

**Senator Daniel McCay** proposes the following substitute bill:

**PROPERTY AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Daniel McCay**

House Sponsor: Steve Eliason

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to property.

**Highlighted Provisions:**

This bill:

- ▶ requires, when ownership of certain real property is transferred, the seller or the closing agent make available information about the property, including sales price, to a county assessor;
- ▶ excludes sales price information shared with the State Tax Commission or the county assessors 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



## Utah Code Sections Affected:

## AMENDS:

[59-4-101](#), as last amended by Laws of Utah 2020, Chapter 105

[63G-2-202](#), as last amended by Laws of Utah 2021, Chapter 231

[63G-2-302](#), as last amended by Laws of Utah 2022, Chapters 169, 334

[63I-1-257](#), as last amended by Laws of Utah 2019, Chapter 136

[63I-1-263](#), as last amended by Laws of Utah 2022, Chapters 23, 34, 68, 153, 218, 236, 249, 274, 296, 313, 361, 362, 417, 419, and 472

## ENACTS:

[57-3-110](#), Utah Code Annotated 1953

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

Section 1. Section [57-3-110](#) is enacted to read:

**[57-3-110](#). Disclosure of details of real property transaction.**

(1) As used in this section:

(a) "Database" means a private collection of data that:

(i) contains records, including sales prices, for properties purchased and sold in the state of Utah; and

(ii) authorizes access to the information described in Subsection (3)(c) to a county assessor in the state;

(A) at no cost; and

(B) under terms mutually agreed upon by the county assessors and the database administrator.

(b) "Eminent domain action" means:

(i) the governmental entity acquires the real property by eminent domain; or

(ii) (A) the real property is under threat or imminence of eminent domain proceedings; and

(B) the governmental entity provides written notice of the eminent domain proceedings to the owner.

(c) "Multicounty Appraisal Trust" means the same as that term is defined in Section [59-2-1601](#).

(d) "Residential property" means a single-family residence or a two-to-four family residence.

(e) (i) "Sold property" means transfers of ownership of a fee simple interest in real property or a leased fee interest in real property.

(ii) "Sold property" does not include:

(A) residential property;

(B) personal property, even if transferred in the same transaction as real property;

(C) a transfer of property that is subject to assessment under Title 59, Chapter 2, Part 2, Assessment of Property;

(D) a transfer of ownership resulting from payment in full or forfeiture by a transferee under a recorded real estate contract or a recorded memorandum of real estate contract;

(E) a lease or easement on real property;

(F) a transfer that results from an eminent domain action;

(G) a transfer to quiet title or clear boundary disputes;

(H) a conveyance of real property executed pursuant to court order;

(I) a transfer of an unpatented mining claim;

(J) a transfer solely to provide or release security for a debt or obligation;

(K) a transfer between spouses or parent and child with only nominal actual consideration exchanged;

(L) a sale for delinquent taxes or assessments;

(M) a transfer resulting from a court-ordered partition;

(N) a transfer arising out of a merger or incorporation;

(O) a transfer by a subsidiary corporation to a parent corporation for no consideration, nominal consideration, or in sole consideration of the cancellation or surrender of the subsidiary's stock;

(P) a transfer from a person to a trustee or from a trustee to a trust beneficiary with only nominal actual consideration exchanged;

(Q) a transfer to or from an intermediary for the purpose of creating a joint tenancy estate or some other form of ownership; or

(R) a transfer to establish a gift or a distribution from an estate of a decedent or trust.

(2) (a) Except as provided in Subsection (2)(b), within 10 days after closing on sold

property, a closing agent shall provide the declaration described in Subsection (3) to the Multicounty Appraisal Trust.

(b) The closing agent is not required to comply with Subsection (2)(a) if:

(i) the seller provides to the closing agent a certification issued by a database that the seller provided the information described in Subsection (3)(c) to the database; and

(ii) the closing agent verifies that the information described in Subsection (3)(c) is available in the database.

