R18. Government Operations, Utah Office of Data Privacy.

R18-2. Utah Privacy Commission Meetings.

R18-2-1. Authority.

This rule is authorized by Sections 63A-19-203 and 52-4-207.

R18-2-2. Purpose.

The purpose of this rule is to establish requirements for member participation in commission meetings.

R18-2-3. Definitions.

(1) Terms used in this rule are defined in Sections 63A-19-101 and 52-4-103.

(2) In addition, "member" means an individual appointed to the commission under Section 63A-19-203.

R18-2-4. Member Participation.

(1) A member shall:

(a) if participating in a meeting electronically, keep the camera on throughout the meeting unless the member:

(i) experiences technical difficulties that prevent the member's image from being displayed; or

(ii) notifies the chair that they are temporarily unavailable;

(b) attend one meeting in-person each year, unless excused by the chair;

(c) notify the chair, before a meeting, if the member is unable to attend a meeting; and

(d) regularly attend and participate in scheduled meetings when assigned to:

(i) a subcommittee; or

(ii) perform other commission work; and

(e) whenever feasible, use an email account issued by a governmental entity when participating in commission matters.

(2) A member may not appoint a designee or proxy to attend a meeting on the member's behalf.

(3) A member who is required to refrain from participating in a matter as described in Subsection 63A-19-203(8):

(a) shall disclose the conflict when the matter is raised;

(b) shall refrain from voting on the matter; and

(c) may participate in a discussion of the matter to the same extent as a member of the public.

(4) The chair shall notify the official who appointed a member if the member:

(a) fails to comply with the requirements described in R18-2-4(1) without reasonable excuse;

(b) misses more than two commission or subcommittee meetings without advance notice, or more than four commission meetings regardless of advance notice, in any consecutive 12-month period; or

(c) ceases to meet the qualifications for appointment.

R18-2-5. Electronic meetings.

(1) Individuals may participate in a commission meeting through the use of:

(a) an online medium that allows for audio and video interactions; or

(b) a telecommunications medium that allows for audio interactions.

(2) A member who appears electronically:

(a) shall be counted as present for purposes of determining a quorum; and

(b) may fully participate and vote on any matter before the commission.

(3) When an electronic meeting is scheduled, the public notice required by Section 52-4-202 shall describe:

(a) how an individual may participate in the meeting electronically; and

(b) the anchor location where an individual may attend, monitor, and participate in the meeting.

(4)(a) The anchor location for commission meetings, unless otherwise designated in the public notice, shall be the Utah Capitol Complex, Senate (East) Building, Room 220, 350 N. State Street, Salt Lake City, UT 84114.

(b) The commission may convene an entirely electronic meeting, without an anchor location, if the requirements in Subsection 52-4-207(5) are met.

(5) In an electronic meeting the chair shall:

(a) identity the members who are participating electronically, either at the commencement of the meeting or when a member initially appears; and

(b) confirm the votes of members who participate electronically.

KEY: privacy commission, participation, electronic meetings
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 63A-19-203 and 52-4-207