

Sahara Hayes proposes the following substitute bill:

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Victim Privacy Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Sahara Hayes
Senate Sponsor:

LONG TITLE

General Description:

This bill allows a victim of a crime to have the victim's initials used instead of the victim's name in publicly available criminal justice documents.

Highlighted Provisions:

This bill:

- allows a victim of a crime to request to have the victim's initials used instead of the victim's name in publicly available criminal justice documents;
- requires a database of victim names that is searchable in response to a court order;
- provides that a database of victim names is a protected record under the Government Records Access and Management Act; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63G-2-305, as last amended by Laws of Utah 2024, Chapters 18, 101, 135, 267, 344, and 522

77-38-6, as last amended by Laws of Utah 2023, Chapters 16, 237 and 352

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

Section 1. Section **63G-2-305** is amended to read:

63G-2-305 . Protected records.

The following records are protected if properly classified by a governmental entity:

- 29 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
30 provided the governmental entity with the information specified in Section 63G-2-309;;
- 31 (2) commercial information or nonindividual financial information obtained from a person
32 if:
- 33 (a) disclosure of the information could reasonably be expected to result in unfair
34 competitive injury to the person submitting the information or would impair the
35 ability of the governmental entity to obtain necessary information in the future;
- 36 (b) the person submitting the information has a greater interest in prohibiting access than
37 the public in obtaining access; and
- 38 (c) the person submitting the information has provided the governmental entity with the
39 information specified in Section 63G-2-309;
- 40 (3) commercial or financial information acquired or prepared by a governmental entity to
41 the extent that disclosure would lead to financial speculations in currencies, securities, or
42 commodities that will interfere with a planned transaction by the governmental entity or
43 cause substantial financial injury to the governmental entity or state economy;
- 44 (4) records, the disclosure of which could cause commercial injury to, or confer a
45 competitive advantage upon a potential or actual competitor of, a commercial project
46 entity as defined in Subsection 11-13-103(4);
- 47 (5) test questions and answers to be used in future license, certification, registration,
48 employment, or academic examinations;
- 49 (6) records, the disclosure of which would impair governmental procurement proceedings
50 or give an unfair advantage to any person proposing to enter into a contract or agreement
51 with a governmental entity, except, subject to Subsections (1) and (2), that this
52 Subsection (6) does not restrict the right of a person to have access to, after the contract
53 or grant has been awarded and signed by all parties:
- 54 (a) a bid, proposal, application, or other information submitted to or by a governmental
55 entity in response to:
- 56 (i) an invitation for bids;
- 57 (ii) a request for proposals;
- 58 (iii) a request for quotes;
- 59 (iv) a grant; or
- 60 (v) other similar document; or
- 61 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 62 (7) information submitted to or by a governmental entity in response to a request for

- 63 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not
64 restrict the right of a person to have access to the information, after:
- 65 (a) a contract directly relating to the subject of the request for information has been
66 awarded and signed by all parties; or
- 67 (b)(i) a final determination is made not to enter into a contract that relates to the
68 subject of the request for information; and
- 69 (ii) at least two years have passed after the day on which the request for information
70 is issued;
- 71 (8) records that would identify real property or the appraisal or estimated value of real or
72 personal property, including intellectual property, under consideration for public
73 acquisition before any rights to the property are acquired unless:
- 74 (a) public interest in obtaining access to the information is greater than or equal to the
75 governmental entity's need to acquire the property on the best terms possible;
- 76 (b) the information has already been disclosed to persons not employed by or under a
77 duty of confidentiality to the entity;
- 78 (c) in the case of records that would identify property, potential sellers of the described
79 property have already learned of the governmental entity's plans to acquire the
80 property;
- 81 (d) in the case of records that would identify the appraisal or estimated value of
82 property, the potential sellers have already learned of the governmental entity's
83 estimated value of the property; or
- 84 (e) the property under consideration for public acquisition is a single family residence
85 and the governmental entity seeking to acquire the property has initiated negotiations
86 to acquire the property as required under Section 78B-6-505;
- 87 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
88 transaction of real or personal property including intellectual property, which, if
89 disclosed prior to completion of the transaction, would reveal the appraisal or estimated
90 value of the subject property, unless:
- 91 (a) the public interest in access is greater than or equal to the interests in restricting
92 access, including the governmental entity's interest in maximizing the financial
93 benefit of the transaction; or
- 94 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
95 the value of the subject property have already been disclosed to persons not
96 employed by or under a duty of confidentiality to the entity;

