

Chronic Absenteeism Pilot Program
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Sahara Hayes

LONG TITLE

General Description:

This bill creates the Attendance Advantage - my529 Initiative Pilot Program.

Highlighted Provisions:

This bill:

- requires the State Board of Education (state board) to make rules establishing the Attendance Advantage - my529 Initiative Pilot Program (program);
- requires coordination between the state board and the Utah Educational Savings Plan;
- establishes requirements for program design and implementation;
- requires participating local education agencies to follow state board attendance data standards;
- requires analysis of program effectiveness; and
- makes program records containing individual student data protected.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63G-2-305, as last amended by Laws of Utah 2024, Chapters 18, 101, 135, 267, 344, and 522

ENACTS:

53F-5-224, Utah Code Annotated 1953

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

Section 1. Section **53F-5-224** is enacted to read:

53F-5-224 . Attendance Advantage - my529 Initiative Pilot Program.

(1) As used in this section:

(a) "Chronic absenteeism" means the percentage of students who miss 10% or more of

- 32 the school year for any reason.
- 33 (b) "Eligible school" means a public school selected to participate in the pilot program
34 under this section.
- 35 (c) "my529 account" means an account established under Title 53B, Chapter 8a, Utah
36 Educational Savings Plan.
- 37 (d) "Pilot program" means the Attendance Advantage - my529 Initiative Pilot Program
38 established under this section.
- 39 (e) "Utah Educational Savings Plan" means the plan created in Section 53B-8a-103.
- 40 (2) On or before July 1, 2026, the state board shall:
- 41 (a) in accordance with Subsection (3), make rules establishing the pilot program;
- 42 (b) conduct research and analysis regarding effective attendance intervention strategies;
43 and
- 44 (c) evaluate existing or proposed attendance incentive programs in other states.
- 45 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
46 state board shall establish rules to:
- 47 (a) coordinate with the Utah Educational Savings Plan regarding:
- 48 (i) the establishment and administration of my529 accounts for pilot program
49 participants;
- 50 (ii) the process for depositing incentive payments into my529 accounts; and
- 51 (iii) data sharing necessary to implement and evaluate the pilot program;
- 52 (b) establish eligibility criteria for participating LEAs and schools, considering:
- 53 (i) chronic absenteeism rates;
- 54 (ii) geographic diversity, including rural and urban representation;
- 55 (iii) school demographic characteristics; and
- 56 (iv) LEA capacity to implement the program;
- 57 (c) establish the application process for an LEA to participate in the pilot program;
- 58 (d) determine the grade levels that may participate in the pilot program;
- 59 (e) subject to legislative appropriation, establish the structure and amount of financial
60 incentives to be deposited in a my529 account;
- 61 (f) establish pilot program evaluation metrics and reporting requirements; and
- 62 (g) determine the duration of the pilot program.
- 63 (4) A participating LEA shall:
- 64 (a) adhere to attendance data collection standards and definitions established by the state
65 board;

66 (b) submit attendance data to the state board in the frequency and format the state board
 67 specifies;

68 (c) implement the pilot program as designed in state board rule; and

69 (d) participate in pilot program evaluation activities as the state board requires.

70 (5) The state board shall:

71 (a) provide training and technical assistance to participating LEAs;

72 (b) collect and analyze pilot program data;

73 (c) if the state board determines necessary, contract with an independent evaluator to
 74 assess pilot program effectiveness; and

75 (d) prepare an annual report on pilot program implementation and outcomes.

76 (6) The state board and the Utah Educational Savings Plan may share data as necessary to:

77 (a) establish and manage my529 accounts for pilot program participants;

78 (b) track incentive payments; and

79 (c) evaluate pilot program effectiveness.

80 (7) Any record of the pilot program that includes individual student data is a protected
 81 record under Section 63G-2-305.

82 (8) The state board shall provide a report to the Education Interim Committee and the
 83 Public Education Appropriations Subcommittee by November 30, 2026, on:

84 (a) the design and implementation of the pilot program;

85 (b) preliminary participation data;

86 (c) anticipated challenges and opportunities; and

87 (d) recommendations for program implementation.