(3) The declaration shall:

(a) be on a form approved by the State Tax Commission;

(b) be signed by each buyer or the buyer's authorized agent and each seller or the seller's authorized agent; and

(c) include only:

(i) the full name and current mailing address of each buyer and seller;

(ii) the parcel number(s) of the sold property;

(iii) a legal description of the sold property;

(iv) the square footage or the acreage of the sold property if there has been a recent survey incident to the transfer and the survey is not recorded;

(v) the amount paid, whether in money or other thing of value, for the sold property; and

(vi) the date of the transfer.

(4) The county assessor may subpoena a seller or a closing agent if the Multicounty Appraisal Trust does not receive the declaration or the county assessor cannot access the information from the database but may not require the seller or the closing agent to appear in any county other than the county where the subpoena is served.

(5) (a) Except as provided in Subsection (5)(b), a county assessor may not use the information from the declaration as the sole basis for assessing the specific property that is the subject of the declaration.

(b) (i) The county assessor may use the data from the declaration to generate and support market values within the county assessor's jurisdiction and to provide support in response to a property valuation appeal.

(ii) The county assessor may use sales price data from specific sold properties as

examples in property valuation appeals before a county board of equalization hearing officer,  
the county board of equalization, the State Tax Commission, or state court.

Section 2. Section **59-4-101** is amended to read:

**59-4-101. Tax basis -- Exceptions -- Assessment and collection -- Designation of person to receive notice.**

(1) (a) Except as provided in Subsections (1)(b), (1)(c), and (3), a tax is imposed on the possession or other beneficial use enjoyed by any person of any real or personal property that is exempt for any reason from taxation, if that property is used in connection with a business conducted for profit.

(b) Any interest remaining in the state in state lands after subtracting amounts paid or due in part payment of the purchase price as provided in Subsection [59-2-1103](#)(2)(b)(i) under a contract of sale is subject to taxation under this chapter regardless of whether the property is used in connection with a business conducted for profit.

(c) The tax imposed under Subsection (1)(a) does not apply to property exempt from taxation under Section [59-2-1114](#).

(2) (a) The tax imposed under this chapter is the same amount that the ad valorem property tax would be if the possessor or user were the owner of the property.

(b) The amount of any payments that are made in lieu of taxes is credited against the tax imposed on the beneficial use of property owned by the federal government.

(3) A tax is not imposed under this chapter on the following:

(a) the use of property that is a concession in, or relative to, the use of a public airport, park, fairground, or similar property that is available as a matter of right to the use of the general public;

(b) the use or possession of property by a religious, educational, or charitable organization;

(c) the use or possession of property if the revenue generated by the possessor or user of the property through its possession or use of the property inures only to the benefit of a religious, educational, or charitable organization and not to the benefit of any other person;

(d) the possession or other beneficial use of public land occupied under the terms of an agricultural lease or permit issued by the United States or this state;

(e) the use or possession of any lease, permit, or easement unless the lease, permit, or

easement entitles the lessee or permittee to exclusive possession of the premises to which the lease, permit, or easement relates;

(f) the use or possession of property by a public agency, as defined in Section 11-13-103, to the extent that the ownership interest of the public agency in that property is subject to a fee in lieu of ad valorem property tax under Section 11-13-302; ~~or~~

(g) the possession or beneficial use of public property as a tollway by a private entity through a tollway development agreement as defined in Section 72-6-202~~[-]; or~~

(h) the use or possession of property primarily for housing or a related service or amenity that supports the mission and role of a state institution of higher education on land owned by the state institution of higher education.

(4) For purposes of Subsection (3)(e):

(a) every lessee, permittee, or other holder of a right to remove or extract the mineral covered by the holder's lease, right permit, or easement, except from brines of the Great Salt Lake, is considered to be in possession of the premises, regardless of whether another party has a similar right to remove or extract another mineral from the same property; and

(b) a lessee, permittee, or holder of an easement still has exclusive possession of the premises if the owner has the right to enter the premises, approve leasehold improvements, or inspect the premises.

