

2020 updates

to the

Government Records Access and Management Act

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May 28, 2020

2020 Update summary GRAMA



The following records are public:

- jail standards and audits
- certain voter registration records

The following records are private:

- certain voter registration records
- personal information related to property tax payments

The following records are protected:

- signature on political petitions, voter registration records and election related records (76-78)
- information about performance of abortions (62)
- specific insurance billing information (72)
- I-918 form (79)
- Insurance Department regulatory sandbox records (80)

Public records

63G-2-30 1(3)(u)

The following records are normally public:

- standards, regulations, policies, guidelines, or rules regarding the operation of a correctional facility or care of inmates in government custody.
- Records that disclose the results of an audit or other inspection assessing compliance with the above regulations and rules.



Public records

63G-2-30 1(2)(1)

Records are public except to the extent they contain confidential information

- Voter registration records, including an individual's voting history, except parts that are private under 63G-2-30 2(1) (j-m) or withheld under subsection 20A-2-10 4(7).



Private records

63G-2-302(1)(j)

- The following records are private:
 - that part of a voter registration record that contains a person's:
 - driver license or identification number
 - Social Security number or last four digits
 - email address
 - date of birth



Private records

63G-2-302(1)(k)

- The following records are private:
 - a voter registration record that is classified as a private record by the lt. governor or a county clerk under:
 - Subsection 20A-2-101.1(5)(a)
 - 20A-2-104(4)(h)
 - 20A-204.4(b).



Private records

63G-2-302(1)(k)

- The following records are private:
 - a voter registration record that is classified as a private record by the lt. governor or a county clerk under:
 - Subsection 20A-2-101.1(5)(a)
 - The county clerk or lt. governor shall classify as private the voter registration record of an individual who preregisters to vote prior to the age of 18. On the day the individual becomes 18, the voter registration record becomes public.



Private records

63G-2-302(1)(k)

- The following records are private:
 - a voter registration record that is classified as a private record by the lt. governor or a county clerk under:
 - 20A-2-104(4)(h)
 - the lt. governor or county clerk shall classify a voter registration record as private if the voter:
 - Submits a written application requesting that it be private
 - Requests on the voter registration form that it be private
 - Submits a withholding request form as described in subsection 7



Private records

63G-2-302(1)(k)

- The following records are private:
 - a voter registration record that is classified as a private record by the lt. governor or a county clerk under:
 - 20A-204.4(b).
 - Upon receipt of an individual's voter registration form from the Driver License Division, lt. governor shall enter the information into the statewide database and if requested and upon verification, classify the individual's voting record as private.



Private records

63G-2-302(1)(1)

- The following records are private:
 - a voter registration record that is withheld under Subsection 20A-2-104(7)



Voter registration form

20 A-2-104(7)

Except as otherwise specified, a county clerk or the lt. governor shall withhold access to all information in a voter registration record for individuals who submit a withholding request form if the individual:

- claims that he/she or someone who resides with him/her is a victim of domestic or dating violence.
- is a law enforcement officer
- is a member of the armed forces
- is a public figure
- is protected by a protective order
- submitted the request prior to May 12, 2020



Private records

63G-2-302(1)(m)

- The following records are private:
 - a withholding request form described in 20A-2-104(7) and (8) and any verification submitted in support of the form.



Private records

63G-2-302(1)(x)

- The following records are private:
 - these portions of records maintained by a county for the purpose of administering property taxes:
 - email address
 - phone number
 - personal finance information related to payment method
 - records related to eligibility for exemption, deferral, abatement, or relief.



Protected records

- 63G-2-305(76)
- The following records are protected if properly classified:
 - except as provided in 63G-2-305.5(1):
 - an individual's signature on a political petition or request to withdraw from a petition, including petitions authorized by:
 - municipal code
 - county code
 - special districts code
 - other limited entities code
 - election code