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 has
 92 provided the governmental entity with the information specified in Section 63G-2-309;

93 (2) commercial information or nonindividual financial information obtained from a person
 94 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
 97 ability of the governmental entity to obtain necessary information in the future;

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

- 100 (c) the person submitting the information has provided the governmental entity with the
101 information specified in Section 63G-2-309;
- 102 (3) commercial or financial information acquired or prepared by a governmental entity to
103 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
105 cause 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
108 entity as 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 proceedings
112 or give an unfair advantage to any person proposing to enter into a contract or agreement
113 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
115 or 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
126 restrict 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
132 is issued;
- 133 (8) records that would identify real property or the appraisal or estimated value of real or

- 134 personal property, including intellectual property, under consideration for public
135 acquisition 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
142 property;
- 143 (d) in the case of records that would identify the appraisal or estimated value of
144 property, the potential sellers have already learned of the governmental entity's
145 estimated value of the property; or
- 146 (e) the property under consideration for public acquisition is a single family residence
147 and the governmental entity seeking to acquire the property has initiated negotiations
148 to acquire the property as required under Section 78B-6-505;
- 149 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
150 transaction of real or personal property including intellectual property, which, if
151 disclosed prior to completion of the transaction, would reveal the appraisal or estimated
152 value of the subject property, unless:
- 153 (a) the public interest in access is greater than or equal to the interests in restricting
154 access, including the governmental entity's interest in maximizing the financial
155 benefit of the transaction; or
- 156 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
157 the value of the subject property have already been disclosed to persons not
158 employed by or under a duty of confidentiality to the entity;
- 159 (10) records created or maintained for civil, criminal, or administrative enforcement
160 purposes or audit purposes, or for discipline, licensing, certification, or registration
161 purposes, if release of the records:
- 162 (a) reasonably could be expected to interfere with investigations undertaken for
163 enforcement, discipline, licensing, certification, or registration purposes;
- 164 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
165 proceedings;
- 166 (c) would create a danger of depriving a person of a right to a fair trial or impartial
167 hearing;

- 168 (d) reasonably could be expected to disclose the identity of a source who is not generally
169 known outside of government and, in the case of a record compiled in the course of
170 an investigation, disclose information furnished by a source not generally known
171 outside of government if disclosure would compromise the source; or
- 172 (e) reasonably could be expected to disclose investigative or audit techniques,
173 procedures, policies, or orders not generally known outside of government if
174 disclosure would interfere with enforcement or audit efforts;
- 175 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 176 (12) records the disclosure of which would jeopardize the security of governmental
177 property, governmental programs, or governmental recordkeeping systems from
178 damage, theft, 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
181 interfere with the control and supervision of an offender's incarceration, treatment,
182 probation, or parole;
- 183 (14) records that, if disclosed, would reveal recommendations made to the Board of
184 Pardons and Parole by an employee of or contractor for the Department of Corrections,
185 the Board of Pardons and Parole, or the Department of Health and Human Services that
186 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
187 person within the board's jurisdiction;
- 188 (15) records and audit workpapers that identify audit, collection, and operational procedures
189 and methods used by the State Tax Commission, if disclosure would interfere with
190 audits or collections;
- 191 (16) records of a governmental audit agency relating to an ongoing or planned audit until
192 the final audit is released;
- 193 (17) records that are subject to the attorney client privilege;
- 194 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
195 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
196 judicial, quasi-judicial, or administrative proceeding;
- 197 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
198 from a member of the Legislature; and
- 199 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
200 legislative action or policy may not be classified as protected under this section;
201 and