- 97 (10) records created or maintained for civil, criminal, or administrative enforcement
98 purposes or audit purposes, or for discipline, licensing, certification, or registration
99 purposes, if release of the records:
- 100 (a) reasonably could be expected to interfere with investigations undertaken for
101 enforcement, discipline, licensing, certification, or registration purposes;
- 102 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
103 proceedings;
- 104 (c) would create a danger of depriving a person of a right to a fair trial or impartial
105 hearing;
- 106 (d) reasonably could be expected to disclose the identity of a source who is not generally
107 known outside of government and, in the case of a record compiled in the course of
108 an investigation, disclose information furnished by a source not generally known
109 outside of government if disclosure would compromise the source; or
- 110 (e) reasonably could be expected to disclose investigative or audit techniques,
111 procedures, policies, or orders not generally known outside of government if
112 disclosure would interfere with enforcement or audit efforts;
- 113 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 114 (12) records the disclosure of which would jeopardize the security of governmental
115 property, governmental programs, or governmental recordkeeping systems from
116 damage, theft, or other appropriation or use contrary to law or public policy;
- 117 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
118 facility, or records relating to incarceration, treatment, probation, or parole, that would
119 interfere with the control and supervision of an offender's incarceration, treatment,
120 probation, or parole;
- 121 (14) records that, if disclosed, would reveal recommendations made to the Board of
122 Pardons and Parole by an employee of or contractor for the Department of Corrections,
123 the Board of Pardons and Parole, or the Department of Health and Human Services that
124 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
125 person within the board's jurisdiction;
- 126 (15) records and audit workpapers that identify audit, collection, and operational procedures
127 and methods used by the State Tax Commission, if disclosure would interfere with
128 audits or collections;
- 129 (16) records of a governmental audit agency relating to an ongoing or planned audit until
130 the final audit is released;

- 131 (17) records that are subject to the attorney client privilege;
- 132 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
133 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
134 judicial, quasi-judicial, or administrative proceeding;
- 135 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
136 from a member of the Legislature; and
- 137 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
138 legislative action or policy may not be classified as protected under this section;
139 and
- 140 (b)(i) an internal communication that is part of the deliberative process in connection
141 with the preparation of legislation between:
- 142 (A) members of a legislative body;
- 143 (B) a member of a legislative body and a member of the legislative body's staff; or
144 (C) members of a legislative body's staff; and
- 145 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
146 legislative action or policy may not be classified as protected under this section;
- 147 (20)(a) records in the custody or control of the Office of Legislative Research and
148 General Counsel, that, if disclosed, would reveal a particular legislator's
149 contemplated legislation or contemplated course of action before the legislator has
150 elected to support the legislation or course of action, or made the legislation or course
151 of action public; and
- 152 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
153 Office of Legislative Research and General Counsel is a public document unless a
154 legislator asks that the records requesting the legislation be maintained as protected
155 records until such time as the legislator elects to make the legislation or course of
156 action public;
- 157 (21) a research request from a legislator to a legislative staff member and research findings
158 prepared in response to the request;
- 159 (22) drafts, unless otherwise classified as public;
- 160 (23) records concerning a governmental entity's strategy about:
- 161 (a) collective bargaining; or
162 (b) imminent or pending litigation;
- 163 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
164 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the

- 165 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 166 (25) records, other than personnel evaluations, that contain a personal recommendation
167 concerning an individual if disclosure would constitute a clearly unwarranted invasion
168 of personal privacy, or disclosure is not in the public interest;
- 169 (26) records that reveal the location of historic, prehistoric, paleontological, or biological
170 resources that if known would jeopardize the security of those resources or of valuable
171 historic, scientific, educational, or cultural information;
- 172 (27) records of independent state agencies if the disclosure of the records would conflict
173 with the fiduciary obligations of the agency;
- 174 (28) records of an institution within the state system of higher education defined in Section
175 53B-1-102 regarding tenure evaluations, appointments, applications for admissions,
176 retention decisions, and promotions, which could be properly discussed in a meeting
177 closed in accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided
178 that records of the final decisions about tenure, appointments, retention, promotions, or
179 those students admitted, may not be classified as protected under this section;
- 180 (29) records of the governor's office, including budget recommendations, legislative
181 proposals, and policy statements, that if disclosed would reveal the governor's
182 contemplated policies or contemplated courses of action before the governor has
183 implemented or rejected those policies or courses of action or made them public;
- 184 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
185 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
186 recommendations in these areas;
- 187 (31) records provided by the United States or by a government entity outside the state that
188 are given to the governmental entity with a requirement that they be managed as
189 protected records if the providing entity certifies that the record would not be subject to
190 public disclosure if retained by it;
- 191 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
192 public body except as provided in Section 52-4-206;
- 193 (33) records that would reveal the contents of settlement negotiations but not including final
194 settlements or empirical data to the extent that they are not otherwise exempt from
195 disclosure;
- 196 (34) memoranda prepared by staff and used in the decision-making process by an
197 administrative law judge, a member of the Board of Pardons and Parole, or a member of
198 any other body charged by law with performing a quasi-judicial function;

