

**Law Enforcement Investigation Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ryan D. Wilcox**1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

---

---

**LONG TITLE****General Description:**

This bill concerns procedures and requirements related to law enforcement investigations.

**Highlighted Provisions:**

This bill:

- defines and modifies terms;
- places restrictions on and establishes procedures for law enforcement access to reverse-keyword information;
- requires, with a sunset provision, a specified notice for certain warrant applications; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

**63I-2-277**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

**77-23f-101**, as enacted by Laws of Utah 2023, Chapter 382

**77-23f-102**, as enacted by Laws of Utah 2023, Chapter 382

**77-23f-104**, as enacted by Laws of Utah 2023, Chapter 382

**77-23f-105**, as enacted by Laws of Utah 2023, Chapter 382

**77-23f-106**, as enacted by Laws of Utah 2023, Chapter 382

**77-23f-107**, as enacted by Laws of Utah 2023, Chapter 382

**77-23f-109**, as enacted by Laws of Utah 2023, Chapter 382

---

---

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

Section 1. Section **63I-2-277** is amended to read:

**63I-2-277 . Repeal dates: Title 77.**

- 31 (1) [~~Subsection 77-23f-102(2)(a)(ii)~~] Subsections 77-23f-102(2)(a)(i)(B) and  
 32 77-23f-102(2)(b)(i), regarding a notice for certain [~~reverse-location~~]search warrant  
 33 applications, is repealed January 1, 2033.
- 34 (2) Subsection 77-23f-103(2)(a)(ii), regarding a notice for certain reverse-location search  
 35 warrant applications, is repealed January 1, 2033.

36 Section 2. Section **77-23f-101** is amended to read:

37 **CHAPTER 23f. ACCESS TO REVERSE-LOCATION AND REVERSE-KEYWORD**

38

**INFORMATION**

39 **77-23f-101 . Definitions.**

40 As used in this chapter:

- 41 (1) "Anonymized" means that the identifying information connected to an electronic device  
 42 has been rendered anonymous in a manner such that the subject, including an individual,  
 43 household, device, or Internet protocol address, is not identifiable to a law enforcement  
 44 agency.
- 45 (2) "Cell site" means transmission or reception equipment, including a base-station antenna,  
 46 that connects an electronic device to a network.
- 47 (3) "Cell site record" means the cell site location information of an electronic device that  
 48 corresponds to a specific cell site and time frame.
- 49 (4) "Electronic device" means [~~a device that enables access to or use of a location~~  
 50 ~~information service or can otherwise create or provide location information~~] the same as  
 51 that term is defined in Section 77-23c-101.2.
- 52 (5) "Geofence" means a specified geographic area defined by a virtual perimeter or  
 53 geographic coordinates.
- 54 (6) "Identifying information" means information tied to an electronic device that identifies  
 55 the user's or owner's:  
 56 (a) name;  
 57 (b) address;  
 58 (c) phone number;  
 59 (d) email; or  
 60 (e) other identifying information that would identify the owner or user of the electronic  
 61 device.
- 62 (7) "Law enforcement agency" means the same as that term is defined in Section

63 77-23c-101.2.

64 (8) "Location information" means the same as that term is defined in Section 77-23c-101.2.

65 (9)(a) "Reverse-keyword information" means information that:

66 (i) identifies an unnamed individual, by name or other unique identifier, who:

67 (A) electronically searched for a particular word, phrase, character string, or  
68 website; or

69 (B) visited a particular website through a link generated by an electronic search  
70 for a particular word, phrase, character string, or website; and

71 (ii) is or is not limited to a specific geographic area or time frame.

72 (b) "Reverse-keyword information" does not include keyword information concerning a  
73 known individual or a specified electronic device that may be obtained pursuant to  
74 Chapter 23c, Electronic Information Privacy Act.

75 [~~9~~] (10) "Reverse-location information" means historical location information for:

76 (a) a defined time period;

77 (b) a defined or undefined area; and

78 (c) a defined or undefined number of electronic devices, for which the identities of the  
79 owners or users of the electronic devices are unknown to law enforcement.

