



# Governor's Office of Economic Development

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State of Utah

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## PRIVATE ACTIVITY BOND AUTHORITY PROGRAM

### GRAMA Request Policy (Government Records Access and Management Act)

#### Record Accessibility

All proposals, applications and other exhibits, submitted to the PAB Review Board for funding consideration, become the property of the Private Activity Bond Authority Program (PAB). These materials are generally subject to the Utah Government Records Access Management Act ("GRAMA") (Utah Code Ann. §§63G-2-1 01 *et seq*) and are considered public records after the evaluation process has been completed and a final decision made.

The Act, however, does protect trade secrets, commercial information and non-individual financial information which, if disclosed, would give an unfair advantage to the recipient of that information, as opposed to the person who submitted the application.

The following records are protected under Section 63G-2-304, if, properly classified by a governmental entity:

1. Trade secrets as defined in Section 13-24-2, if the person submitting the trade secret has provided the governmental entity with the information specified in Section 63G-2-308;
2. Commercial information or non-individual financial information obtained from a person if:
  - (a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;
  - (b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and
  - (c) the person submitting the information has provided the governmental entity with the information specified in Section 62G-3-308;"

#### Protected Information Request

GRAMA provides that if a person submits trade secrets, commercial information, or non-individual financial information to a government entity, they may request that information be classified as a protected record. To request any portion of a proposal, application or other exhibits to be classified as a protected record, applicants must complete the "Claim of Business Confidentiality Form."