- 199 (35) records that would reveal negotiations regarding assistance or incentives offered by or
200 requested from a governmental entity for the purpose of encouraging a person to expand
201 or locate a business in Utah, but only if disclosure would result in actual economic harm
202 to the person or place the governmental entity at a competitive disadvantage, but this
203 section may not be used to restrict access to a record evidencing a final contract;
- 204 (36) materials to which access must be limited for purposes of securing or maintaining the
205 governmental entity's proprietary protection of intellectual property rights including
206 patents, copyrights, and trade secrets;
- 207 (37) the name of a donor or a prospective donor to a governmental entity, including an
208 institution within the state system of higher education defined in Section 53B-1-102, and
209 other information concerning the donation that could reasonably be expected to reveal
210 the identity of the donor, provided that:
- 211 (a) the donor requests anonymity in writing;
- 212 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
213 classified protected by the governmental entity under this Subsection (37); and
- 214 (c) except for an institution within the state system of higher education defined in
215 Section 53B-1-102, the governmental unit to which the donation is made is primarily
216 engaged in educational, charitable, or artistic endeavors, and has no regulatory or
217 legislative authority over the donor, a member of the donor's immediate family, or
218 any entity owned or controlled by the donor or the donor's immediate family;
- 219 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 220 (39) a notification of workers' compensation insurance coverage described in Section
221 34A-2-205;
- 222 (40)(a) the following records of an institution within the state system of higher education
223 defined in Section 53B-1-102, which have been developed, discovered, disclosed to,
224 or received by or on behalf of faculty, staff, employees, or students of the institution:
- 225 (i) unpublished lecture notes;
- 226 (ii) unpublished notes, data, and information:
- 227 (A) relating to research; and
- 228 (B) of:
- 229 (I) the institution within the state system of higher education defined in Section
230 53B-1-102; or
- 231 (II) a sponsor of sponsored research;
- 232 (iii) unpublished manuscripts;

- 233 (iv) creative works in process;
- 234 (v) scholarly correspondence; and
- 235 (vi) confidential information contained in research proposals;
- 236 (b) Subsection (40)(a) may not be construed to prohibit disclosure of public information
237 required pursuant to Subsection 53B-16-302(2)(a) or (b); and
- 238 (c) Subsection (40)(a) may not be construed to affect the ownership of a record;
- 239 (41)(a) records in the custody or control of the Office of the Legislative Auditor General
240 that would reveal the name of a particular legislator who requests a legislative audit
241 prior to the date that audit is completed and made public; and
- 242 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
243 Office of the Legislative Auditor General is a public document unless the legislator
244 asks that the records in the custody or control of the Office of the Legislative Auditor
245 General that would reveal the name of a particular legislator who requests a
246 legislative audit be maintained as protected records until the audit is completed and
247 made public;
- 248 (42) records that provide detail as to the location of an explosive, including a map or other
249 document that indicates the location of:
- 250 (a) a production facility; or
- 251 (b) a magazine;
- 252 (43) information contained in the statewide database of the Division of Aging and Adult
253 Services created by Section 26B-6-210;
- 254 (44) information contained in the Licensing Information System described in Title 80,
255 Chapter 2, Child Welfare Services;
- 256 (45) information regarding National Guard operations or activities in support of the
257 National Guard's federal mission;
- 258 (46) records provided by any pawn or secondhand business to a law enforcement agency or
259 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
260 Merchandise, and Catalytic Converter Transaction Information Act;
- 261 (47) information regarding food security, risk, and vulnerability assessments performed by
262 the Department of Agriculture and Food;
- 263 (48) except to the extent that the record is exempt from this chapter pursuant to Section
264 63G-2-106, records related to an emergency plan or program, a copy of which is
265 provided to or prepared or maintained by the Division of Emergency Management, and
266 the disclosure of which would jeopardize:

