

RECORDS MANAGEMENT AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill modifies provisions relating to the management of certain records.

Highlighted Provisions:

This bill:

- ▶ modifies provisions relating to the purposes and duties of the State Library

Division;

- ▶ includes the Utah Code, the Laws of Utah, and biennial versions of the Utah

Constitution within the digital library that the State Library Division is required to

publish;

- ▶ requires the Office of Legislative Research and General Counsel to deposit digital

copies of those publications with the State Library Division;

- ▶ provides for the Office of Legislative Research and General Counsel to be the

repository and custodian of the official version of the Utah Constitution database, to

update the constitution database as amendments are passed, and to maintain the

bold face descriptive titles to sections of the Utah Constitution;

- ▶ modifies provisions relating to the Office of Legislative Research and General

Counsel's management of certain legislative records;

- ▶ eliminates the responsibility of the Office of Legislative Research and General

Counsel to maintain a legislative research library;

- ▶ modifies duties of and other provisions relating to the state archivist;

- ▶ requires the state archivist to retain and preserve certain legislative records;

- ▶ provides for the transmission of certain legislative records to the state archivist for

30 retention and preservation; and
31 ▶ makes technical changes.

32 **Money Appropriated in this Bill:**

33 None

34 **Other Special Clauses:**

35 This bill provides a special effective date.

36 This bill provides a coordination clause.

37 **Utah Code Sections Affected:**

38 AMENDS:

39 **9-7-101**, as last amended by Laws of Utah 2019, Chapter 221

40 **9-7-201**, as renumbered and amended by Laws of Utah 1992, Chapter 241

41 **9-7-203**, as last amended by Laws of Utah 2017, Chapter 48

42 **9-7-205**, as last amended by Laws of Utah 2017, Chapter 48

43 **9-7-207**, as last amended by Laws of Utah 2006, Chapter 81

44 **9-7-208**, as repealed and reenacted by Laws of Utah 2006, Chapter 81

45 **36-12-12**, as last amended by Laws of Utah 2003, Chapter 92

46 **63A-12-102**, as last amended by Laws of Utah 2021, Chapter 344

47 **63G-2-703**, as last amended by Laws of Utah 2015, Chapter 258

48 ENACTS:

49 **63A-12-102.5**, Utah Code Annotated 1953



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

52 Section 1. Section **9-7-101** is amended to read:

53 **9-7-101. Definitions.**

54 As used in this chapter:

55 (1) "Board" means the State Library Board created in Section **9-7-204**.

56 (2) "Division" means the State Library Division.

57 (3) "Legislative staff office" means the Office of Legislative Research and General

58 Counsel.

59 (4) "Legislative publication" means:

60 (a) the Utah Code after the legislative staff office prepares an updated Utah Code
61 database incorporating amendments to the Utah Code;

62 (b) the Laws of Utah; and

63 (c) the Utah Constitution after the legislative staff office incorporates into the Utah
64 Constitution amendments to the Utah Constitution that passed during the preceding regular
65 general election.

66 [~~(3)~~] (5) "Library board" means the library board of directors appointed locally as
67 authorized by Section 9-7-402 or 9-7-502 and which exercises general policy authority for
68 library services within a city or county of the state, regardless of the title by which the board is
69 known locally.

70 [~~(4)~~] (6) "Physical format" means a transportable medium in which analog or digital
71 information is published, such as print, microform, magnetic disk, or optical disk.

72 [~~(5)~~] (7) "Policy" means the public library online access policy adopted by a library
73 board to meet the requirements of Section 9-7-215.

74 [~~(6)~~] (8) "Political subdivision" means a county, city, town, school district, public
75 transit district, redevelopment agency, or special improvement or taxing district.

76 [~~(7)~~] (9) "State agency" means:

77 (a) the state; or

78 (b) an office, department, agency, authority, commission, board, institution, hospital,
79 college, university, or other instrumentality of the state.

80 [~~(8)~~] (10) (a) "State publication" means a book, compilation, directory, document,
81 contract or grant report, hearing memorandum, journal, law, legislative bill, magazine, map,
82 monograph, order, ordinance, pamphlet, periodical, proceeding, public memorandum,
83 resolution, register, rule, report, statute, audiovisual material, electronic publication,
84 micrographic form and tape or disc recording regardless of format or method of reproduction,
85 issued or published by a state agency or political subdivision for distribution.

