

Ann Millner proposes the following substitute bill:

Workforce Development
2026 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Karen M. Peterson

LONG TITLE

General Description:

This bill establishes a statewide youth apprenticeship governance council and authorizes participation in the federal Workforce Pell Grant program.

Highlighted Provisions:

This bill:

- modifies definitions;
- authorizes the governor to delegate approval authority for eligible workforce programs to the Utah Board of Higher Education;
- authorizes the Department of Workforce Services to provide wage record data to the Utah Board of Higher Education;
- authorizes the Utah Board of Higher Education to enter into interstate agreements;
- provides governmental immunity;
- classifies certain student data as protected records;
- establishes the Statewide Youth Apprenticeship Governance Council to coordinate youth apprenticeship programs across state agencies and education providers; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53E-10-310, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

53H-1-403, as enacted by Laws of Utah 2025, First Special Session, Chapter 8

53H-15-101, as renumbered and amended by Laws of Utah 2025, First Special Session,

29 Chapter 8

30 **63G-2-305**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

31 ENACTS:

32 **53H-11-416**, Utah Code Annotated 1953

33 **53H-13-312**, Utah Code Annotated 1953

34 **53H-15-306**, Utah Code Annotated 1953

35 REPEALS AND REENACTS:

36 **53H-15-305**, as renumbered and amended by Laws of Utah 2025, First Special Session,

37 Chapter 8

38

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

40 Section 1. Section **53E-10-310** is amended to read:

41 **53E-10-310 . Utah first credential program.**

42 (1) As used in this section:

43 (a) "Eligible institution" means an institution of higher education as defined in Section
44 53H-1-101.

45 (b) "First credential" means a certificate awarded by the state board to an eligible student
46 who meets the criteria described in Subsection (7).

47 (c)(i) "Industry-recognized credential" means a credential that is:

48 (A) developed and offered by, or endorsed by, a nationally recognized industry
49 association or organization representing a sizable portion of the industry sector;

50 (B) sought or accepted by employers within the industry or sector as a recognized,
51 preferred, or required credential for recruitment, screening, hiring, retention, or
52 advancement purposes; and

53 (C) regularly reviewed, updated, and validated by the issuing body to ensure
54 ongoing alignment with industry standards and labor market needs.

55 (ii) "Industry-recognized credential" may also include a credential offered through a
56 catalyst center as described in Section 53E-3-507.1.

57 (d) "Master credential list" means the list of [~~approved industry-recognized~~]credentials
58 that meets the first credential certificate requirements described in Subsection (7) and
59 is maintained by the state board in accordance with this section.

60 (e) "Program" means the first credential program described in this section.

61 (f) "Technical college" means the same as that term is defined in Section 53H-1-101.

62 (2) The commissioner of higher education, the state superintendent of public instruction,

- 63 and the governor's education advisor shall establish the First Credential Oversight
64 Committee comprised of:
- 65 (a) representatives from industries, including:
- 66 (i) members of professional associations or trade groups; and
67 (ii) employers from high-demand sectors as the state board determines in
68 collaboration with the Utah Board of Higher Education and the Department of
69 Workforce Services;
- 70 (b) representatives from education including:
- 71 (i) members from the state board;
72 (ii) the director of the Catalyst Center Grant Program described in Section
73 53E-3-507.1;
74 (iii) LEA administrators, such as a superintendent or charter school director;
75 (iv) professionals from institutions of higher education, including technical colleges;
76 (v) career and technical education specialists; and
77 (vi) Talent Ready Utah; and
- 78 (c) workforce development experts, including representatives from the Department of
79 Workforce Services.
- 80 (3) The state board shall staff the First Credential Oversight Committee.
- 81 (4) The First Credential Oversight Committee shall develop a first credential master plan,
82 which shall include:
- 83 (a) a framework for developing and maintaining the master credential list;
84 (b) a comprehensive needs assessment framework that evaluates:
- 85 (i) resources available through institutions of higher education, including:
- 86 (A) faculty expertise and availability;
87 (B) facilities and equipment;
88 (C) existing certification programs; and
89 (D) potential for program expansion;
- 90 (ii) industry partnership opportunities, including:
- 91 (A) geographical proximity to potential partners;
92 (B) willingness of local industries to participate;
93 (C) capacity for work-based learning placements; and
94 (D) alignment between industry needs and educational capabilities; and
- 95 (iii) general resource availability, including:
- 96 (A) current funding streams and potential funding sources;

