

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:

See box list on next page for full description.

Inclusive dates: _____

Format: _____

Reason for sharing records: _____

Records classification designations(s): _____

Legal citation supporting classification designation(s): _____

Note: Utah Code Section 63G-2-204(2) says that

(2)(a) In response to a request for a record, a governmental entity **may not provide a record that it has received under Section 63G-2-206 as a shared record.**

(b) If a governmental entity is prohibited from providing a record under Subsection (2)(a), the governmental entity shall:

- (i) deny the records request; and
- (ii) inform the person making the request of the identity of the governmental entity from which the shared record was received

Recipient entity agrees to deny records requests for the shared records and to inform the person making the request of the identity of the governmental entity from which the shared record was received.

Signature of chief administrative officer or records officer:

_____ Date: _____

Signature of recipient chief administrative officer or records officer:

_____ Date: _____

Boxes Included in Record Sharing Agreement

Box No.	RCL	Years

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

- ☐ 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. (see [Utah Code Section 63G-2-206\(2\)](#))
Describe expected public benefit:

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 \(8\)](#)

- (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.

Privacy Notice: The personal data collected on this form is classified as a public record and may be made available to the public, as provided by Utah Code 63G-2-201.