(5) A tax imposed under this chapter is assessed to the possessors or users of the property on the same forms, and collected and distributed at the same time and in the same manner, as taxes assessed owners, possessors, or other claimants of property that is subject to ad valorem property taxation. The tax is not a lien against the property, and no tax-exempt property may be attached, encumbered, sold, or otherwise affected for the collection of the tax.

(6) (a) (i) Except as provided in Subsection (6)(a)(ii), if a governmental entity is required under this chapter to send information or notice to a person, the governmental entity shall send the information or notice to:

(A) the person required under the applicable provision of this chapter; and

(B) each person designated in accordance with Subsection (6)(b) by the person described in Subsection (6)(a)(i)(A).

(ii) If a governmental entity is required under Section 59-2-919.1 or 59-2-1317 to send information or notice to a person, the governmental entity shall send the information or notice

181 to:

182 (A) the person required under the applicable section; or

183 (B) one person designated in accordance with Subsection (6)(b) by the person  
184 described in Subsection (6)(a)(ii)(A).

185 (b) (i) A person to whom a governmental entity is required under this chapter to send  
186 information or notice may designate a person to receive the information or notice in accordance  
187 with Subsection (6)(a).

188 (ii) To make a designation described in Subsection (6)(b)(i), the person shall submit a  
189 written request to the governmental entity on a form prescribed by the commission.

190 (c) A person who makes a designation described in Subsection (6)(b) may revoke the  
191 designation by submitting a written request to the governmental entity on a form prescribed by  
192 the commission.

193 (7) Sections 59-2-301.1 through 59-2-301.7 apply for purposes of assessing a tax under  
194 this chapter.

195 Section 3. Section 63G-2-202 is amended to read:

196 **63G-2-202. Access to private, controlled, and protected documents.**

197 (1) Except as provided in Subsection (11)(a), a governmental entity:

198 (a) shall, upon request, disclose a private record to:

199 (i) the subject of the record;

200 (ii) the parent or legal guardian of an unemancipated minor who is the subject of the  
201 record;

202 (iii) the legal guardian of a legally incapacitated individual who is the subject of the  
203 record;

204 (iv) any other individual who:

205 (A) has a power of attorney from the subject of the record;

206 (B) submits a notarized release from the subject of the record or the individual's legal  
207 representative dated no more than 90 days before the date the request is made; or

208 (C) if the record is a medical record described in Subsection 63G-2-302(1)(b), is a  
209 health care provider, as defined in Section 26-33a-102, if releasing the record or information in  
210 the record is consistent with normal professional practice and medical ethics; or

211 (v) any person to whom the record must be provided pursuant to:

212 (A) court order as provided in Subsection (7); or  
213 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena  
214 Powers; ~~and~~  
215 (b) may disclose a private record described in Subsections [63G-2-302\(1\)\(j\)](#) through  
216 (m), without complying with Section [63G-2-206](#), to another governmental entity for a purpose  
217 related to:  
218 (i) voter registration; or  
219 (ii) the administration of an election~~[-];~~ and  
220 (c) may disclose a private record described in Subsection [63G-2-302\(1\)\(z\)\(iv\)](#) to:  
221 (i) the State Tax Commission or a county assessor; or  
222 (ii) a person that is not a governmental entity if:  
223 (A) the person is a party to an appeal or a representative designated by a party to an  
224 appeal before a county board of equalization hearing officer, county board of equalization,  
225 State Tax Commission, or state court; and  
226 (B) the person executes an agreement before the governmental entity discloses the  
227 record that prohibits the person from disclosing the private record described in Subsection  
228 [63G-2-302\(1\)\(z\)\(iv\)](#) to any other person.  
229 (2) (a) Upon request, a governmental entity shall disclose a controlled record to:  
230 (i) a physician, physician assistant, psychologist, certified social worker, insurance  
231 provider or producer, or a government public health agency upon submission of:  
232 (A) a release from the subject of the record that is dated no more than 90 days prior to  
233 the date the request is made; and  
234 (B) a signed acknowledgment of the terms of disclosure of controlled information as  
235 provided by Subsection (2)(b); and  
236 (ii) any person to whom the record must be disclosed pursuant to:  
237 (A) a court order as provided in Subsection (7); or  
238 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena  
239 Powers.  
240 (b) A person who receives a record from a governmental entity in accordance with  
241 Subsection (2)(a)(i) may not disclose controlled information from that record to any person,  
242 including the subject of the record.