- 97 (B) existing technology infrastructure;
- 98 (C) qualified personnel and staffing needs; and
- 99 (D) professional development requirements;
- 100 (c) credential approval processes;
- 101 (d) methods for ensuring industry demand alignment;
- 102 (e) wage considerations for occupations associated with approved credentials;
- 103 (f) clear definitions of industry-recognized credentials;
- 104 (g) strategies for promoting stackability and sequencing of credentials;
- 105 (h) approaches to ensure regional relevance of credentials;
- 106 (i) mechanisms for collaboration between educational institutions, industry partners, and
- 107 workforce development agencies;
- 108 (j) strategies for continuous evaluation and improvement of the program;
- 109 (k) the creation of a credentials review committee, including membership and duties;
- 110 (l) in accordance with Subsection (17), an established framework of planning,
- 111 implementation, and student outcome performance funding for an LEA administering
- 112 first credential programming;
- 113 (m) a weighted system for the master credential list that:
- 114 (i) assigns higher values to credentials based on:
- 115 (A) alignment with high-demand, high-wage occupations;
- 116 (B) incorporation of multiple learning pathways, including coursework,
- 117 apprenticeships, internships, work-based learning, and related service
- 118 opportunities;
- 119 (C) industry recognition and portability; and
- 120 (D) stackability with other credentials or degrees; and
- 121 (ii) uses the weighted values to:
- 122 (A) determine incentive funding levels;
- 123 (B) prioritize program expansion support; and
- 124 (C) guide student career planning; and
- 125 (n) guidelines for LEAs to procure industry-recognized certification program licenses,
- 126 including:
- 127 (i) verification that certifications appear on the master credential list;
- 128 (ii) requirement for competency-based assessments in proctored environments;
- 129 (iii) documentation of local industry endorsement; and
- 130 (iv) alignment with state and federal computer science initiatives where applicable,

- 131 including the Computer Science for Utah Grant Program described in Section
132 53H-13-306.
- 133 (5) In accordance with the Utah First Credential Master Plan, the state board shall:
- 134 (a) ensure that the credentials review committee membership reflects a balance of
135 perspectives and expertise;
- 136 (b) develop an online application and submission system for credentialing organizations
137 and providers to submit programs for inclusion in the master credential list;
- 138 (c) establish and maintain the master credential list based on the recommendations of the
139 credentials review committee;
- 140 (d) develop clear mechanisms for students to understand how earning one credential can
141 lead to higher-level certifications or degrees; and
- 142 (e) foster partnerships between high schools, technical colleges, employers, and
143 apprenticeship programs to ensure students have access to meaningful work-based
144 learning opportunities.
- 145 (6) The state board shall:
- 146 (a) automatically include on the initial master credential list any existing credential that:
147 (i) meets the definition of industry-recognized credential under this section; and
148 (ii) is currently recognized by the state board or Utah Board of Higher Education as
149 of July 1, 2024; and
- 150 (b) review all automatically included credentials within one year to ensure ongoing
151 compliance with program requirements.
- 152 (7) The state board shall award a first credential certificate to an eligible student who
153 completes one of the following:
- 154 (a) concurrent enrollment courses, composed of:
- 155 (i) between 12 and 18 core general education credits, or as industry standards dictate,
156 with courses from different general education categories; or
- 157 (ii) a prescribed set of courses as the Utah Board of Higher Education designates;
- 158 (b) an industry-recognized credential included on the master credential list;
- 159 (c) 300 hours of completion through a youth apprenticeship program that:
- 160 (i) is described in Sections 35A-6-102 and 35A-6-104.5; and
161 (ii) includes courses that fulfill the requirements for an industry-recognized credential
162 included on the master credential list;
- 163 (d) completion of a technical college certificate; or
164 (e) completion of a Career and Technical Education Pathway program.