86 (b) "State publication" does not include correspondence, internal confidential
87 publications, office memoranda, university press publications, or publications of the state
88 historical society.

89 Section 2. Section 9-7-201 is amended to read:

90 **9-7-201. State Library Division -- Creation -- Purpose.**

91 (1) There is created within the department the State Library Division under the
92 administration and general supervision of the executive director or the designee of the
93 executive director.

94 (2) The division shall be under the policy direction of the board.

95 (3) The division shall function as the library authority for the state and is responsible
96 for:

97 (a) general library services[;];

98 (b) extension services[;];

99 (c) publishing legislative publications, as provided in this part, that the legislative staff
100 office deposits with the division;

101 (d) the preservation, distribution and exchange of state publications[;];

102 (e) legislative reference[;]; and

103 (f) other services considered proper for a state library.

104 Section 3. Section 9-7-203 is amended to read:

105 **9-7-203. Division duties.**

106 The division shall:

107 (1) establish, operate, and maintain a state publications collection, a digital library of
108 state publications and legislative publications, a bibliographic control system, and depositories
109 as provided in this part;

110 (2) cooperate with:

111 (a) other agencies to facilitate public access to government information through
112 electronic networks or other means;

113 (b) other state or national libraries or library agencies; and

114 (c) the federal government or agencies in accepting federal aid whether in the form of
115 funds or otherwise;

116 (3) receive bequests, gifts, and endowments of money and deposit the funds with the
117 state treasurer to be placed in the State Library Donation Fund, which funds shall be held for
118 the purpose, if any, specifically directed by the donor; and

119 (4) receive bequests, gifts, and endowments of property to be held, used, or disposed
120 of, as directed by the donor, with the approval of the Division of Finance.

121 Section 4. Section **9-7-205** is amended to read:

122 **9-7-205. Duties of board and director.**

123 (1) The board shall:

124 (a) promote, develop, and organize a state library and make provisions for its housing;

125 (b) promote and develop library services throughout the state in cooperation with other
126 state or municipal libraries, schools, or other agencies wherever practical;

127 (c) promote the establishment of district, regional, or multicounty libraries as
128 conditions within particular areas of the state may require;

129 (d) supervise the books and materials of the state library and require the keeping of
130 careful and complete records of the condition and affairs of the state library;

131 (e) establish policies for the administration of the division and for the control,
132 distribution, and lending of books and materials to those libraries, institutions, groups, or
133 individuals entitled to them under this chapter;

134 (f) serve as the agency of the state for the administration of state or federal funds that
135 may be appropriated to further library development within the state;

136 (g) aid and provide general advisory assistance in the development of statewide school
137 library service and encourage contractual and cooperative relations between school and public
138 libraries;

139 (h) give assistance, advice, and counsel to all tax-supported libraries within the state
140 and to all communities or persons proposing to establish a tax-supported library and conduct
141 courses and institutes on the approved methods of operation, selection of books, or other

142 activities necessary to the proper administration of a library;

143 (i) furnish or contract for the furnishing of library or information service to state
144 officials, state departments, or any groups that in the opinion of the director warrant the
145 furnishing of those services, particularly through the facilities of traveling libraries to those
146 parts of the state otherwise inadequately supplied by libraries;

147 (j) where sufficient need exists and if the director considers it advisable, establish and
148 maintain special departments in the state library to provide services for the blind, visually
149 impaired, persons with disabilities, and professional, occupational, and other groups;

150 (k) administer a depository library program by collecting state publications and
151 legislative publications, and providing a bibliographic information system;

152 (l) require the collection of information and statistics necessary to the work of the state
153 library and the distribution of findings and reports;

154 (m) make any report concerning the activities of the state library to the governor as the
155 governor may require; and

156 (n) develop standards for public libraries.

157 (2) The director shall, under the policy direction of the board, carry out the
158 responsibilities under Subsection (1).

159 Section 5. Section **9-7-207** is amended to read:

160 **9-7-207. Deposit of state publications and legislative publications.**

161 (1) (a) (i) Each state agency and political subdivision publishing a digital version of a
162 state publication shall deposit a digital copy with the division.

163 (ii) (A) Upon the legislative staff office's production of a legislative publication, the
164 legislative staff office shall deposit with the division a digital copy of the legislative
165 publication.