(3) If there is more than one subject of a private or controlled record, the portion of the record that pertains to another subject shall be segregated from the portion that the requester is entitled to inspect.

(4) Upon request, and except as provided in Subsection (11)(b), a governmental entity shall disclose a protected record to:

(a) the person that submitted the record;

(b) any other individual who:

(i) has a power of attorney from all persons, governmental entities, or political subdivisions whose interests were sought to be protected by the protected classification; or

(ii) submits a notarized release from all persons, governmental entities, or political subdivisions whose interests were sought to be protected by the protected classification or from their legal representatives dated no more than 90 days prior to the date the request is made;

(c) any person to whom the record must be provided pursuant to:

(i) a court order as provided in Subsection (7); or

(ii) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena Powers; or

(d) the owner of a mobile home park, subject to the conditions of Subsection 41-1a-116(5).

(5) Except as provided in Subsection (1)(b), a governmental entity may disclose a private, controlled, or protected record to another governmental entity, political subdivision, state, the United States, or a foreign government only as provided by Section 63G-2-206.

(6) Before releasing a private, controlled, or protected record, the governmental entity shall obtain evidence of the requester's identity.

(7) A governmental entity shall disclose a record pursuant to the terms of a court order signed by a judge from a court of competent jurisdiction, provided that:

(a) the record deals with a matter in controversy over which the court has jurisdiction;

(b) the court has considered the merits of the request for access to the record;

(c) the court has considered and, where appropriate, limited the requester's use and further disclosure of the record in order to protect:

(i) privacy interests in the case of private or controlled records;

(ii) business confidentiality interests in the case of records protected under Subsection

274 63G-2-305(1), (2), (40)(a)(ii), or (40)(a)(vi); and

275 (iii) privacy interests or the public interest in the case of other protected records;

276 (d) to the extent the record is properly classified private, controlled, or protected, the  
277 interests favoring access, considering limitations thereon, are greater than or equal to the  
278 interests favoring restriction of access; and

279 (e) where access is restricted by a rule, statute, or regulation referred to in Subsection  
280 63G-2-201(3)(b), the court has authority independent of this chapter to order disclosure.

281 (8) (a) Except as provided in Subsection (8)(d), a governmental entity may disclose or  
282 authorize disclosure of private or controlled records for research purposes if the governmental  
283 entity:

284 (i) determines that the research purpose cannot reasonably be accomplished without  
285 use or disclosure of the information to the researcher in individually identifiable form;

286 (ii) determines that:

287 (A) the proposed research is bona fide; and

288 (B) the value of the research is greater than or equal to the infringement upon personal  
289 privacy;

290 (iii) (A) requires the researcher to assure the integrity, confidentiality, and security of  
291 the records; and

292 (B) requires the removal or destruction of the individual identifiers associated with the  
293 records as soon as the purpose of the research project has been accomplished;

294 (iv) prohibits the researcher from:

295 (A) disclosing the record in individually identifiable form, except as provided in  
296 Subsection (8)(b); or

297 (B) using the record for purposes other than the research approved by the governmental  
298 entity; and

299 (v) secures from the researcher a written statement of the researcher's understanding of  
300 and agreement to the conditions of this Subsection (8) and the researcher's understanding that  
301 violation of the terms of this Subsection (8) may subject the researcher to criminal prosecution  
302 under Section 63G-2-801.