- 165 (8) The Utah Board of Higher Education shall ensure that credits earned for a first
166 credential certificate are:
- 167 (a) accepted and transferable to institutions of higher education, including technical
168 colleges;
- 169 (b) applicable towards relevant degree programs; and
- 170 (c) recognized by relevant industries as adequate preparation for employment.
- 171 (9) Subject to legislative appropriations, the Utah Board of Higher Education shall award a
172 first credential scholarship to each student who earns a first credential certificate.
- 173 (10) The first credential scholarship may be used at the following institutions:
- 174 (a) an institution of higher education as defined in Section 53H-1-101; or
- 175 (b) a private, nonprofit college or university in the state that is accredited by the
176 Northwest Commission on Colleges and Universities.
- 177 (11) The Utah Board of Higher Education shall annually determine the first credential
178 scholarship amount based on:
- 179 (a) the number of eligible students; and
- 180 (b) appropriations made by the Legislature.
- 181 (12) A student may use the first credential scholarship for:
- 182 (a) tuition and fees;
- 183 (b) books and supplies; or
- 184 (c) other educational expenses as the Utah Board of Higher Education determines.
- 185 (13) The Utah Board of Higher Education shall ensure the scholarship is valid for use
186 within three years from the date the student graduates from high school.
- 187 (14) A student may earn the first credential scholarship in addition to any other
188 state-sponsored scholarships for which the student may be eligible.
- 189 (15) The first credential oversight committee shall present the master plan described in
190 Subsection (4) to the Education Interim Committee by the November 2025 interim
191 committee meeting.
- 192 (16) Every three years, the First Credential Oversight Committee shall:
- 193 (a) review the Utah First Credential Master Plan;
- 194 (b) as needed, create a list of recommendations and update the Utah First Credential
195 Master Plan;
- 196 (c) report the list of recommendations and the updated Utah First Credential Master Plan
197 to:
- 198 (i) the state board;

- 199 (ii) the Utah Board of Higher Education;
- 200 (iii) the Department of Workforce Services;
- 201 (iv) the Education Interim Committee; and
- 202 (v) the Economic Development and Workforce Services Interim Committee.
- 203 (17)(a) The state board shall administer a first credential grant program for an LEA and
- 204 award a grant in accordance with the following process.
- 205 (b) The First Credential Oversight Committee shall establish:
- 206 (i) a needs assessment tool that evaluates:
- 207 (A) an LEA's current first credential offering;
- 208 (B) an LEA's capacity to develop or expand a first credential pathway;
- 209 (C) resources and support needed for a first credential program, including
- 210 resources available through institutions of higher education, industry
- 211 partnership opportunities, and general resource availability; and
- 212 (D) each potential barrier to implementation; and
- 213 (ii) a continuum of need to place each applying LEA.
- 214 (c) An LEA seeking a first credential grant shall submit to the First Credential Oversight
- 215 Committee:
- 216 (i) a completed needs assessment; and
- 217 (ii) a grant application that contains:
- 218 (A) current first credential data, including current credentials offered;
- 219 (B) preliminary goals for creating or expanding first credential opportunities
- 220 within the LEA; and
- 221 (C) if applicable, plans for procurement of industry certification program licenses,
- 222 including certification details and alignment with master credential list,
- 223 documentation of employer endorsements, assessment and proctoring
- 224 procedures, and integration with existing computer science programs.
- 225 (d) The First Credential Oversight Committee shall:
- 226 (i) review each submitted application and needs assessment;
- 227 (ii) assign the LEA a placement on the continuum of need; and
- 228 (iii) provide to the LEA a specific requirement for an implementation plan based on:
- 229 (A) the LEA's continuum placement;
- 230 (B) each identified area for growth;
- 231 (C) each available resource; and
- 232 (D) each additional factor the First Credential Oversight Committee determines