80 Section 3. Section **77-23f-102** is amended to read:

81 **77-23f-102 . Obtaining reverse-keyword information or reverse-location**  
82 **information within a geofence -- Warrant required for disclosure -- Procedure.**

83 (1) Except as provided in Section 77-23f-106, for a criminal investigation or prosecution, a  
84 law enforcement agency may not obtain reverse-location information for electronic  
85 devices within a geofence or reverse-keyword information for electronic devices unless:

86 (a) the law enforcement agency obtains a search warrant as provided under this section;  
87 and

88 (b)(i) the investigation or prosecution involves:

89 (A) a felony;

90 (B) a class A misdemeanor that involves harm or a risk of harm to a person, a  
91 violation of Title 23A, Wildlife Resources Act, or is part of a pattern of  
92 criminal activity; or

93 (C) a class B misdemeanor that involves harm or a risk of harm to a person, the  
94 unlawful taking of protected wildlife, or is part of a pattern of criminal activity;  
95 or

96 (ii) the law enforcement agency can demonstrate an imminent, ongoing threat to

97 public safety.

98 (2)(a) To obtain reverse-location information inside of a geofence, a law enforcement  
99 agency shall:

100 [(a)] (i) include with the sworn warrant application:

101 [(+)] (A) a map or other visual depiction that represents the geofence for which the  
102 warrant is seeking information; and

103 [(+)] (B) the following language at the beginning of the application in a legible font no smaller  
104 than other text appearing in the application:

105 "NOTICE: This warrant application seeks judicial authorization for the disclosure of  
106 reverse-location information of electronic devices near a crime at or near the time of the crime.  
107 If authorized, the warrant allows law enforcement to obtain historical location information of  
108 all devices within the area described in the warrant during the specified time from entities in  
109 possession of the relevant data. The electronic devices captured in the warrant may be owned  
110 or used by both alleged criminal perpetrators and individuals not involved in the commission  
111 of a crime. For this reason, any warrant issued must require the anonymization of all devices  
112 associated with the reverse-location information."; and

113 [(b)] (ii) establish probable cause to believe that evidence of a crime will be found  
114 within the geofence and within a specified period of time.

115 (b) To obtain reverse-keyword information, a law enforcement agency shall:

116 (i) include with the sworn warrant application the following language at the  
117 beginning of the application in a legible font no smaller than other text appearing  
118 in the application: "NOTICE: This warrant application seeks judicial  
119 authorization for the disclosure of reverse-keyword information of electronic  
120 devices. If authorized, the warrant allows law enforcement to obtain historical  
121 information of all devices that searched for specific terms or visited a particular  
122 website through a link generated by an electronic search during the specified time  
123 described in the warrant from entities in possession of the relevant data. The  
124 electronic devices captured in the warrant may be owned or used by both alleged  
125 criminal perpetrators and individuals not involved in the commission of a crime.  
126 For this reason, any warrant issued must require the anonymization of all devices  
127 associated with the reverse-keyword information."; and

128 (ii) establish probable cause to believe that evidence of a crime will be found based  
129 on the reverse-keyword information sought to be searched and within the  
130 specified period of time.

131 (3) If a court grants a warrant under Subsection (2), the court shall require that all electronic  
 132 device data provided pursuant to the warrant be anonymized before the reverse-keyword  
 133 information or reverse-location information is released to the law enforcement agency.

134 Section 4. Section **77-23f-104** is amended to read:

135 **77-23f-104 . Obtaining additional reverse-location or reverse-keyword**  
 136 **information -- Warrant required for disclosure -- Procedure.**

137 (1) If, after executing a warrant described in Section 77-23f-102 or 77-23f-103, a law  
 138 enforcement agency seeks to obtain reverse-keyword information or reverse-location  
 139 information beyond the parameters of the warrant obtained under Section 77-23f-102 or  
 140 77-23f-103, the law enforcement agency shall:

141 (a) include in the sworn warrant application the specific electronic devices identified in  
 142 the anonymized data for which the law enforcement agency seeks additional  
 143 reverse-location information or reverse-keyword information;

144 (b) establish probable cause to believe that evidence of a crime will be found within a  
 145 specified period of time; and

146 (c) affirm that the crime described in Subsection (1)(b) is:

147 (i) the same crime or directly related to the crime that was the subject of the warrant  
 148 obtained under Section 77-23f-102 or 77-23f-103; or

149 (ii) a crime subject to the judicially recognized plain view exception to the warrant  
 150 requirement.