303 (b) A researcher may disclose a record in individually identifiable form if the record is  
304 disclosed for the purpose of auditing or evaluating the research program and no subsequent use

or disclosure of the record in individually identifiable form will be made by the auditor or evaluator except as provided by this section.

(c) A governmental entity may require indemnification as a condition of permitting research under this Subsection (8).

(d) A governmental entity may not disclose or authorize disclosure of a private record for research purposes as described in this Subsection (8) if the private record is a record described in Subsection 63G-2-302(1)(w).

(9) (a) Under Subsections 63G-2-201(5)(b) and 63G-2-401(6), a governmental entity may disclose to persons other than those specified in this section records that are:

(i) private under Section 63G-2-302; or

(ii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for business confidentiality has been made under Section 63G-2-309.

(b) Under Subsection 63G-2-403(11)(b), the State Records Committee may require the disclosure to persons other than those specified in this section of records that are:

(i) private under Section 63G-2-302;

(ii) controlled under Section 63G-2-304; or

(iii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for business confidentiality has been made under Section 63G-2-309.

(c) Under Subsection 63G-2-404(7), the court may require the disclosure of records that are private under Section 63G-2-302, controlled under Section 63G-2-304, or protected under Section 63G-2-305 to persons other than those specified in this section.

(10) (a) A private record described in Subsection 63G-2-302(2)(f) may only be disclosed as provided in Subsection (1)(a)(v).

(b) A protected record described in Subsection 63G-2-305(43) may only be disclosed as provided in Subsection (4)(c) or Section 62A-3-312.

(11) (a) A private, protected, or controlled record described in Section 62A-16-301 shall be disclosed as required under:

(i) Subsections 62A-16-301(1)(b), (2), and (4)(c); and

(ii) Subsections 62A-16-302(1) and (6).

(b) A record disclosed under Subsection (11)(a) shall retain its character as private, protected, or controlled.

Section 4. Section **63G-2-302** is amended to read:

**63G-2-302. Private records.**

(1) The following records are private:

(a) records concerning an individual's eligibility for unemployment insurance benefits, social services, welfare benefits, or the determination of benefit levels;

(b) records containing data on individuals describing medical history, diagnosis, condition, treatment, evaluation, or similar medical data;

(c) records of publicly funded libraries that when examined alone or with other records identify a patron;

(d) records received by or generated by or for:

(i) the Independent Legislative Ethics Commission, except for:

(A) the commission's summary data report that is required under legislative rule; and

(B) any other document that is classified as public under legislative rule; or

(ii) a Senate or House Ethics Committee in relation to the review of ethics complaints, unless the record is classified as public under legislative rule;

(e) records received by, or generated by or for, the Independent Executive Branch Ethics Commission, except as otherwise expressly provided in Title 63A, Chapter 14, Review of Executive Branch Ethics Complaints;

(f) records received or generated for a Senate confirmation committee concerning character, professional competence, or physical or mental health of an individual:

(i) if, prior to the meeting, the chair of the committee determines release of the records:

(A) reasonably could be expected to interfere with the investigation undertaken by the committee; or

(B) would create a danger of depriving a person of a right to a fair proceeding or impartial hearing; and

(ii) after the meeting, if the meeting was closed to the public;

(g) employment records concerning a current or former employee of, or applicant for employment with, a governmental entity that would disclose that individual's home address, home telephone number, social security number, insurance coverage, marital status, or payroll deductions;

(h) records or parts of records under Section **63G-2-303** that a current or former

employee identifies as private according to the requirements of that section;

(i) that part of a record indicating a person's social security number or federal employer identification number if provided under Section 31A-23a-104, 31A-25-202, 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;

(j) that part of a voter registration record identifying a voter's:

(i) driver license or identification card number;

(ii) social security number, or last four digits of the social security number;

(iii) email address;

(iv) date of birth; or

(v) phone number;