- 233 relevant.
- 234 (e) An LEA shall submit to the First Credential Oversight Committee an implementation
235 plan that includes:
- 236 (i) specific goals for expanding a first credential opportunity;
- 237 (ii) each implementation step and timeline;
- 238 (iii) a detailed cost projection; and
- 239 (iv) each additional element the committee requires based on the needs assessment
240 results.
- 241 (f) The First Credential Oversight Committee shall:
- 242 (i) review the implementation plan;
- 243 (ii) direct technical assistance to the LEA in accordance with the LEA's
244 implementation plan;
- 245 (iii) provide feedback to the LEA to improve the implementation plan;
- 246 (iv) approve each implementation plan that meets the established criteria; and
- 247 (v) award an implementation grant for each approved plan.
- 248 (g) Subject to legislative appropriations, the state board shall:
- 249 (i) award an incentive grant to an LEA that:
- 250 (A) has implemented an approved plan;
- 251 (B) increases the number of students who earn a first credential certificate; and
- 252 (C) achieves each established implementation goal; and
- 253 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
254 and in collaboration with the First Credential Oversight Committee, establish by
255 rule:
- 256 (A) tiers for incentive grant awards;
- 257 (B) performance metrics for continued funding;
- 258 (C) reporting requirements for a grant recipient;
- 259 (D) requirements for reporting certification program outcomes and industry
260 alignment;
- 261 (E) procedures for coordinating with computer science initiative grants; and
- 262 (F) guidelines for certification program procurement and implementation.
- 263 (18) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in
264 collaboration with the Utah Board of Higher Education and the Department of
265 Workforce Services, the state board shall make rules to implement the provisions of this
266 section.

- 267 Section 2. Section **53H-1-403** is amended to read:
- 268 **53H-1-403 . Other required reports to the Legislature or state level entities.**
- 269 (1) The following entities shall submit reports to the Education Interim Committee as
- 270 described in each referenced section:
- 271 (a) the board shall submit:
- 272 (i) an annual report regarding the board's activities and performance against the
- 273 board's goals and metrics as described in Section 53H-1-203;
- 274 (ii) an annual report detailing the board's progress and recommendations on
- 275 workforce related issues as described in Section 53H-1-203;
- 276 (iii) a report regarding an institution compensating a student athlete for the use of the
- 277 student athlete's name, image, or likeness as described in Section 53H-6-202;
- 278 (iv) an annual report regarding the talent advisory councils as described in Section
- 279 53H-13-309;
- 280 (b) the Office of Legislative Research and General Counsel shall provide a summary
- 281 regarding the data collected from campus expression climate surveys as described in
- 282 Section 53H-1-504;
- 283 (c) the Utah Education and Telehealth Network shall provide an annual report as
- 284 described in Section 53H-4-213.7;
- 285 (d) an institution with and without housing facilities shall provide an annual report
- 286 regarding crime statistics as described in Section 53H-7-603;
- 287 (e) the Center for Civic Excellence at Utah State University shall provide a report before
- 288 July 1, 2029, regarding implementation as described in Section 53H-4-307.6;
- 289 (f) the Rocky Mountain Center for Occupational and Environmental Health Advisory
- 290 Board shall provide by July 1 each year a report as described in Section 53H-5-205;
- 291 (g) the Utah Data Research Center shall provide an annual report as described in Section
- 292 53H-15-303 and 53H-15-306;
- 293 (h) the Higher Education and Corrections Council shall provide an annual report as
- 294 described in Section 53H-1-604; [~~and~~]
- 295 (i) the youth apprenticeship council shall provide the written report as described in
- 296 Section 53H-13-312; and
- 297 [~~(i)~~] (j) the commissioner shall provide, in collaboration with the entities described in
- 298 Subsection 53H-13-405(1), an annual report regarding the cooperative education
- 299 program as described in Section 53H-13-407.
- 300 (2) The following entities shall submit reports to the Executive Appropriations Committee