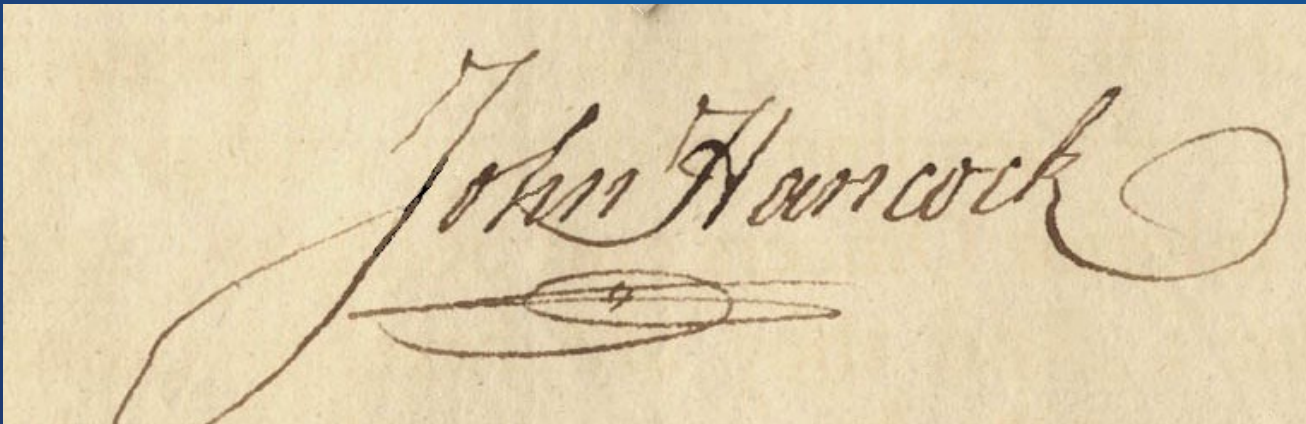
Viewing and obtaining lists of signatures

- 63G-2-305.5 (1)
- Except for signatures classified as private under 20A-2-Voter Registrations the records custodian of a signature described in 305(77) shall:
 - upon request, provide a list of individuals who signed a petition or request
 - permit an individual to view but not take a copy or other image of a signature on a political petition.



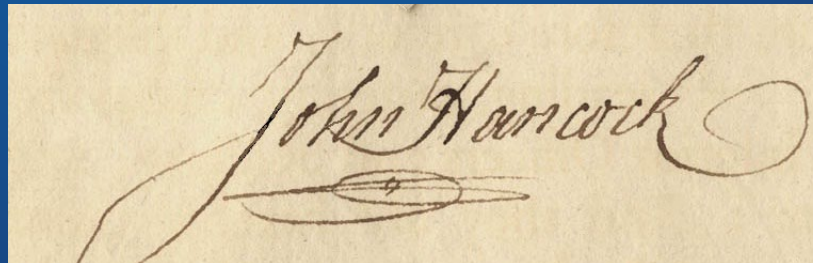
Protected records

- 63G-2-305(77)
- The following records are protected if properly classified:
 - except as provided in 63G-2-305.5(2):
 - the signature of an individual on a voter registration record.

A photograph of a handwritten signature in dark ink on aged, yellowish paper. The signature is written in a cursive style and reads "John Hancock". Below the name, there is a large, stylized flourish that starts under the 'J' and ends with a large loop under the 'H'.

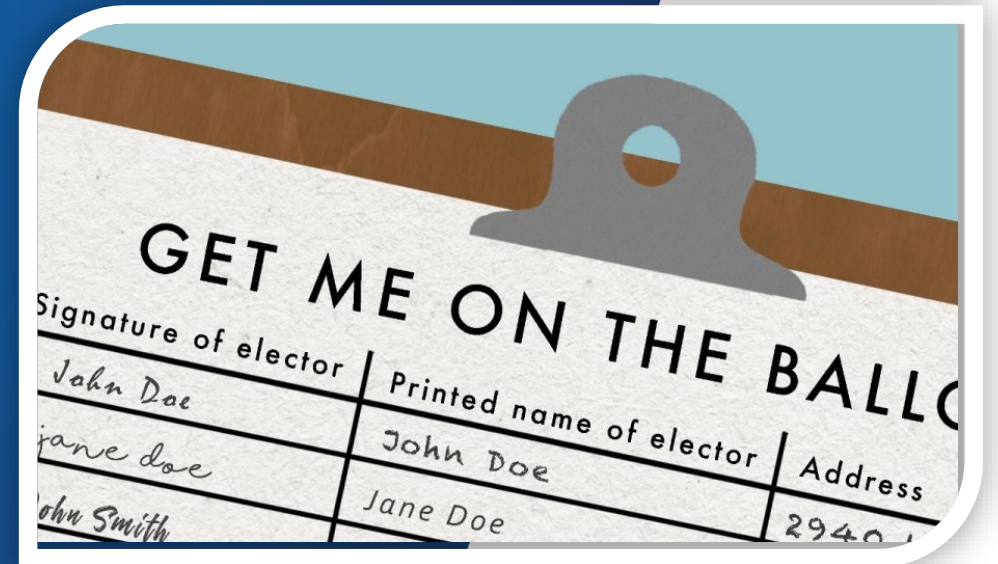
Viewing and obtaining lists of signatures

- 63G-2-305.5 (2)
- Except for signatures classified as private under 20A-2-Voter Registrations the records custodian of a signature described in 305(77) shall:
- upon request, provide a list of registered voters
- permit an individual to view but not take a copy or other image of a signature on a voter registration record.