- 202 (b)(i) an internal communication that is part of the deliberative process in connection
203 with the preparation of legislation between:
- 204 (A) members of a legislative body;
 - 205 (B) a member of a legislative body and a member of the legislative body's staff; or
 - 206 (C) members of a legislative body's staff; and
- 207 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
208 legislative action or policy may not be classified as protected under this section;
- 209 (20)(a) records in the custody or control of the Office of Legislative Research and
210 General Counsel, that, if disclosed, would reveal a particular legislator's
211 contemplated legislation or contemplated course of action before the legislator has
212 elected to support the legislation or course of action, or made the legislation or course
213 of action public; and
- 214 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
215 Office of Legislative Research and General Counsel is a public document unless a
216 legislator asks that the records requesting the legislation be maintained as protected
217 records until such time as the legislator elects to make the legislation or course of
218 action public;
- 219 (21) a research request from a legislator to a legislative staff member and research findings
220 prepared in response to the request;
- 221 (22) drafts, unless otherwise classified as public;
- 222 (23) records concerning a governmental entity's strategy about:
- 223 (a) collective bargaining; or
 - 224 (b) imminent or pending litigation;
- 225 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
226 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
227 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 228 (25) records, other than personnel evaluations, that contain a personal recommendation
229 concerning an individual if disclosure would constitute a clearly unwarranted invasion
230 of personal privacy, or disclosure is not in the public interest;
- 231 (26) records that reveal the location of historic, prehistoric, paleontological, or biological
232 resources that if known would jeopardize the security of those resources or of valuable
233 historic, scientific, educational, or cultural information;
- 234 (27) records of independent state agencies if the disclosure of the records would conflict
235 with the fiduciary obligations of the agency;

- 236 (28) records of an institution within the state system of higher education defined in Section
237 53B-1-102 regarding tenure evaluations, appointments, applications for admissions,
238 retention decisions, and promotions, which could be properly discussed in a meeting
239 closed in accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided
240 that records of the final decisions about tenure, appointments, retention, promotions, or
241 those students admitted, may not be classified as protected under this section;
- 242 (29) records of the governor's office, including budget recommendations, legislative
243 proposals, and policy statements, that if disclosed would reveal the governor's
244 contemplated policies or contemplated courses of action before the governor has
245 implemented or rejected those policies or courses of action or made them public;
- 246 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
247 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
248 recommendations in these areas;
- 249 (31) records provided by the United States or by a government entity outside the state that
250 are given to the governmental entity with a requirement that they be managed as
251 protected records if the providing entity certifies that the record would not be subject to
252 public disclosure if retained by it;
- 253 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
254 public body except as provided in Section 52-4-206;
- 255 (33) records that would reveal the contents of settlement negotiations but not including final
256 settlements or empirical data to the extent that they are not otherwise exempt from
257 disclosure;
- 258 (34) memoranda prepared by staff and used in the decision-making process by an
259 administrative law judge, a member of the Board of Pardons and Parole, or a member of
260 any other body charged by law with performing a quasi-judicial function;
- 261 (35) records that would reveal negotiations regarding assistance or incentives offered by or
262 requested from a governmental entity for the purpose of encouraging a person to expand
263 or locate a business in Utah, but only if disclosure would result in actual economic harm
264 to the person or place the governmental entity at a competitive disadvantage, but this
265 section may not be used to restrict access to a record evidencing a final contract;
- 266 (36) materials to which access must be limited for purposes of securing or maintaining the
267 governmental entity's proprietary protection of intellectual property rights including
268 patents, copyrights, and trade secrets;
- 269 (37) the name of a donor or a prospective donor to a governmental entity, including an

270 institution within the state system of higher education defined in Section 53B-1-102, and
271 other information concerning the donation that could reasonably be expected to reveal
272 the identity of the donor, provided that:

- 273 (a) the donor requests anonymity in writing;
- 274 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
275 classified protected by the governmental entity under this Subsection (37); and
- 276 (c) except for an institution within the state system of higher education defined in
277 Section 53B-1-102, the governmental unit to which the donation is made is primarily
278 engaged in educational, charitable, or artistic endeavors, and has no regulatory or
279 legislative authority over the donor, a member of the donor's immediate family, or
280 any entity owned or controlled by the donor or the donor's immediate family;

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

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

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

- 288 (i) unpublished lecture notes;
- 289 (ii) unpublished notes, data, and information:
 - 290 (A) relating to research; and
 - 291 (B) of:
 - 292 (I) the institution within the state system of higher education defined in Section
293 53B-1-102; or
 - 294 (II) a sponsor of sponsored research;
- 295 (iii) unpublished manuscripts;
- 296 (iv) creative works in process;
- 297 (v) scholarly correspondence; and
- 298 (vi) confidential information contained in research proposals;