- 301 as described in each referenced section:
- 302 (a) the board shall submit:
- 303 (i) in the September 2025 meeting, a report regarding institutions' strategic
- 304 reinvestment plans as described in Section 53H-8-210; and
- 305 (ii) in the September 2026 and 2027 meetings, a report regarding the progress of
- 306 institutions in executing the institutions' strategic reinvestment plan as described
- 307 in Section 53H-8-210; and
- 308 (b) the Nucleus Institute shall provide an annual report as described in Section
- 309 53H-16-406.
- 310 (3) The following entities shall submit reports to the Natural Resources, Agriculture, and
- 311 Environment Interim Committee as described in each referenced section:
- 312 (a) the Utah State University Bingham Entrepreneurship and Energy Research Center
- 313 shall annually report as described in Section 53H-4-316; and
- 314 (b) the Utah State University Food Security Council shall prepare and submit an annual
- 315 written report as described in Section 53H-4-313.
- 316 (4) The following entities shall submit reports to the Economic Development and
- 317 Workforce Services Interim Committee as described in each referenced section:
- 318 (a) the commissioner shall provide, in collaboration with the entities described in
- 319 Subsection 53H-13-405(1), an annual report regarding the cooperative education
- 320 program as described in Section 53H-13-407;
- 321 (b) Utah State University shall provide a report every three years regarding the remote
- 322 online opportunities program as described in Section 53H-4-312;
- 323 (c) the Utah State University Food Security Council shall prepare and submit an annual
- 324 written report as described in Section 53H-4-313; and
- 325 (d) the Nucleus Institute shall provide an annual report as described in Section
- 326 53H-16-406.
- 327 (5) The ASPIRE Engineering Research Center at Utah State University shall provide an
- 328 annual report to the Transportation and Infrastructure Appropriations Subcommittee as
- 329 described in Section 53H-4-306.6.
- 330 (6) The Utah Data Research Center shall provide an annual report to the Business and
- 331 Labor Interim Committee as described in Section ~~[53H-15-305]~~ 53H-15-306.
- 332 (7) The board shall provide the following reports to state agencies and departments as
- 333 described in each referenced section:
- 334 (a) to the Division of Facilities Construction and Management and others upon request,

- 335 an annual technical college lease report as described in Section 53H-9-602;
- 336 (b) to the Department of Veterans and Military Affairs, an annual report regarding
337 number of credits awarded as described in Section 53H-3-703; and
- 338 (c) to the Rules Review and General Oversight Committee, an annual report regarding
339 civil liberties complaints as described in Section 53H-7-303.
- 340 (8) The board shall provide to the general session of the Legislature for budget
341 recommendation purposes an annual report regarding:
- 342 (a) waivers of tuition as described in Section 53H-11-307; and
343 (b) nonresident tuition scholarships as described in Section 53H-11-405.
- 344 (9) An institution shall provide the following reports as described in each referenced
345 section:
- 346 (a) to the institution's governing board and published on the governing board's website,
347 the institution's required prohibited submissions described in Section 53H-1-502;
- 348 (b) to the board, disclosures of foreign gifts received as described in Section 53H-8-503;
- 349 (c) for a qualifying institution, to the board annually regarding the faculty incentive
350 component of the Engineering and Computer Science Initiative as described in
351 Section 53H-1-603;
- 352 (d) for a degree-granting institution:
- 353 (i) to the board annually regarding post-tenured data as described in Section
354 53H-3-406;
- 355 (ii) to the board annually regarding technical education as described in Section
356 53H-3-609;
- 357 (e) for a technical college:
- 358 (i) to the board annually regarding secondary student needs and access to programs as
359 described in Section 53H-3-1203;
- 360 (ii) to the board annually regarding annual leases as described in Section 53H-9-602;
- 361 (f) on a date the board determines for 2026 and 2027, regarding the institution's progress
362 in executing the institution's strategic reinvestment plan as described in Section
363 53H-8-210;
- 364 (g) in accordance with rules the board establishes, to the board annually regarding the
365 Opportunity scholarships awarded as described in Section 53H-11-402;
- 366 (h) in accordance with rules the board establishes, reports related to the promise grants
367 as described in Section 53H-11-414;
- 368 (i) to the board annually regarding credit for prior learning as described in Section

