

Record Sharing Agreement for Governmental Entities

Note: Utah Code Section [63G-2-206\(1\)\(2\)\(3\)](#) states that a governmental entity may provide a record that is private, controlled, or protected to another governmental entity, a government-managed corporation, a political subdivision, the federal government, or another state. Further details are defined.

Originating governmental entity information

Agency name: _____

Address: _____

City/State/ZIP: _____

Records officer or contact person: _____

Telephone number: _____

Email address: _____

Recipient governmental entity information

Agency name: _____

Address: _____

City/State/ZIP: _____

Records officer or contact person: _____

Telephone number: _____

Email address: _____

Description of records being shared

Title/ series number/ description: _____

Inclusive dates: _____

Format: _____

Reason for sharing records: _____

Records classification designation(s): _____

Legal citation supporting classification designation(s): _____

Note: Utah Code Section [63G-2-206\(4\)](#) says that before disclosing a record or record series to another governmental entity, another state, the United States, a foreign government ... the originating governmental entity shall:

- (a) inform the recipient of the record's classification and the accompanying restrictions on access; and

(b) if the recipient is not a governmental entity to which [the Government Records Access and Management Act] applies, obtain the recipient's *written agreement* that it will abide by specified access restrictions unless a statute, federal regulation, or interstate agreement otherwise governs the sharing of the record or record series.

Also, Utah Code Section [63G-2-206\(6\)](#) states that an entity receiving a record is subject to the same restrictions on disclosure of the record as the originating entity.

Recipient entity agrees to abide by the following access restrictions and instructions: _____

If recipient entity receives a GRAMA request, originating entity requests that recipient entity

- provide access based on instructions herein provided
- refer the requester back to the originating entity for access

Signature of chief administrative officer or records officer:

_____ Date: _____

Office Use

Sharing these records is authorized because the recipient entity is:

- Entitled by law to inspect the records.

Provide legal citation: _____

- Required to inspect the records as a condition of participating in a state or federal program or for receiving state or federal funds

Provide explanation: _____

_____ (see [Utah Code Section 63G-2-206\(3\)](#))

- A repository or archives that is providing services related to records preservation, administration, maintenance, or destruction
- An entity that enforces, litigates, or investigates civil, criminal, or administrative law, and the records are necessary for a proceeding or investigation.
- An entity that is authorized by state statute to conduct an audit and the records are necessary for the audit.
- An entity that collects information for presentence, probationary, or parole purposes.
- Is the Legislature, a member of the Legislature or a legislative committee, and the records relate to the Legislature’s duties (see [Utah Code Section 63G-2-206\(1\)](#)).

If none of the above, sharing is authorized because recipient assures that the records:

- Are necessary to the performance of the recipient governmental entity’s duties and functions

Describe duties and functions: _____

- Will be used for a purpose similar to the purpose for which the information in the records or record series was collected or obtained

Describe purpose: _____

- Will be used for a purpose that will produce a public benefit greater than or equal to the individual privacy rights that protect the record or record series.

Describe expected public benefit: _____

_____ (see [Utah Code Section 63G-2-206\(2\)](#)).

If none of the above, disclosure must be authorized by executive agreement, treaty, federal statute, compact, federal regulation, or state statute.

_____ (see [Utah Code Section 63G-2-206\(7\)](#))

Note: [Utah Code Section 63G-2-206 \(8\)](#) The following records may not be shared under this section:

- (a) records held by the Division of Oil, Gas, and Mining that pertain to any person and that are gathered under authority of Title 40, Chapter 6, Board and Division of Oil, Gas, and Mining;
- (b) records of publicly funded libraries as described in Subsection [63G-2-302\(1\)\(c\)](#); and
- (c) a record described in Section [63G-12-210](#).

(9) Records that may evidence or relate to a violation of law may be disclosed to a government prosecutor, peace officer, or auditor.