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

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

302 (41)(a) records in the custody or control of the Office of the Legislative Auditor
303 General that would reveal the name of a particular legislator who requests a

- 304 legislative audit prior to the date that audit is completed and made public; and
- 305 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
- 306 Office of the Legislative Auditor General is a public document unless the legislator
- 307 asks that the records in the custody or control of the Office of the Legislative Auditor
- 308 General that would reveal the name of a particular legislator who requests a
- 309 legislative audit be maintained as protected records until the audit is completed and
- 310 made public;
- 311 (42) records that provide detail as to the location of an explosive, including a map or other
- 312 document that indicates the location of:
- 313 (a) a production facility; or
- 314 (b) a magazine;
- 315 (43) information contained in the statewide database of the Division of Aging and Adult
- 316 Services created by Section 26B-6-210;
- 317 (44) information contained in the Licensing Information System described in Title 80,
- 318 Chapter 2, Child Welfare Services;
- 319 (45) information regarding National Guard operations or activities in support of the
- 320 National Guard's federal mission;
- 321 (46) records provided by any pawn or secondhand business to a law enforcement agency or
- 322 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
- 323 Merchandise, and Catalytic Converter Transaction Information Act;
- 324 (47) information regarding food security, risk, and vulnerability assessments performed by
- 325 the Department of Agriculture and Food;
- 326 (48) except to the extent that the record is exempt from this chapter pursuant to Section
- 327 63G-2-106, records related to an emergency plan or program, a copy of which is
- 328 provided to or prepared or maintained by the Division of Emergency Management, and
- 329 the disclosure of which would jeopardize:
- 330 (a) the safety of the general public; or
- 331 (b) the security of:
- 332 (i) governmental property;
- 333 (ii) governmental programs; or
- 334 (iii) the property of a private person who provides the Division of Emergency
- 335 Management information;
- 336 (49) records of the Department of Agriculture and Food that provides for the identification,
- 337 tracing, or control of livestock diseases, including any program established under Title

- 338 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
339 of Animal Disease;
- 340 (50) as provided in Section 26B-2-709:
- 341 (a) information or records held by the Department of Health and Human Services related
342 to a complaint regarding a provider, program, or facility which the department is
343 unable to substantiate; and
- 344 (b) information or records related to a complaint received by the Department of Health
345 and Human Services from an anonymous complainant regarding a provider, program,
346 or facility;
- 347 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided
348 under Section 41-1a-116, an individual's home address, home telephone number, or
349 personal mobile phone number, if:
- 350 (a) the individual is required to provide the information in order to comply with a law,
351 ordinance, rule, or order of a government entity; and
- 352 (b) the subject of the record has a reasonable expectation that this information will be
353 kept confidential due to:
- 354 (i) the nature of the law, ordinance, rule, or order; and
355 (ii) the individual complying with the law, ordinance, rule, or order;
- 356 (52) the portion of the following documents that contains a candidate's residential or
357 mailing address, if the candidate provides to the filing officer another address or phone
358 number where the candidate may be contacted:
- 359 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
360 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405,
361 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;
- 362 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or
363 (c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;
- 364 (53) the name, home address, work addresses, and telephone numbers of an individual that
365 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 366 (a) conducted within the state system of higher education, as defined in Section
367 53B-1-102; and
368 (b) conducted using animals;
- 369 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
370 Evaluation Commission concerning an individual commissioner's vote, in relation to
371 whether a judge meets or exceeds minimum performance standards under Subsection

