

63D-2-103 Collection of personally identifiable information.

- (1) A governmental entity may not collect personally identifiable information related to a user of the governmental entity's governmental website unless the governmental entity has taken reasonable steps to ensure that on the day on which the personally identifiable information is collected the governmental entity's governmental website complies with Subsection (2).
- (2) A governmental website shall contain a privacy policy statement that discloses:
 - (a)
 - (i) the identity of the governmental website operator; and
 - (ii) how the governmental website operator may be contacted:
 - (A) by telephone; or
 - (B) electronically;
 - (b) the personally identifiable information collected by the governmental entity;
 - (c) a summary of how the personally identifiable information is used by:
 - (i) the governmental entity; or
 - (ii) the governmental website operator;
 - (d) the practices of the following related to disclosure of personally identifiable information collected:
 - (i) the governmental entity; or
 - (ii) the governmental website operator;
 - (e) the procedures, if any, by which a user of a governmental entity may request:
 - (i) access to the user's personally identifiable information; and
 - (ii) access to correct the user's personally identifiable information; and
 - (f) without compromising the integrity of the security measures, a general description of the security measures in place to protect a user's personally identifiable information from unintended disclosure.
- (3)
 - (a) Personally identifiable information is not a classification of records under Title 63G, Chapter 2, Government Records Access and Management Act.
 - (b) Access to government records is governed by Title 63G, Chapter 2, Government Records Access and Management Act.

Amended by Chapter 382, 2008 General Session