**R671. Pardons (Board of), Administration.**

**R671-304. Hearing Record.**

**R671-304-1. Hearing Record.**

[~~(a)~~](1) An electronic audio record shall be made of all in- person, video, or telephonic hearings held by the Board of Pardons and Parole (Board).

[~~(b)~~](2) Pursuant to Utah Code Ann. Section 77-27-8, a certified shorthand reporter shall record and transcribe the proceedings of any death penalty commutation hearing held by the Board.

[~~(c)~~](3) The electronic record made pursuant to this Rule shall be maintained by the Board for 7 (seven) years.

[~~(d)~~](4) Any magnetic, analog, or other non-digital hearing record made prior to January 1, 2009 shall only be maintained for [~~ten~~]10 (ten) years from the date of the hearing.

(5) Upon written request, a copy of the recording may be provided to an offender or any member of the public.

(a) If the request for the recording requires that the record be copied to an electronic or digital medium, the Board [~~shall~~]may charge a fee, approved by the Legislature, for the copy.

(b) When [~~an offender~~] requestors affirm~~s~~ by affidavit that [~~he or she is~~] they are unable to pay for a copy of the recording, the Board may furnish a copy of the record, at no fee, to the [~~offender~~]requestor.

**KEY: government hearings**

**Date of Enactment or Last Substantive Amendment: January 8, 2018**

**Notice of Continuation: January 30, 2017**

**Authorizing, and Implemented or Interpreted Law: 63G-3-201(3); 77-27-1 et seq.; 77-27-8; 77-27-9[~~(4)(a)~~](5)**