166 (B) The legislative staff office's deposit of a legislative publication with the division
167 for the division to publish online, as provided in this part, is a method for the legislative staff
168 office to comply with Section [46-5-108](#).

169 (b) Each state agency and political subdivision shall deposit with the division copies of

170 each state publication that it elects to publish in a physical format in the numbers specified by
171 the state librarian.

172 (c) The division shall forward two copies of each state publication published in a
173 physical format deposited with it by a state agency to the Library of Congress, one copy to the
174 state archivist, at least one copy to each depository library, and retain two copies.

175 (2) Each state agency or political subdivision shall deposit with the division a digital
176 copy of each audio and video publication or recording issued by it for bibliographic listing and
177 retention in the digital library.

178 (3) Each state agency or political subdivision shall deposit with the division copies of
179 audio and video publications or recordings issued by it in physical formats in the numbers
180 specified by the state librarian for bibliographic listing and retention in the state library
181 collection.

182 (4) (a) The division shall publish or make available to the public through electronic
183 networks a list of state agency publications.

184 (b) The list shall be published periodically and distributed to depository libraries and
185 the state archivist.

186 (5) Materials the division considers not to be of major public interest will be listed, but
187 no copies will be required for deposit.

188 Section 6. Section **9-7-208** is amended to read:

189 **9-7-208. Digital library for permanent public access.**

190 (1) The division shall manage and maintain an online, web-accessible digital library for
191 state publications and legislative publications.

192 (2) The division shall provide for permanent public access to the publications in the
193 digital library.

194 (3) The library shall be accessible by agency, author, title, subject, keyword, and such
195 other means as provided by the division.

196 (4) (a) Each state agency publishing a digital version of a state publication shall deposit
197 a digital copy of the publication with the division.

198 (b) A state agency may not remove a state publication it posts to its public website until
199 a copy is deposited into the digital library for permanent public access.

200 Section 7. Section 36-12-12 is amended to read:

201 **36-12-12. Office of Legislative Research and General Counsel -- Established --**
202 **Powers, functions, and duties -- Organization of office -- Selection of director and general**
203 **counsel.**

204 (1) There is established an Office of Legislative Research and General Counsel as a
205 permanent staff office for the Legislature.

206 (2) The powers, functions, and duties of the Office of Legislative Research and General
207 Counsel under the supervision of the director shall be:

208 (a) to provide research and legal staff assistance to all standing, special, and interim
209 committees as follows:

210 (i) to assist each committee chairman in planning the work of the committee;

211 (ii) to prepare and present research and legal information in accordance with committee
212 instructions or instructions of the committee chairman;

213 (iii) to prepare progress reports of committee work when requested; and

214 (iv) to prepare a final committee report in accordance with committee instructions, that
215 includes relevant research information, committee policy recommendations, and recommended
216 legislation;

217 (b) to collect and examine the acts and official reports of any state and report their
218 contents to any committee or member of the Legislature;

219 (c) to provide research and legal analysis services to any interim committee, legislative
220 standing committee, or individual legislator on actual or proposed legislation or subjects of
221 general legislative concern;

222 [~~(d) to maintain a legislative research library that provides analytical, statistical, legal,~~
223 ~~and descriptive data relative to current and potential governmental and legislative subjects;]~~

224 [(~~e~~)] (d) (i) to exercise under the direction of the general counsel the constitutional
225 authority provided in Article VI, Sec. 32, Utah Constitution, in serving as legal counsel to the

226 Legislature, majority and minority leadership of the House or Senate, any of the Legislature's
227 committees or subcommittees, individual legislators, any of the Legislature's staff offices, or
228 any of the legislative staff; and

229 (ii) to represent the Legislature, majority and minority leadership of the House or
230 Senate, any of the Legislature's committees or subcommittees, individual legislators, any of the
231 Legislature's staff offices, or any of the legislative staff in cases and controversies before courts
232 and administrative agencies and tribunals;

233 ~~[(f)]~~ (e) to prepare and assist in the preparation of legislative bills, resolutions,
234 memorials, amendments, and other documents or instruments required in the legislative
235 process and, under the direction of the general counsel, give advice and counsel regarding them
236 to the Legislature, majority and minority leadership of the House or Senate, any of its members
237 or members-elect, any of its committees or subcommittees, or the legislative staff;

238 ~~[(g)]~~ (f) under the direction of the general counsel, to review, examine, and correct any
239 technical errors and approve legislation that has passed both houses in order to enroll the
240 legislation and prepare the laws for publication;