- 267 (a) the safety of the general public; or
268 (b) the security of:
269 (i) governmental property;
270 (ii) governmental programs; or
271 (iii) the property of a private person who provides the Division of Emergency
272 Management information;
- 273 (49) records of the Department of Agriculture and Food that provides for the identification,
274 tracing, or control of livestock diseases, including any program established under Title
275 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
276 of Animal Disease;
- 277 (50) as provided in Section 26B-2-709:
278 (a) information or records held by the Department of Health and Human Services related
279 to a complaint regarding a provider, program, or facility which the department is
280 unable to substantiate; and
281 (b) information or records related to a complaint received by the Department of Health
282 and Human Services from an anonymous complainant regarding a provider, program,
283 or facility;
- 284 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided
285 under Section 41-1a-116, an individual's home address, home telephone number, or
286 personal mobile phone number, if:
287 (a) the individual is required to provide the information in order to comply with a law,
288 ordinance, rule, or order of a government entity; and
289 (b) the subject of the record has a reasonable expectation that this information will be
290 kept confidential due to:
291 (i) the nature of the law, ordinance, rule, or order; and
292 (ii) the individual complying with the law, ordinance, rule, or order;
- 293 (52) the portion of the following documents that contains a candidate's residential or
294 mailing address, if the candidate provides to the filing officer another address or phone
295 number where the candidate may be contacted:
296 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
297 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405,
298 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;
299 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or
300 (c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;

- 301 (53) the name, home address, work addresses, and telephone numbers of an individual that
302 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 303 (a) conducted within the state system of higher education, as defined in Section
304 53B-1-102; and
- 305 (b) conducted using animals;
- 306 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
307 Evaluation Commission concerning an individual commissioner's vote, in relation to
308 whether a judge meets or exceeds minimum performance standards under Subsection
309 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 310 (55) information collected and a report prepared by the Judicial Performance Evaluation
311 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
312 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
313 public, the information or report;
- 314 (56) records provided or received by the Public Lands Policy Coordinating Office in
315 furtherance of any contract or other agreement made in accordance with Section
316 63L-11-202;
- 317 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 318 (58) in accordance with Section 73-10-33:
- 319 (a) a management plan for a water conveyance facility in the possession of the Division
320 of Water Resources or the Board of Water Resources; or
- 321 (b) an outline of an emergency response plan in possession of the state or a county or
322 municipality;
- 323 (59) the following records in the custody or control of the Office of Inspector General of
324 Medicaid Services, created in Section 63A-13-201:
- 325 (a) records that would disclose information relating to allegations of personal
326 misconduct, gross mismanagement, or illegal activity of a person if the information
327 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
328 Services through other documents or evidence, and the records relating to the
329 allegation are not relied upon by the Office of Inspector General of Medicaid
330 Services in preparing a final investigation report or final audit report;
- 331 (b) records and audit workpapers to the extent they would disclose the identity of a
332 person who, during the course of an investigation or audit, communicated the
333 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
334 violation of a law, rule, or regulation adopted under the laws of this state, a political

- 335 subdivision of the state, or any recognized entity of the United States, if the
336 information was disclosed on the condition that the identity of the person be
337 protected;
- 338 (c) before the time that an investigation or audit is completed and the final investigation
339 or final audit report is released, records or drafts circulated to a person who is not an
340 employee or head of a governmental entity for the person's response or information;
- 341 (d) records that would disclose an outline or part of any investigation, audit survey plan,
342 or audit program; or
- 343 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
344 investigation or audit;
- 345 (60) records that reveal methods used by the Office of Inspector General of Medicaid
346 Services, the fraud unit, or the Department of Health and Human Services, to discover
347 Medicaid fraud, waste, or abuse;
- 348 (61) information provided to the Department of Health and Human Services or the Division
349 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
350 58-68-304(3) and (4);
- 351 (62) a record described in Section 63G-12-210;
- 352 (63) captured plate data that is obtained through an automatic license plate reader system
353 used by a governmental entity as authorized in Section 41-6a-2003;
- 354 (64) an audio or video recording created by a body-worn camera, as that term is defined in
355 Section 77-7a-103, that records sound or images inside a hospital or health care facility
356 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
357 as that term is defined in Section 78B-3-403, or inside a human service program as that
358 term is defined in Section 26B-2-101, except for recordings that:
- 359 (a) depict the commission of an alleged crime;
- 360 (b) record any encounter between a law enforcement officer and a person that results in
361 death or bodily injury, or includes an instance when an officer fires a weapon;
- 362 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
363 law enforcement officer or law enforcement agency;
- 364 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);
365 or
- 366 (e) have been requested for reclassification as a public record by a subject or authorized
367 agent of a subject featured in the recording;
- 368 (65) a record pertaining to the search process for a president of an institution of higher

