

ANNUAL UTAH OPEN AND PUBLIC MEETINGS ACT TRAINING

Utah State Tax Commission

2024 Update

Revised 11 June 2024

OPMA In a nutshell

- A quorum of a public body gathered by an individual with authority to convene the public body to receive public comment about, deliberate about or take action upon a matter that is within the scope of the public body's authority, 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

2024 Changes Applicable to USTC

- HB36
 - Updates definitions
 - Eliminates the requirement that at least one public body member participate in a meeting at an anchor location (If we amend R861-1A-43 before adopting this practice)
 - When all members of a public body participate in a meeting remotely, requires the public body to provide an anchor location where members of the public may participate in the open portions of the meeting upon receipt, at least 12 hours before the scheduled meeting time, of a written request
 - Prohibits a quorum of a public body acting together outside a meeting in a concerted and deliberate way to predetermine an action to be taken by the public body at a meeting on a relevant matter
 - Permits a court to award a reasonable attorney fee and costs to a plaintiff prevailing in a suit to void final action of a public body taken in violation of OPMA

Other 2024 Changes

- HB13 updates a statutory reference related to infrastructure financing districts
- HB35 repeals obsolete language due to the elimination of metro townships
- HB70 updates statutory references related to fatality review reports
- HB213 updates a statutory reference due to crime victim record classification changes
- HB532 repeals obsolete language due to the elimination of the Opioid and Overdose Fatality Review Committee
- SB211 Exempts the Water District Water Development Council from OPMA
- SB219
 - Expressly exempts a meeting of the School Activity Eligibility Commission to discuss the eligibility of a specific student from the open meetings requirement
 - Prohibits the commission from discussing a specific student's eligibility in a public meeting
- SB247
 - Repeals obsolete language related to the Data Security Management Council
 - Updates a statutory reference related to public notices