241 ~~[(h) to keep on file records concerning all legislation and proceedings of the
242 Legislature with respect to legislation referred to in Subsection (2)(g);]~~

243 (g) (i) to exercise control over and to act as the repository and custodian of the official
244 copy and database of the current version of the Utah Constitution;

245 (ii) to incorporate into the Utah Constitution any amendments to the Utah Constitution
246 that pass during a regular general election; and

247 (iii) to update and maintain the bold face descriptive titles to sections of the Utah
248 Constitution;

249 (h) (i) to exercise control over and to act as the repository and custodian of the official
250 copy and database of the Utah Code; and

251 (ii) to keep the Utah Code database current, including updating the database to reflect
252 any duly enacted legislation making changes to the Utah Code;

253 (i) to formulate recommendations for the revision, clarification, classification,

254 arrangement, codification, annotation, and indexing of Utah statutes, and to develop proposed
255 legislation to effectuate the recommendations;

256 (j) to appoint and develop a professional staff within budget limitations; and
257 (k) to prepare and submit the annual budget request for the Office of Legislative
258 Research and General Counsel.

259 (3) The statutory authorization of the Office of Legislative Research and General
260 Counsel to correct technical errors provided in Subsection [~~(2)(g)~~] (2)(f) includes:

261 (a) adopting a uniform system of punctuation, capitalization, numbering, and wording;
262 (b) eliminating duplication and the repeal of laws directly or by implication, including
263 renumbering when necessary;

264 (c) correcting defective or inconsistent section and paragraph structure in the
265 arrangement of the subject matter of existing statutes;

266 (d) eliminating all obsolete and redundant words;

267 (e) correcting obvious errors and inconsistencies including those involving
268 punctuation, capitalization, cross references, numbering, and wording;

269 (f) changing the boldface to more accurately reflect the substance of each section, part,
270 chapter, or title; and

271 (g) merging or determining priority of any amendments, enactments, or repealers to the
272 same code provisions that are passed by the Legislature.

273 (4) In carrying out the duties provided for in this section, the director of the Office of
274 Legislative Research and General Counsel may obtain access to all records, documents, and
275 reports necessary to the scope of the director's duties according to the procedures contained in
276 Title 36, Chapter 14, Legislative Subpoena Powers.

277 (5) In organizing the management of the Office of Legislative Research and General
278 Counsel, the Legislative Management Committee may either:

279 (a) select a person to serve as both the director of the office and as general counsel. In
280 such case, the director of the office shall be a lawyer admitted to practice in Utah and shall
281 have practical management experience or equivalent academic training; or

282 (b) select a person to serve as director of the office who would have general
283 supervisory authority and select another person to serve as the legislative general counsel
284 within the office. In such case, the director of the office shall have a master's degree in public
285 or business administration, economics, or the equivalent in academic or practical experience
286 and the legislative general counsel shall be a lawyer admitted to practice in Utah.

287 Section 8. Section **63A-12-102** is amended to read:

288 **63A-12-102. State archivist -- Duties.**

289 (1) (a) With the approval of the governor, the executive director shall appoint the state
290 archivist to serve as director of the state archives.

291 (b) The state archivist shall be qualified by archival training, education, and
292 experience.

293 (2) The state archivist is charged with ~~[custody of the following]:~~

294 (a) the custody and permanent retention and preservation of:

295 ~~[(a)]~~ (i) the enrolled copy of the original 1895 Utah ~~[constitution]~~ Constitution;

296 ~~[(b) the acts and resolutions passed by the Legislature;]~~

297 ~~[(c) all records kept or deposited with the state archivist as provided by law;]~~

298 ~~[(d) the journals of the Legislature and all bills, resolutions, memorials, petitions, and
299 claims introduced in the Senate or the House of Representatives;]~~

300 ~~[(e)]~~ (ii) Indian war records; ~~[and]~~

301 ~~[(f)]~~ (iii) oaths of office of all state officials~~[-]~~, including legislative officials, required
302 under Article IV, Section 10 of the Utah Constitution to take an oath of office;

303 (iv) all other records, excluding legislative records described in Section [63A-12-102.5](#),
304 kept by or deposited with the state archivist for permanent preservation as provided by law; and

305 (b) the retention and preservation of legislative records, as provided in Section
306 [63A-12-102.5](#).