- 372 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 373 (55) information collected and a report prepared by the Judicial Performance Evaluation
- 374 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
- 375 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
- 376 public, the information or report;
- 377 (56) records provided or received by the Public Lands Policy Coordinating Office in
- 378 furtherance of any contract or other agreement made in accordance with Section
- 379 63L-11-202;
- 380 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 381 (58) in accordance with Section 73-10-33:
- 382 (a) a management plan for a water conveyance facility in the possession of the Division
- 383 of Water Resources or the Board of Water Resources; or
- 384 (b) an outline of an emergency response plan in possession of the state or a county or
- 385 municipality;
- 386 (59) the following records in the custody or control of the Office of Inspector General of
- 387 Medicaid Services, created in Section 63A-13-201:
- 388 (a) records that would disclose information relating to allegations of personal
- 389 misconduct, gross mismanagement, or illegal activity of a person if the information
- 390 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
- 391 Services through other documents or evidence, and the records relating to the
- 392 allegation are not relied upon by the Office of Inspector General of Medicaid
- 393 Services in preparing a final investigation report or final audit report;
- 394 (b) records and audit workpapers to the extent they would disclose the identity of a
- 395 person who, during the course of an investigation or audit, communicated the
- 396 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
- 397 violation of a law, rule, or regulation adopted under the laws of this state, a political
- 398 subdivision of the state, or any recognized entity of the United States, if the
- 399 information was disclosed on the condition that the identity of the person be
- 400 protected;
- 401 (c) before the time that an investigation or audit is completed and the final investigation
- 402 or final audit report is released, records or drafts circulated to a person who is not an
- 403 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 plan,
- 405 or audit program; or

- 406 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
407 investigation or audit;
- 408 (60) records that reveal methods used by the Office of Inspector General of Medicaid
409 Services, the fraud unit, or the Department of Health and Human Services, to discover
410 Medicaid fraud, waste, or abuse;
- 411 (61) information provided to the Department of Health and Human Services or the Division
412 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
413 58-68-304(3) and (4);
- 414 (62) a record described in Section 63G-12-210;
- 415 (63) captured plate data that is obtained through an automatic license plate reader system
416 used by a governmental entity as authorized in Section 41-6a-2003;
- 417 (64) an audio or video recording created by a body-worn camera, as that term is defined in
418 Section 77-7a-103, that records sound or images inside a hospital or health care facility
419 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
420 as that term is defined in Section 78B-3-403, or inside a human service program as that
421 term is defined in Section 26B-2-101, except for recordings that:
- 422 (a) depict the commission of an alleged crime;
- 423 (b) record any encounter between a law enforcement officer and a person that results in
424 death or bodily injury, or includes an instance when an officer fires a weapon;
- 425 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
426 law enforcement officer or law enforcement agency;
- 427 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);
428 or
- 429 (e) have been requested for reclassification as a public record by a subject or authorized
430 agent of a subject featured in the recording;
- 431 (65) a record pertaining to the search process for a president of an institution of higher
432 education described in Section 53B-2-102, except for application materials for a publicly
433 announced finalist;
- 434 (66) an audio recording that is:
- 435 (a) produced by an audio recording device that is used in conjunction with a device or
436 piece of equipment designed or intended for resuscitating an individual or for treating
437 an individual with a life-threatening condition;
- 438 (b) produced during an emergency event when an individual employed to provide law
439 enforcement, fire protection, paramedic, emergency medical, or other first responder

- 440 service:
- 441 (i) is responding to an individual needing resuscitation or with a life-threatening
442 condition; and
- 443 (ii) uses a device or piece of equipment designed or intended for resuscitating an
444 individual or for treating an individual with a life-threatening condition; and
- 445 (c) intended and used for purposes of training emergency responders how to improve
446 their response to an emergency situation;
- 447 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
448 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
449 Audit Subcommittee, established under Section 36-12-8, for an employment position
450 with the Legislature;
- 451 (68) work papers as defined in Section 31A-2-204;
- 452 (69) a record made available to Adult Protective Services or a law enforcement agency
453 under Section 61-1-206;
- 454 (70) a record submitted to the Insurance Department in accordance with Section
455 31A-37-201;
- 456 (71) a record described in Section 31A-37-503;
- 457 (72) any record created by the Division of Professional Licensing as a result of Subsection
458 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 459 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
460 involving an amusement ride;
- 461 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
462 political petition, or on a request to withdraw a signature from a political petition,
463 including a petition or request described in the following titles:
- 464 (a) Title 10, Utah Municipal Code;
- 465 (b) Title 17, Counties;
- 466 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 467 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 468 (e) Title 20A, Election Code;
- 469 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
470 voter registration record;
- 471 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
472 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
473 political subdivision collected or held under, or in relation to, Title 20A, Election Code;