(k) a voter registration record that is classified as a private record by the lieutenant governor or a county clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or 20A-2-204(4)(b);

(l) a voter registration record that is withheld under Subsection 20A-2-104(7);

(m) a withholding request form described in Subsections 20A-2-104(7) and (8) and any verification submitted in support of the form;

(n) a record that:

(i) contains information about an individual;

(ii) is voluntarily provided by the individual; and

(iii) goes into an electronic database that:

(A) is designated by and administered under the authority of the Chief Information Officer; and

(B) acts as a repository of information about the individual that can be electronically retrieved and used to facilitate the individual's online interaction with a state agency;

(o) information provided to the Commissioner of Insurance under:

(i) Subsection 31A-23a-115(3)(a);

(ii) Subsection 31A-23a-302(4); or

(iii) Subsection 31A-26-210(4);

(p) information obtained through a criminal background check under Title 11, Chapter 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;

(q) information provided by an offender that is:

398 (i) required by the registration requirements of Title 77, Chapter 41, Sex and Kidnap  
399 Offender Registry or Title 77, Chapter 43, Child Abuse Offender Registry; and  
400 (ii) not required to be made available to the public under Subsection 77-41-110(4) or  
401 77-43-108(4);  
402 (r) a statement and any supporting documentation filed with the attorney general in  
403 accordance with Section 34-45-107, if the federal law or action supporting the filing involves  
404 homeland security;  
405 (s) electronic toll collection customer account information received or collected under  
406 Section 72-6-118 and customer information described in Section 17B-2a-815 received or  
407 collected by a public transit district, including contact and payment information and customer  
408 travel data;  
409 (t) an email address provided by a military or overseas voter under Section  
410 20A-16-501;  
411 (u) a completed military-overseas ballot that is electronically transmitted under Title  
412 20A, Chapter 16, Uniform Military and Overseas Voters Act;  
413 (v) records received by or generated by or for the Political Subdivisions Ethics Review  
414 Commission established in Section 63A-15-201, except for:  
415 (i) the commission's summary data report that is required in Section 63A-15-202; and  
416 (ii) any other document that is classified as public in accordance with Title 63A,  
417 Chapter 15, Political Subdivisions Ethics Review Commission;  
418 (w) a record described in Section 53G-9-604 that verifies that a parent was notified of  
419 an incident or threat;  
420 (x) a criminal background check or credit history report conducted in accordance with  
421 Section 63A-3-201;  
422 (y) a record described in Subsection 53-5a-104(7);  
423 (z) on a record maintained by a county or the Multicounty Appraisal Trust for the  
424 purpose of administering property taxes, an individual's:  
425 (i) email address;  
426 (ii) phone number; [or]  
427 (iii) personal financial information related to a person's payment method; or  
428 (iv) information described in Subsection 57-3-110(3)(c)(v);

(aa) a record submitted by a taxpayer to establish the taxpayer's eligibility for an exemption, deferral, abatement, or relief under:

(i) Title 59, Chapter 2, Part 11, Exemptions, Deferrals, and Abatements;

(ii) Title 59, Chapter 2, Part 12, Property Tax Relief;

(iii) Title 59, Chapter 2, Part 18, Tax Deferral and Tax Abatement; or

(iv) Title 59, Chapter 2, Part 19, Armed Forces Exemptions;

(bb) a record provided by the State Tax Commission in response to a request under Subsection 59-1-403(4)(y)(iii);

(cc) a record of the Child Welfare Legislative Oversight Panel regarding an individual child welfare case, as described in Subsection 36-33-103(3); and

(dd) a record relating to drug or alcohol testing of a state employee under Section 63A-17-1004.

