#### ANNUAL UTAH OPEN AND PUBLIC MEETINGS ACT TRAINING

Utah State Tax Commissi 2023 Update Revised 25 July 2023

# Noteworthy 2023 Changes

- SB43: Creates public notice classifications and specifies related notice provision requirements. Exempts proposed actions affecting the entire state.
- $\bullet$  SB169: Moves "text messaging" definition from the criminal code to OPMA

#### **OPMA In a nutshell**

- A quorum of a public body gathered to discuss or act upon a subject over which it has jurisdiction or advisory power must do so in a public meeting for which proper notice, including a reasonably specific agenda, is given and an audio recording is made
- Following the public meeting, the public body must make the audio recording and a set of pending minutes available for public review
- A public body may close its meeting to discuss, but not act upon, statutorily specified topics
- Some public bodies are required to close meetings for specific purposes

### Utah Code § 52-4-210

Nothing in this chapter shall be construed to restrict a member of a public body from transmitting an electronic message to other members of the public body <u>at a time when the public body is not convened in an open meeting</u>.

## 2023 Changes Applicable to USTC

• SB136: Requires disclosure of closed meeting records to the Office of Legislative Auditor General upon request. Exempts disclosures to OLAG from penalties for violations of tax code confidentiality statutes.

### Other 2023 Changes

- HB21: Requires local school boards to adopt written policies permitting public comment at public meetings and permits local district and special service district public bodies to convene electronic
- HB77: Replaces the term "local district" with "special district"
- HB201: Corrects a spelling error in the definition of "meeting"
- SB194: Changes "Utah Higher Education Authority" to "Utah Higher Education Savings Board of Trustees"
- SB307: Adjusts statutory references resulting from Health and Human Services recodification bills
  SB245: Includes the consideration of a loan application among the reasons for which a meeting of a public body may be closed, if public discussion of the loan application would disclose certain nonpublic information
- information SB280; Includes a discussion of the board of the Point of the Mountain State Land Authority regarding a potential tenant of the point of the mountain among the reasons for which a meeting of a public body may be closed