151 (2) If a court grants a warrant under Subsection (1), the court shall require that all electronic  
 152 device data provided pursuant to the warrant be anonymized before the reverse-location  
 153 information or reverse-keyword information is released to the law enforcement agency.

154 Section 5. Section **77-23f-105** is amended to read:

155 **77-23f-105 . Obtaining identifying information connected to reverse-location**  
 156 **information or reverse-keyword information -- Warrant required for disclosure --**  
 157 **Procedure.**

158 To obtain identifying information for an electronic device identified pursuant to a  
 159 warrant concerning reverse-location information or reverse-keyword information obtained  
 160 under Section 77-23f-102, 77-23f-103, or 77-23f-104, a law enforcement agency shall  
 161 establish in the sworn warrant application probable cause to believe that the electronic device  
 162 was used or otherwise implicated in a crime.

163 Section 6. Section **77-23f-106** is amended to read:

164 **77-23f-106 . Exceptions to reverse-location and reverse-keyword warrant**

165 **requirements.**

166 (1) Notwithstanding any other provision in this chapter, a law enforcement agency may  
167 obtain reverse-location information or reverse-keyword information without a warrant:

168 (a) in accordance with Section 53-10-104.5; or

169 (b) in accordance with a judicially recognized exception to warrant requirements.

170 (2) Nothing in this chapter:

171 (a) limits or affects the disclosure of public records under Title 63G, Chapter 2,  
172 Government Records Access and Management Act;

173 (b) affects the rights of an employer under Subsection 34-48-202(1)(e) or an  
174 administrative rule adopted under Section 63A-16-205; or

175 (c) limits the ability of a law enforcement agency to receive or use information, without  
176 a warrant or subpoena, from the National Center for Missing and Exploited Children  
177 under 18 U.S.C. Sec. 2258A.

178 Section 7. Section **77-23f-107** is amended to read:

179 **77-23f-107 . Use, disclosure, and destruction of reverse-location information or**  
180 **reverse-keyword information -- Anonymization.**

181 (1)(a) A law enforcement agency may not use, copy, or disclose, for any purpose,  
182 reverse-location information or reverse-keyword information obtained under a  
183 warrant under Section 77-23f-102, 77-23f-103, or 77-23f-104 that:

184 (i) is not related to the crime that is the subject of the warrant; and

185 (ii) is collected as part of an effort to obtain the reverse-location information or  
186 reverse-keyword information of an electronic device that is related to the crime  
187 that is the subject of the warrant obtained under Section 77-23f-102, 77-23f-103,  
188 or 77-23f-104.

189 (b) The law enforcement agency shall destroy in an unrecoverable manner the  
190 reverse-location information or reverse-keyword information described in Subsection  
191 (1)(a) as soon as reasonably possible after the criminal case is declined for  
192 prosecution or, if criminal charges are filed, the final disposition of the criminal case.

193 (2)(a) Reverse-location information obtained under Section 77-23f-102, 77-23f-103, or  
194 77-23f-104 may not be:

195 (i) compared with, merged with, linked to, or in any way electronically or otherwise  
196 connected to a source of electronic data, including a database or file, containing  
197 one or more points of data that includes the location information provided by an  
198 electronic device; or

199 (ii) used in any other criminal investigation or prosecution.  
200 (b) Subsection (2)(a)(i) does not apply if all the electronic data, including the  
201 reverse-location information, is obtained for the purpose of investigating the same  
202 criminal incident.

203 (3) A person or entity that provides reverse-location information or reverse-keyword  
204 information under this chapter shall ensure that the reverse-location information or  
205 reverse-keyword information is anonymized before the reverse-location information or  
206 reverse-keyword information is provided to a law enforcement agency.

207 Section 8. Section **77-23f-109** is amended to read:

208 **77-23f-109 . Exclusion of records.**

209 Reverse-location information, reverse-keyword information, or identifying information  
210 obtained in violation of the provisions of this chapter shall be subject to the rules governing  
211 exclusion as if the [~~records were~~] information was obtained in violation of the Fourth  
212 Amendment to the United States Constitution [~~and~~] or Utah Constitution, Article I, Section 14.

213 Section 9. **Effective Date.**

214 This bill takes effect on May 7, 2025.