

Senate Government Operations and Political Subdivisions Committee

3/3/2025

Bill: 1st Substitute SB 338 – Governmental Nonprofit Corporations Act Amendments

Sponsor: Senator Ronald M. Winterton

Floor Sponsor: Representative Bridger Bolinder

UASD Position: Support

This Bill amends provisions relating to governmental nonprofit corporations.

Discussion: Senator Winterton presented the 1st Substitute, which was adopted by the Committee. He explained that the Bill clarifies language from legislation passed in 2021 related to the Governmental Nonprofit Corporations Act. Some entities in the state receive revenue from governmental sources, such as special service districts, municipalities, or counties, but are not themselves considered governmental entities. This Bill ensures that the original intent of the law is clearly defined. No public comments were made.

Yeas: 5

Nays: 0

N/V: 2

Outcome: 1st Substitute SB 338 passed out of the Committee with a favorable recommendation.

Bill: 1st Substitute SB 288 – Employment Investigation Records Amendments

Sponsor: Senator Stephanie Pitcher

Floor Sponsor: TBD

UASD Position: Tracking

This Bill amends provisions relating to certain employment records of alleged misconduct.

Discussion: Senator Pitcher presented the 1st Substitute, which was adopted by the Committee. The Bill classifies an investigation record, documenting alleged employment or workplace misconduct, as a private record. Disclosure of such records is prohibited while an investigation is ongoing, except under specific circumstances outlined in the Bill. When disclosure is required, certain information must be redacted to protect sensitive details. Additionally, the Bill establishes limitations on the duration an investigation may proceed before the record becomes subject to release.

Under the Bill, investigation records remain confidential while an investigation is in progress unless 180 days have passed. Once an investigation is concluded, if misconduct is determined to have occurred, the records are released, but personal information identifying the victim or witness is redacted. If the victim's identity is publicly known, any private or potentially embarrassing information is also redacted. In cases where no misconduct is found, the records

are still disclosed; however, the identities of the victim, witnesses, and the accused are redacted. Regardless of the investigation's outcome or status, all records are released after 180 days.

The Utah Media Coalition expressed support for the Bill while also raising concerns regarding its implications under the Government Records Access and Management Act ("GRAMA"). A member of the public spoke in favor of the Bill.

Yeas: 5
Nays: 0
N/V: 2

Outcome: 1st Substitute SB 288 passed out of the Committee with a favorable recommendation.

Bill: 2nd Substitute HB 139 – Governmental Accounting Amendments

Sponsor: Representative Anthony E. Loubet

Floor Sponsor: Senator Brady Brammer

UASD Position: Tracking; Amended

This Bill addresses a political subdivision's annual financial report.

Discussion: Representative Loubet, along with members of the State Auditor's Office ("Office"), presented the Bill. Each year, the Office gathers input from local governments and the certified public accounting ("CPA") community. HB 139 grants the Office the authority to develop the financial certification form with input from the Utah Association of Special Districts, the Utah League of Cities and Towns, and the Utah Association of Counties. This Bill allows the Office to update the form as needed without requiring legislative approval for every change. Additionally, it mandates that a political subdivision's chief financial officer and chief administrative officer include the State Auditor's form as part of the political subdivision's annual financial report.

Tina Cannon, the State Auditor, and Susan Speirs from the Utah Association of CPAs spoke in support of the Bill.

Yeas: 7
Nays: 0
N/V: 0

Outcome: 2nd Substitute HB 139 passed out of the Committee with a favorable recommendation.