- 369 education described in Section 53B-2-102, except for application materials for a publicly
370 announced finalist;
- 371 (66) an audio recording that is:
- 372 (a) produced by an audio recording device that is used in conjunction with a device or
373 piece of equipment designed or intended for resuscitating an individual or for treating
374 an individual with a life-threatening condition;
- 375 (b) produced during an emergency event when an individual employed to provide law
376 enforcement, fire protection, paramedic, emergency medical, or other first responder
377 service:
- 378 (i) is responding to an individual needing resuscitation or with a life-threatening
379 condition; and
- 380 (ii) uses a device or piece of equipment designed or intended for resuscitating an
381 individual or for treating an individual with a life-threatening condition; and
- 382 (c) intended and used for purposes of training emergency responders how to improve
383 their response to an emergency situation;
- 384 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
385 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
386 Audit Subcommittee, established under Section 36-12-8, for an employment position
387 with the Legislature;
- 388 (68) work papers as defined in Section 31A-2-204;
- 389 (69) a record made available to Adult Protective Services or a law enforcement agency
390 under Section 61-1-206;
- 391 (70) a record submitted to the Insurance Department in accordance with Section
392 31A-37-201;
- 393 (71) a record described in Section 31A-37-503;
- 394 (72) any record created by the Division of Professional Licensing as a result of Subsection
395 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 396 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
397 involving an amusement ride;
- 398 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
399 political petition, or on a request to withdraw a signature from a political petition,
400 including a petition or request described in the following titles:
- 401 (a) Title 10, Utah Municipal Code;
- 402 (b) Title 17, Counties;

- 403 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
404 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
405 (e) Title 20A, Election Code;
- 406 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
407 voter registration record;
- 408 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
409 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
410 political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- 411 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
412 Victims Guidelines for Prosecutors Act;
- 413 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 414 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
415 prohibited under Section 63G-26-103;
- 416 (80) an image taken of an individual during the process of booking the individual into jail,
417 unless:
- 418 (a) the individual is convicted of a criminal offense based upon the conduct for which
419 the individual was incarcerated at the time the image was taken;
- 420 (b) a law enforcement agency releases or disseminates the image:
- 421 (i) after determining that the individual is a fugitive or an imminent threat to an
422 individual or to public safety and releasing or disseminating the image will assist
423 in apprehending the individual or reducing or eliminating the threat; or
- 424 (ii) to a potential witness or other individual with direct knowledge of events relevant
425 to a criminal investigation or criminal proceeding for the purpose of identifying or
426 locating an individual in connection with the criminal investigation or criminal
427 proceeding;
- 428 (c) a judge orders the release or dissemination of the image based on a finding that the
429 release or dissemination is in furtherance of a legitimate law enforcement interest; or
- 430 (d) the image is displayed to a person who is permitted to view the image under Section
431 17-22-30.
- 432 (81) a record:
- 433 (a) concerning an interstate claim to the use of waters in the Colorado River system;
- 434 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
435 representative from another state or the federal government as provided in Section
436 63M-14-205; and