- 474 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
475 Victims Guidelines for Prosecutors Act;
- 476 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 477 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
478 prohibited under Section 63G-26-103;
- 479 (80) an image taken of an individual during the process of booking the individual into jail,
480 unless:
- 481 (a) the individual is convicted of a criminal offense based upon the conduct for which
482 the individual was incarcerated at the time the image was taken;
- 483 (b) a law enforcement agency releases or disseminates the image:
- 484 (i) after determining that the individual is a fugitive or an imminent threat to an
485 individual or to public safety and releasing or disseminating the image will assist
486 in apprehending the individual or reducing or eliminating the threat; or
- 487 (ii) to a potential witness or other individual with direct knowledge of events relevant
488 to a criminal investigation or criminal proceeding for the purpose of identifying or
489 locating an individual in connection with the criminal investigation or criminal
490 proceeding;
- 491 (c) a judge orders the release or dissemination of the image based on a finding that the
492 release or dissemination is in furtherance of a legitimate law enforcement interest; or
- 493 (d) the image is displayed to a person who is permitted to view the image under Section
494 17-22-30.
- 495 (81) a record:
- 496 (a) concerning an interstate claim to the use of waters in the Colorado River system;
- 497 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
498 representative from another state or the federal government as provided in Section
499 63M-14-205; and
- 500 (c) the disclosure of which would:
- 501 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
502 Colorado River system;
- 503 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to
504 negotiate the best terms and conditions regarding the use of water in the Colorado
505 River system; or
- 506 (iii) give an advantage to another state or to the federal government in negotiations
507 regarding the use of water in the Colorado River system;

- 508 (82) any part of an application described in Section 63N-16-201 that the Governor's Office
509 of Economic Opportunity determines is nonpublic, confidential information that if
510 disclosed would result in actual economic harm to the applicant, but this Subsection (82)
511 may not be used to restrict access to a record evidencing a final contract or approval
512 decision;
- 513 (83) the following records of a drinking water or wastewater facility:
- 514 (a) an engineering or architectural drawing of the drinking water or wastewater facility;
515 and
- 516 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the
517 drinking water or wastewater facility uses to secure, or prohibit access to, the records
518 described in Subsection (83)(a);
- 519 (84) a statement that an employee of a governmental entity provides to the governmental
520 entity as part of the governmental entity's personnel or administrative investigation into
521 potential misconduct involving the employee if the governmental entity:
- 522 (a) requires the statement under threat of employment disciplinary action, including
523 possible termination of employment, for the employee's refusal to provide the
524 statement; and
- 525 (b) provides the employee assurance that the statement cannot be used against the
526 employee in any criminal proceeding;
- 527 (85) any part of an application for a Utah Fits All Scholarship account described in Section
528 53F-6-402 or other information identifying a scholarship student as defined in Section
529 53F-6-401;
- 530 (86) a record:
- 531 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 532 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
533 person concerning the claim, including a representative from another state or the
534 federal government; and
- 535 (c) the disclosure of which would:
- 536 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
537 Great Salt Lake;
- 538 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
539 and conditions regarding the use of water in the Great Salt Lake; or
- 540 (iii) give an advantage to another person including another state or to the federal
541 government in negotiations regarding the use of water in the Great Salt Lake; and

- 542 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
543 reclassified as public as described in Subsection 13-2-11(4).
- 544 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 545 (a) concerning a claim to the use of waters;
- 546 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
547 representative from another state, a tribe, the federal government, or other
548 government entity as provided in Title 73, Chapter 10g, Part 6, Utah Water Agent;
549 and
- 550 (c) the disclosure of which would:
- 551 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 552 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
553 regarding the use of water; or
- 554 (iii) give an advantage to another state, a tribe, the federal government, or other
555 government entity in negotiations regarding the use of water.
- 556 (89) an individual student's data used in the Attendance Advantage - my529 Initiative Pilot
557 Program described in Section 53F-5-224.
- 558 Section 3. **Effective Date.**
- 559 This bill takes effect on May 7, 2025.