492 Marriage Commission, is repealed July 1, 2023.
493 [~~(19)~~] (21) Subsection 63J-1-602.2(7), referring to the Trip Reduction Program, is
494 repealed July 1, 2022.
495 [~~(20)~~] (22) Subsection 63J-1-602.2(26), related to the Utah Seismic Safety
496 Commission, is repealed January 1, 2025.
497 [~~(21)~~] (23) Title 63L, Chapter 11, Part 4, Resource Development Coordinating
498 Committee, is repealed July 1, 2027.
499 [~~(22)~~] (24) In relation to the Utah Substance Use and Mental Health Advisory Council,
500 on January 1, 2033:
501 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
502 repealed;
503 (b) Section 63M-7-305, the language that states "council" is replaced with
504 "commission";
505 (c) Subsection 63M-7-305(1)(a) is repealed and replaced with:
506 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and
507 (d) Subsection 63M-7-305(2) is repealed and replaced with:
508 "(2) The commission shall:
509 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
510 Drug-Related Offenses Reform Act; and
511 (b) coordinate the implementation of Section 77-18-104 and related provisions in
512 Subsections 77-18-103(2)(c) and (d).".
513 [~~(23)~~] (25) The Crime Victim Reparations and Assistance Board, created in Section
514 63M-7-504, is repealed July 1, 2027.
515 [~~(24)~~] (26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,
516 2026.
517 [~~(25)~~] (27) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is
518 repealed January 1, 2025.
519 [~~(26)~~] (28) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
520 [~~(27)~~] (29) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed
521 July 1, 2028.

522 [~~(28)~~] (30) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is
523 repealed July 1, 2027.
524 [~~(29)~~] (31) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant
525 Program, is repealed July 1, 2025.
526 [~~(30)~~] (32) In relation to the Rural Employment Expansion Program, on July 1, 2023:
527 (a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed;
528 and
529 (b) Subsection 63N-4-805(5)(b), referring to the Rural Employment Expansion
530 Program, is repealed.
531 [~~(31)~~] (33) In relation to the Board of Tourism Development, on July 1, 2025:
532 (a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;
533 (b) Subsections 63N-2-511(3)(a) and (5), the language that states "tourism board" is
534 repealed and replaced with "Utah Office of Tourism";
535 (c) Subsection 63N-7-101(1), which defines "board," is repealed;
536 (d) Subsection 63N-7-102(3)(c), which requires the Utah Office of Tourism to receive
537 approval from the Board of Tourism Development, is repealed; and
538 (e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.
539 [~~(32)~~] (34) Subsection 63N-8-103(3)(c), which allows the Governor's Office of
540 Economic Opportunity to issue an amount of tax credit certificates only for rural productions,
541 is repealed on July 1, 2024.