(2) The following records are private if properly classified by a governmental entity:

(a) records concerning a current or former employee of, or applicant for employment with a governmental entity, including performance evaluations and personal status information such as race, religion, or disabilities, but not including records that are public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);

(b) records describing an individual's finances, except that the following are public:

(i) records described in Subsection 63G-2-301(2);

(ii) information provided to the governmental entity for the purpose of complying with a financial assurance requirement; or

(iii) records that must be disclosed in accordance with another statute;

(c) records of independent state agencies if the disclosure of those records would conflict with the fiduciary obligations of the agency;

(d) other records containing data on individuals the disclosure of which constitutes a clearly unwarranted invasion of personal privacy;

(e) records provided by the United States or by a government entity outside the state that are given with the requirement that the records be managed as private records, if the providing entity states in writing that the record would not be subject to public disclosure if retained by it;

(f) any portion of a record in the custody of the Division of Aging and Adult Services,

created in Section [62A-3-102](#), that may disclose, or lead to the discovery of, the identity of a person who made a report of alleged abuse, neglect, or exploitation of a vulnerable adult; and

(g) audio and video recordings created by a body-worn camera, as defined in Section [77-7a-103](#), that record sound or images inside a home or residence except for recordings that:

(i) depict the commission of an alleged crime;

(ii) record any encounter between a law enforcement officer and a person that results in death or bodily injury, or includes an instance when an officer fires a weapon;

(iii) record any encounter that is the subject of a complaint or a legal proceeding against a law enforcement officer or law enforcement agency;

(iv) contain an officer involved critical incident as defined in Subsection [76-2-408](#)(1)(f); or

(v) have been requested for reclassification as a public record by a subject or authorized agent of a subject featured in the recording.

(3) (a) As used in this Subsection (3), "medical records" means medical reports, records, statements, history, diagnosis, condition, treatment, and evaluation.

(b) Medical records in the possession of the University of Utah Hospital, its clinics, doctors, or affiliated entities are not private records or controlled records under Section [63G-2-304](#) when the records are sought:

(i) in connection with any legal or administrative proceeding in which the patient's physical, mental, or emotional condition is an element of any claim or defense; or

(ii) after a patient's death, in any legal or administrative proceeding in which any party relies upon the condition as an element of the claim or defense.

(c) Medical records are subject to production in a legal or administrative proceeding according to state or federal statutes or rules of procedure and evidence as if the medical records were in the possession of a nongovernmental medical care provider.

Section 5. Section **63I-1-257** is amended to read:

**63I-1-257. Repeal dates: Title 57.**

Section [57-3-110](#) is repealed July 1, 2026.

Section 6. Section **63I-1-263** is amended to read:

**63I-1-263. Repeal dates: Titles 63A to 63N.**

(1) Subsection [63A-5b-405](#)(5), relating to prioritizing and allocating capital



- 491 improvement funding, is repealed July 1, 2024.
- 492 (2) Section [63A-5b-1003](#), State Facility Energy Efficiency Fund, is repealed July 1,  
493 2023.
- 494 (3) Sections [63A-9-301](#) and [63A-9-302](#), related to the Motor Vehicle Review  
495 Committee, are repealed July 1, 2023.
- 496 (4) In relation to the Utah Transparency Advisory Board, on January 1, 2025:
- 497 (a) Section [63A-18-102](#) is repealed;
- 498 (b) Section [63A-18-201](#) is repealed; and
- 499 (c) Section [63A-18-202](#) is repealed.
- 500 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July  
501 1, 2028.
- 502 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,  
503 2025.
- 504 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,  
505 2024.
- 506 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is  
507 repealed July 1, 2023.
- 508 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed  
509 July 1, 2023.
- 510 (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is  
511 repealed July 1, 2026.
- 512 (11) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- 513 (12) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
- 514 (13) Subsection [63G-2-202\(1\)\(c\)](#), relating to private records described in Subsection  
515 [63G-2-302\(1\)\(z\)\(iv\)](#), is repealed July 1, 2026.
- 516 (14) Subsection [63G-2-302\(1\)\(z\)\(iv\)](#), relating to information described in Subsection  
517 [57-3-110\(3\)\(c\)\(v\)](#), is repealed July 1, 2026.
- 518 ~~[(13)]~~ (15) Section [63G-6a-805](#), which creates the Purchasing from Persons with  
519 Disabilities Advisory Board, is repealed July 1, 2026.
- 520 ~~[(14)]~~ (16) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed  
521 July 1, 2028.