- 437 (c) the disclosure of which would:
- 438 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
- 439 Colorado River system;
- 440 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to
- 441 negotiate the best terms and conditions regarding the use of water in the Colorado
- 442 River system; or
- 443 (iii) give an advantage to another state or to the federal government in negotiations
- 444 regarding the use of water in the Colorado River system;
- 445 (82) any part of an application described in Section 63N-16-201 that the Governor's Office
- 446 of Economic Opportunity determines is nonpublic, confidential information that if
- 447 disclosed would result in actual economic harm to the applicant, but this Subsection (82)
- 448 may not be used to restrict access to a record evidencing a final contract or approval
- 449 decision;
- 450 (83) the following records of a drinking water or wastewater facility:
- 451 (a) an engineering or architectural drawing of the drinking water or wastewater facility;
- 452 and
- 453 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the
- 454 drinking water or wastewater facility uses to secure, or prohibit access to, the records
- 455 described in Subsection (83)(a);
- 456 (84) a statement that an employee of a governmental entity provides to the governmental
- 457 entity as part of the governmental entity's personnel or administrative investigation into
- 458 potential misconduct involving the employee if the governmental entity:
- 459 (a) requires the statement under threat of employment disciplinary action, including
- 460 possible termination of employment, for the employee's refusal to provide the
- 461 statement; and
- 462 (b) provides the employee assurance that the statement cannot be used against the
- 463 employee in any criminal proceeding;
- 464 (85) any part of an application for a Utah Fits All Scholarship account described in Section
- 465 53F-6-402 or other information identifying a scholarship student as defined in Section
- 466 53F-6-401;
- 467 (86) a record:
- 468 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 469 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
- 470 person concerning the claim, including a representative from another state or the

- 471 federal government; and
- 472 (c) the disclosure of which would:
- 473 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
- 474 Great Salt Lake;
- 475 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
- 476 and conditions regarding the use of water in the Great Salt Lake; or
- 477 (iii) give an advantage to another person including another state or to the federal
- 478 government in negotiations regarding the use of water in the Great Salt Lake; ~~and~~
- 479 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
- 480 reclassified as public as described in Subsection 13-2-11(4)~~[-]~~ ;
- 481 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 482 (a) concerning a claim to the use of waters;
- 483 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
- 484 representative from another state, a tribe, the federal government, or other
- 485 government entity as provided in Title 73, Chapter 10g, Part 6, Utah Water Agent;
- 486 and
- 487 (c) the disclosure of which would:
- 488 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 489 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
- 490 regarding the use of water; or
- 491 (iii) give an advantage to another state, a tribe, the federal government, or other
- 492 government entity in negotiations regarding the use of water~~[-]~~ ; and
- 493 (89) a record in a database under Subsection 77-38-6(3)(c).

494 Section 2. Section **77-38-6** is amended to read:

495 **77-38-6 . Victim's right to privacy -- Option to use victim's initials in publicly**

496 **available criminal justice documents.**

- 497 (1)(a) The victim of a crime has the right, at any court proceeding, including any
- 498 juvenile court proceeding, not to testify regarding the victim's address, telephone
- 499 number, place of employment, or other locating information unless the victim
- 500 specifically consents or the court orders disclosure on finding that a compelling need
- 501 exists to disclose the information.
- 502 (b) A court proceeding on whether to order disclosure shall be in camera.
- 503 (2)(a) A defendant may not compel any witness to a crime, at any court proceeding,
- 504 including any juvenile court proceeding, to testify regarding the witness's address,

505 telephone number, place of employment, or other locating information unless the
506 witness specifically consents or the court orders disclosure on finding that a
507 compelling need for the information exists.

508 (b) A court proceeding on whether to order disclosure shall be in camera.

509 (3)(a) For an offense occurring on or after July 1, 2025, a victim of a criminal offense
510 may request to have the victim's initials rather than the victim's name used in
511 charging documents and any other publicly available filing or document related to the
512 criminal justice process that is created by a prosecuting agency, the Utah State
513 Courts, a law enforcement agency, the Division of Juvenile Justice and Youth
514 Services, the Department of Corrections, the Youth Parole Authority, the Board of
515 Pardons and Parole, or a related entity.

516 (b)(i) For purposes of Subsection (3)(a), a filing or document is publicly available if
517 the filing or document is:

518 (A) available to, and accessible by, the general public; or

519 (B) only available if a member of the public requests the filing or document, even
520 if the member of the public is required to pay a fee to access the filing or
521 document.

522 (ii) A filing or document is not considered publicly available for purposes of
523 Subsection (3)(a) if the filing or document is made available only to certain parties
524 connected to the proceeding, even if a fee is charged to obtain the filing or
525 document.

526 (c) An entity described in Subsection (3)(a) shall maintain a list or database of victim
527 names for which the victim's initials have been used so that the name of a victim can
528 be searched and identified in response to a court order.

529 Section 3. **Effective Date.**

530 This bill takes effect on May 7, 2025.