A photograph of a handwritten signature in cursive script on aged, yellowish paper. The signature reads "John Hancock" and is followed by a large, ornate flourish.

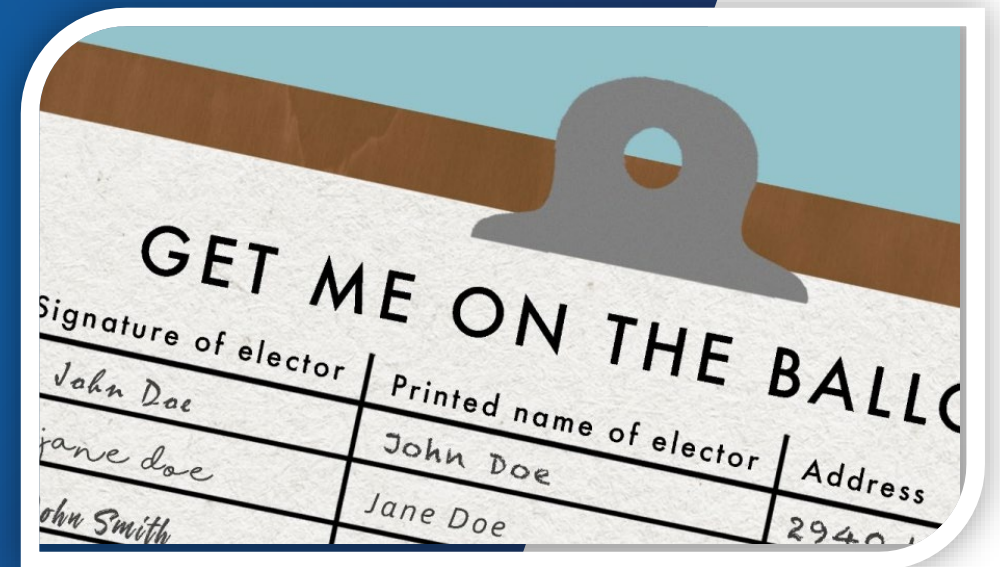
Protected records

- 63G-2-305(78)
- The following records are protected if properly classified:
 - except as provided in 63G-2-305.5(3):
 - signatures other than those on voter registration records or petitions
 - that are held by the Lt. governor or by political subdivisions
 - and are related to election code 20 A.



Viewing and obtaining lists of signatures

- 63G-2-305.5 (3)
- Except for signatures classified as private under 20 A-2- Voter Registrations the records custodian of a signature described in 305(78) shall, upon request, permit an individual to view but not take a copy or other image of a signature.



Protected records

- 63G-2-305(62)

The following records are protected if properly classified:

- Information DOPL provides to Health under subsections

58-67-304(3)(4)

and

58-68-304(3)(4)



License renewal requirements

- 58-67-304(3)(4) & 58-68-304(3)(4)
 - an application to renew a license shall require a physician to answer the following question: “Do you perform elective abortions outside a hospital?”
 - to assist in enforcing abortion laws and assist with licensing of abortion clinics, DOPL must report to the Department of Health the name and business address of every physician who responded positively to this question.



Protected records

- 63G-2-305(72)

The following records are protected if properly classified:

- a record submitted to the Insurance Department in accordance with Section 31A-22-653



Accident and health insurance

- 31A-22-653

Reports submitted on Jan 4, 2022:

- by qualified providers who engage in balance billing
- reports the percentage of episodes emergency services were provided to a Utah resident out of network.
- Insurance Department will report to legislative interim committees and this legislation will be repealed.



Protected records

- 63G-2-305(79)
- The following records are protected if properly classified:
 - a form I-918 supplement B, certification as described in 77-38-5, victims guidelines for prosecutors.



- 77-38-5



Protected records

- 63G-2-305(80)
- The following records are protected if properly classified:
 - Records submitted to the insurance department under Subsection 31A-47-103(1)(b)



Insurance Regulatory Sandbox Program

- 31A-47-103(1)
- There is created in the department the Insurance Regulatory Sandbox Program....



State Records Committee

63G-2-501-2

- State Records Committee
 - director of State Archives
 - two citizen members
 - representative of news media
 - private sector records manager
 - Utah League of Cities and Towns nominee
 - individual with electronic records and database experience
- Governor appoints all except state archivist with advice and consent of the Senate.



Thank you



Questions??