522           ~~[(15)]~~ (17) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed  
523 July 1, 2024.

524           ~~[(16)]~~ (18) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,  
525 2026.

526           ~~[(17)]~~ (19) Subsection [63J-1-602.1](#)(17), relating to the Nurse Home Visiting Restricted  
527 Account, is repealed July 1, 2026.

528           ~~[(18)]~~ (20) Subsection [63J-1-602.2](#)(6), referring to dedicated credits to the Utah  
529 Marriage Commission, is repealed July 1, 2023.

530           ~~[(19)]~~ (21) Subsection [63J-1-602.2](#)(7), referring to the Trip Reduction Program, is  
531 repealed July 1, 2022.

532           ~~[(20)]~~ (22) Subsection [63J-1-602.2](#)(26), related to the Utah Seismic Safety  
533 Commission, is repealed January 1, 2025.

534           ~~[(21)]~~ (23) Title 63L, Chapter 11, Part 4, Resource Development Coordinating  
535 Committee, is repealed July 1, 2027.

536           ~~[(22)]~~ (24) In relation to the Utah Substance Use and Mental Health Advisory Council,  
537 on January 1, 2033:

538           (a) Sections [63M-7-301](#), [63M-7-302](#), [63M-7-303](#), [63M-7-304](#), and [63M-7-306](#) are  
539 repealed;

540           (b) Section [63M-7-305](#), the language that states "council" is replaced with  
541 "commission";

542           (c) Subsection [63M-7-305](#)(1)(a) is repealed and replaced with:

543           "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

544           (d) Subsection [63M-7-305](#)(2) is repealed and replaced with:

545           "(2) The commission shall:

546           (a) provide ongoing oversight of the implementation, functions, and evaluation of the  
547 Drug-Related Offenses Reform Act; and

548           (b) coordinate the implementation of Section [77-18-104](#) and related provisions in  
549 Subsections [77-18-103](#)(2)(c) and (d).".

550           ~~[(23)]~~ (25) The Crime Victim Reparations and Assistance Board, created in Section  
551 [63M-7-504](#), is repealed July 1, 2027.

552           ~~[(24)]~~ (26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,

553 2026.

554 ~~[(25)]~~ (27) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is

555 repealed January 1, 2025.

556 ~~[(26)]~~ (28) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

557 ~~[(27)]~~ (29) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed

558 July 1, 2028.

559 ~~[(28)]~~ (30) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is

560 repealed July 1, 2027.

561 ~~[(29)]~~ (31) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant

562 Program, is repealed July 1, 2025.

563 ~~[(30)]~~ (32) In relation to the Rural Employment Expansion Program, on July 1, 2023:

564 (a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed;

565 and

566 (b) Subsection 63N-4-805(5)(b), referring to the Rural Employment Expansion

567 Program, is repealed.

568 ~~[(31)]~~ (33) In relation to the Board of Tourism Development, on July 1, 2025:

569 (a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;

570 (b) Subsections 63N-2-511(3)(a) and (5), the language that states "tourism board" is

571 repealed and replaced with "Utah Office of Tourism";

572 (c) Subsection 63N-7-101(1), which defines "board," is repealed;

573 (d) Subsection 63N-7-102(3)(c), which requires the Utah Office of Tourism to receive

574 approval from the Board of Tourism Development, is repealed; and

575 (e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.

576 ~~[(32)]~~ (34) Subsection 63N-8-103(3)(c), which allows the Governor's Office of

577 Economic Opportunity to issue an amount of tax credit certificates only for rural productions,

578 is repealed on July 1, 2024.