307 (3) (a) The state archivist is the official custodian of all noncurrent records of
308 permanent or historic value that are not required by law to remain in the custody of the
309 originating governmental entity.

310 (b) Upon the termination of any governmental entity, its records shall be transferred to
311 the state archives.

312 Section 9. Section **63A-12-102.5** is enacted to read:

313 **63A-12-102.5. Preservation of legislative records.**

314 (1) As used in this section:

315 (a) "Historical legislative record" means a permanent legislative record or a
316 supplemental legislative record that a legislative office transmitted to the state archivist before
317 the effective date of this section for retention and preservation.

318 (b) "Legislative office" means:

319 (i) the Senate, the House of Representatives, or a staff office of the Legislature; or

320 (ii) as applicable, a body designated by the Legislative Management Committee to be
321 responsible for:

322 (A) the retention of a legislative record; or

323 (B) the transmission of a legislative record to the division, as provided in this section,
324 if the body chooses to transmit the legislative record to the division.

325 (c) "Legislative retention schedule" means the retention schedule attached as Appendix
326 A to the Legislative Management Committee Policy L. Legislative Records.

327 (d) "Permanent legislative record" means:

328 (i) a joint proclamation issued by the president of the Senate and the speaker of the
329 House of Representatives convening a session of the Legislature under Article VI, Section 2 of
330 the Utah Constitution;

331 (ii) a session journal of the Senate or House of Representatives;

332 (iii) a recording of Senate or House of Representatives floor proceedings;

333 (iv) a numbered bill or resolution of the Senate or House of Representatives, including:

334 (A) a public substitute or amendment;

335 (B) a fiscal note or other information required to accompany a numbered bill or
336 resolution; and

337 (C) an enrolled bill or resolution;

338 (v) an introduced article of impeachment or amendment to an article of impeachment;

339 (vi) as prepared by the Legislature and provided to the public, a list of actions taken on
340 legislation during a legislative session or descriptions of the status of legislation considered
341 during a legislative session;

342 (vii) a notice, agenda, handout or other public meeting material, recording, or minutes
343 of the Legislative Management Committee, Executive Appropriations Committee, standing and
344 interim committees of the Legislature, appropriations subcommittees of the Legislature, audit
345 subcommittees of the Legislature, and other legislative committees, task forces, or
346 commissions, excluding a rules or sifting committee of the Legislature;

347 (viii) a statutorily required budget or appropriations report;

348 (ix) an audit or review report of the Office of the Legislative Auditor General and a
349 record that supports the conclusions and findings of the audit or review report;

350 (x) a version of the Utah Code after the Office of Legislative Research and General
351 Counsel prepares an updated Utah Code database incorporating any duly enacted legislation
352 making changes to the Utah Code;

353 (xi) the Laws of Utah;

354 (xii) a biennial version of the Utah Constitution after the Office of Legislative
355 Research and General Counsel incorporates into the Utah Constitution amendments that passed
356 during the preceding regular general election; or

357 (xiii) a notice of appeal under Section [63G-9-401](#) relating to a decision of the board of
358 examiners and a record accompanying a notice of appeal.

359 (e) "Supplemental legislative record" means a legislative record that is not a permanent
360 legislative record.

361 (2) A legislative office may, but is not required to, transmit a legislative record to the
362 state archivist for retention and preservation as provided in this section.

363 (3) (a) A legislative office shall consult with the state archivist as the legislative office
364 determines the method and timing of transmitting a legislative record that the legislative office
365 chooses to transmit to the state archivist for the state archivist's retention and preservation as

366 provided in this section.

367 (b) The transmission of a digital copy of a legislative record is sufficient for purposes
368 of the transmission of the legislative record to the state archivist.

369 (4) (a) A legislative record that a legislative office transmits to the state archivist for
370 retention and preservation remains in the control and legal custody of the legislative office and,
371 although retained and preserved by the state archivist, does not become subject to the control or
372 legal custody of the state archivist.

373 (b) The state archivist shall allow a legislative office full and continuing access to any
374 legislative record transmitted to the state archivist for retention and preservation under this
375 section.

376 (5) (a) The state archivist may not disclose a supplemental legislative record without
377 the prior written consent of the legislative office that transmitted the supplemental legislative
378 record to the state archivist.