- 369 53H-3-702; and
- 370 (j) for an institution with or without housing facilities, an annual report regarding crime
371 statistics to the Law Enforcement and Criminal Justice Interim Committee as
372 described in Section 53H-7-603.
- 373 (10) An institution's board of trustees shall provide to the board annually a report regarding
374 any approved contracts or grants as described in Section 53H-8-208.
- 375 (11) The commissioner shall provide the following reports as described in each referenced
376 section:
- 377 (a) an annual summary report regarding institutional matches for the faculty incentive
378 component of the Engineering and Computer Science Initiative as described in
379 Section 53H-1-603; and
- 380 (b) in collaboration with the entities described in Subsection 53H-13-405(1), an annual
381 report regarding the cooperative education program as described in Section
382 53H-13-407 to the Talent, Education, and Industry Alignment Board and the board.
- 383 (12) The Talent Ready Utah Program shall provide an annual report to the board as
384 described in Section 53H-13-304.
- 385 (13) The Utah Works Program shall provide an annual report to the board as described in
386 Section 53H-13-307.
- 387 (14) The University of Utah shall provide an annual report to the governor regarding the
388 engineering experiment station as described in Section 53H-4-208.
- 389 (15) The Center for Civic Excellence at Utah State University vice provost shall annually
390 report to the provost, the president of the institution, and the commissioner as described
391 in Section 53H-4-307.6.

392 Section 3. Section **53H-11-416** is enacted to read:

393 **53H-11-416 . Workforce Pell Grant program -- State participation authorized.**

394 (1) As used in this section:

- 395 (a) "Eligible workforce program" means an educational program that:
- 396 (i) an institution of higher education offers; and
- 397 (ii) the board approves for submission to the United States Secretary of Education for
398 consideration regarding participation in the federal Workforce Pell Grant program.
- 399 (b) "Federal Workforce Pell Grant program" means the program that Section 401 of the
400 Higher Education Act of 1965, 20 U.S.C. Sec. 1070a, as amended, establishes to
401 provide federal Pell Grant assistance to students the federal government determines
402 are eligible and who enroll in eligible workforce programs.

403 (c) "Secretary" means the United States Secretary of Education.

404 (d) "Title IV programs" means federal student financial aid programs authorized under
 405 Title IV of the Higher Education Act of 1965, 20 U.S.C. Sec. 1070 et seq., including
 406 the federal Pell Grant program and the federal Workforce Pell Grant program.

407 (2) The governor ~~shall~~ **may** ~~delegate~~ **[delegates]** ~~delegate~~ ~~to the board~~ **, in**
 407a **consultation with State Workforce Development Board,** ~~shall~~ the authority that federal law
 407b grants to the governor
 408 to approve eligible workforce programs to submit to the secretary for consideration
 409 regarding participation in the federal Workforce Pell Grant program.

410 (3) The board shall:

411 (a) receive applications from institutions of higher education that seek approval of
 412 eligible workforce programs;

413 (b) determine whether a program meets the requirements that federal law and regulations
 414 establish for eligible workforce programs;

415 (c) create an approved list of eligible programs to submit to the secretary for
 416 consideration regarding participation in the federal Workforce Pell Grant program;

417 (d) certify the eligibility of approved programs to the United States Secretary of
 418 Education;

419 (e) monitor programs that the board approves;

420 (f) reapprove programs as federal regulations require; and

421 (g) withdraw approval from programs that fail to meet federal or state requirements.

422 (4)(a) The board may limit the number of programs the board approves or the number of
 423 institutions that may participate during any award year to ensure effective program
 424 administration and quality control.

425 (b) The commissioner of higher education acts as the board's designee to execute
 426 certifications, agreements, and other documents that federal regulations require.

427 (c) The board may contract with third-party vendors for data analysis, labor market
 428 information, outcome tracking, or technical assistance necessary to perform the
 429 board's duties under this section.

