

HB0124S01 compared with HB0124

{Omitted text} shows text that was in HB0124 but was omitted in HB0124S01

inserted text shows text that was not in HB0124 but was inserted into HB0124S01

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Education Industry Employee Privacy

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Trevor Lee

LONG TITLE

General Description:

This bill provides for the personal privacy of local education agency employees.

Highlighted Provisions:

This bill:

- enacts restrictions on a local education agency (LEA) selling or transferring certain contact information without consent;

- prohibits requiring use of certain technologies on personal devices;

- requires an LEA to provide accommodations for mandatory technology use under certain circumstances;

- allows an employee to file written complaints with the State Board of Education about violations;

- permits the State Board of Education to investigate complaints; and

- allows for consequences for violations.

Money Appropriated in this Bill:

None

This bill provides a special effective date.

ENACTS:

HB0124

HB0124 compared with HB0124S01

23 **53G-10-207** , Utah Code Annotated 1953 , Utah Code Annotated 1953

24

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1 is enacted to read:

27 **53G-10-207. Personal privacy for employee.**

28 (1) As used in this section:

29 (a) "Employee" means:

30 (i) "administrative personnel" as that term is defined in Section 53G-10-206; and

31 (ii) "instructional personnel" as that term is defined in Section 53G-10-206.

32 (b) "LEA" means the same as that term is defined in Section 53E-1-102.

33 (c) "Required technology" means an application, software, or other technologies for work-related duties
without which an employee could not reasonably complete necessary or essential job functions or
engage in emergency situations.

36 (d) "Work-related contact information" means:

37 (i) private or work-provided phone numbers used for work purposes;

38 (ii) email addresses an employer provides or uses primarily for work functions;

39 (iii) work mail addresses, including physical addresses, post office boxes, and other mailing details used
to send or receive work-related communications or documents;

42 (iv) logins, usernames, access codes, passwords, or other credentials used to access accounts, systems,
documents, records, or services provided in relation to an employee's job duties; and

45 (v) messaging accounts, forum memberships, directory listings, distribution lists, committee or group
enrollments.

47 (2) ~~{An }~~ Except as provided in Section 53G-7-224, an LEA or the state board may not sell or
otherwise transfer an employee's work-related contact information to a third party.

49 (3) ~~{An }~~ Except as provided in Section 53G-7-224, an LEA or the state board may not distribute an
employee's work-related contact information in a manner that would interfere with an employee's
ability to access or use work-related accounts, contacts, email lists, or other contact information
resources necessary to perform the employee's job duties.

53 (4) An LEA may not require an employee to download, install, access, or otherwise use required
technology on a personally owned electronic device if use of the required technology contains

HB0124 compared with HB0124S01

terms, conditions, or data sharing provisions that would allow for access to data or information outside of the required technology.

- 57 (5) If an LEA requires an employee to use required technology that the employee reasonably finds to
contain objectionable terms and conditions, the LEA shall provide reasonable accommodations to
the impacted employee to avoid mandatory use on the employee's personal device.
- 61 (6) An LEA shall provide a reasonable accommodation under Subsection (5) that allows required use
without accessing an employee's personal device, including providing the required technology:
- 64 (a) via an LEA-owned and provided electronic device such as a computer, phone, or tablet;
- 66 (b) through a secure virtual or remote desktop environment not requiring installation or access
credentials on a personal device; or
- 68 (c) through similar means that do not obligate personal device use.
- 69 (7) An LEA may not take adverse action against an employee for exercising rights under this section
and requesting reasonable accommodations.
- 71 (8) An employee may file a written complaint with the state board alleging violations of this chapter.
- 73 (9) The state board shall investigate any complaint alleging violations under this section and take
licensure or corrective action if the state board determines that action is necessary.

76 Section 2. **Effective date.**

This bill takes effect on July 1, 2025.

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