379 (b) If the state archivist receives a subpoena or other request for a supplemental
380 legislative record, the state archivist shall immediately provide written notice of the subpoena
381 or other request to:

382 (i) the legislative office that transmitted the supplemental legislative record to the state
383 archivist; and

384 (ii) legislative general counsel.

385 (6) The state archivist shall:

386 (a) permanently retain and preserve a historical legislative record;

387 (b) permanently retain and preserve a permanent legislative record that a legislative
388 office chooses to transmit to the state archivist after the effective date of this section; and

389 (c) retain and preserve, according to the legislative retention schedule, a supplemental
390 legislative record that a legislative office chooses to transmit to the state archivist for retention
391 and preservation after the effective date of this section.

392 Section 10. Section **63G-2-703** is amended to read:

393 **63G-2-703. Applicability to the Legislature.**

394 (1) The Legislature and its staff offices shall designate and classify records in
395 accordance with Sections 63G-2-301 through 63G-2-305 as public, private, controlled, or
396 protected.

397 (2) (a) The Legislature and its staff offices are not subject to Section 63G-2-203 or to
398 Part 4, Appeals, Part 5, State Records Committee, or Part 6, Collection of Information and
399 Accuracy of Records.

400 (b) The Legislature is subject to only the following sections in Title 63A, Chapter 12,
401 Division of Archives and Records Service: Sections 63A-12-102, 63A-12-102.5, and
402 63A-12-106.

403 (3) The Legislature, through the Legislative Management Committee:

404 (a) shall establish policies to handle requests for classification, designation, fees,
405 access, denials, segregation, appeals, management, retention, and amendment of records; and

406 (b) may establish an appellate board to hear appeals from denials of access.

407 (4) Policies shall include reasonable times for responding to access requests consistent
408 with the provisions of Part 2, Access to Records, fees, and reasonable time limits for appeals.

409 (5) Upon request, the state archivist shall:

410 (a) assist with and advise concerning the establishment of a records management
411 program in the Legislature; and

412 (b) as required by the Legislature, provide program services similar to those available
413 to the executive branch of government, as provided in this chapter and Title 63A, Chapter 12,
414 Division of Archives and Records Service.

415 Section 11. **Effective date.**

416 If approved by two-thirds of all the members elected to each house, this bill takes effect
417 upon approval by the governor, or the day following the constitutional time limit of Utah
418 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
419 the date of veto override.

420 Section 12. **Coordinating H.B. 414 with H.B. 302 -- Substantive and technical**
421 **amendments.**

422 If this H.B. 414 and H.B. 302, Cultural and Community Engagement Amendments,
423 both pass and become law, it is the intent of the Legislature that the Office of Legislative
424 Research and General Counsel shall prepare the Utah Code database for publication on July 1,
425 2023, by:

426 (1) amending Subsection 9-7-101(4) to read:

427 "(4) "Legislative publication" means:

428 (a) the Utah Code after the legislative staff office prepares an updated Utah Code
429 database incorporating amendments to the Utah Code;

430 (b) the Laws of Utah; and

431 (c) the Utah Constitution after the legislative staff office incorporates into the Utah
432 Constitution amendments to the Utah Constitution that passed during the preceding regular
433 general election.";

434 (2) amending Subsection 9-7-201(3) to read:

435 "(3) (a) The division shall function as the library authority for [the state and is
436 responsible for general library services, extension services, the preservation, distribution and
437 exchange of state publications, legislative reference, and other services considered proper for a
438 state library.];

439 (i) general library services;

440 (ii) mobile library services;

441 (iii) providing for permanent public access to state publications; and

442 (iv) other services considered proper for a state library.

443 (b) The division is responsible for publishing legislative publications, as provided in
444 this part, that the legislative staff office deposits with the division.";

445 (3) amending Subsection 9-7-205(1)(k) to read:

446 "(k) administer a [depository] state publications and legislative publications library
447 program by collecting state publications and legislative publications , providing access to state
448 publications and legislative publications through the digital library, and providing a
449 bibliographic information system;" ; and

450 (4) amending Subsection 9-7-207(3), as enacted in H.B. 302, to read:

451 "(3)(a) Upon the legislative staff office's production of a legislative publication, the
452 legislative staff office shall deposit with the division a digital copy of the legislative
453 publication.

454 (b) The legislative staff office's deposit of a legislative publication with the division for
455 the division to publish online, as provided in this part, is a method for the legislative staff
456 office to comply with Section 46-5-108."