

152 (b) A court may not grant an order to disclose the information described in Subsection  
 153 (1), if the court finds that the division has established that disclosure will have a negative effect  
 154 on:

155 (i) the willingness of employers to report wage and employment information; or

156 (ii) the willingness of individuals to file claims for unemployment benefits.

157 (c) The requirements of Subsection 63G-2-202(7) and Section 63G-2-207 do not apply  
 158 to information sought through a court order as described in this section.

159 (3) If a court order is granted in accordance with this section, a judgment creditor shall:

160 (a) provide to the division a copy of the order requiring the disclosure;

161 (b) enter into a written agreement with the division, in a form approved by the division;

162 (c) pay the division a reasonable fee that reflects the cost for processing the request as  
 163 established by department rule; and

164 (d) comply with the data safeguard and security measures described in 20 C.F.R. Sec.  
 165 603.9 with respect to information received from the division under this section.

166 (4) If a judgment creditor complies with Subsection (3), the division shall provide the  
 167 information to the judgment creditor within 14 business days after the day on which the  
 168 creditor complies with Subsection (3).

169 (5) A judgment creditor may not:

170 (a) use the information obtained under this section for a purpose other than satisfying  
 171 the judgment between the creditor and debtor; or

172 (b) disclose or share the information with any other person.

173 (6) The division may audit a judgment creditor or other party receiving information  
 174 under this section for compliance with the data safeguard and security measures described in 20  
 175 C.F.R. Sec. 603.9.

176 (7) If a judgment creditor or other party fails to comply with the data safeguard and  
 177 security measures under 20 C.F.R. Sec. 603.9, the judgment creditor or other party is subject to  
 178 a civil penalty of no more than \$10,000 enforceable by the Utah Office of the Attorney

179 General §→ [e] as follows:

179a (a) the attorney general, on the attorney general's own behalf or on behalf of the division, may  
 179b file an action in district court to enforce the civil penalty; and

179c (b) if the attorney general prevails in enforcing the civil penalty against the judgment creditor  
 179d or other party:

179e (i) the attorney general is entitled to an award for reasonable attorney fees, court costs, and  
 179f investigative expenses; and←§

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179g **§→(ii) the civil penalty shall be deposited into the special administrative expense account**

179h **described in Subsection 35A-4-506(1). ←§**

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**Office of Legislative Research and General Counsel**