430 (5)(a)(i) The Department of Workforce Services shall provide to the board, upon the
 431 board's request, unemployment insurance wage record data that the board needs to:

432 (A) calculate completion rates and job placement rates for eligible workforce
 433 programs;

434 (B) certify completion rates and job placement rates to the United States Secretary

- 435 of Education; and
- 436 (C) verify student enrollment, completion, employment, and earnings for purposes
- 437 of administering Title IV programs.
- 438 (ii) The Department of Workforce Services may contract with third-party vendors for
- 439 data analysis, technical assistance, or services necessary to perform the
- 440 department's duties under this section.
- 441 (b) The board may request and a state agency may provide to the board administrative
- 442 data, including personally identifiable information, that the board needs to perform
- 443 the board's duties under this section.
- 444 (c) The board shall:
- 445 (i) use data the board receives under this Subsection (5) only for purposes this section
- 446 authorizes;
- 447 (ii) maintain the confidentiality and security of personally identifiable information
- 448 the board receives;
- 449 (iii) comply with federal and state privacy laws; and
- 450 (iv) enter into data sharing agreements with state agencies that provide data under
- 451 this Subsection (5).
- 452 (d) The board may share data with the United States Secretary of Education, the United
- 453 States Secretary of Labor, or another state as federal law or an interstate agreement
- 454 requires, subject to applicable privacy protections.
- 455 (e) An individual commits a class B misdemeanor if the individual knowingly or
- 456 intentionally:
- 457 (i) discloses personally identifiable information the individual obtains under this
- 458 Subsection (5) for a purpose this section does not authorize;
- 459 (ii) uses personally identifiable information the individual obtains under this
- 460 Subsection (5) for a purpose this section does not authorize; or
- 461 (iii) accesses personally identifiable information the individual obtains under this
- 462 Subsection (5) without authorization.
- 463 (6) The board may enter into agreements with another state to allow:
- 464 (a) students who reside in the state to enroll in eligible workforce programs that the
- 465 other state approves; or
- 466 (b) students who reside in the other state to enroll in eligible workforce programs that
- 467 the board approves.
- 468 (7) The board shall make rules in accordance with Title 63G, Chapter 3, Utah

- 469 Administrative Rulemaking Act, to:
- 470 (a) establish procedures for institutions of higher education to apply for approval of
- 471 eligible workforce programs;
- 472 (b) establish criteria the board will use to determine whether a program meets federal
- 473 requirements for eligible workforce programs;
- 474 (c) establish procedures for the board to consult with the State Workforce Development
- 475 Board before the board approves a program;
- 476 (d) establish procedures for the board to calculate and certify completion rates and job
- 477 placement rates;
- 478 (e) establish procedures for the board to monitor, reapprove, and withdraw approval of
- 479 programs;
- 480 (f) require institutions that offer eligible workforce programs to disclose program
- 481 information to students; and
- 482 (g) implement this section and comply with federal requirements.

483 (8)(a) The board, the commissioner of higher education, and employees of the board

484 acting within the scope of employment have immunity from suit for a decision the

485 board, the commissioner, or an employee makes or an action the board, the

486 commissioner, or an employee takes regarding:

- 487 (i) approval or denial of an eligible workforce program;
- 488 (ii) withdrawal of approval of an eligible workforce program;
- 489 (iii) calculation or certification of completion rates or job placement rates; or
- 490 (iv) any other discretionary function this section authorizes.
- 491 (b) Subsection (8)(a) does not limit the immunity that Title 63G, Chapter 7,
- 492 Governmental Immunity Act of Utah, provides.

493 Section 4. Section **53H-13-312** is enacted to read:

494 **53H-13-312 . Statewide Youth Apprenticeship Governance Council -- Creation --**

495 **Membership -- Duties -- Reporting.**

- 496 (1) There is created the Statewide Youth Apprenticeship Governance Council to strengthen
- 497 collaboration across agencies, create system alignment, and ensure shared accountability
- 498 for developing and sustaining youth apprenticeship programs in the state.
- 499 (2) The youth apprenticeship council is composed of the following members:
- 500 (a) the director of the talent program or the director's designee;
- 501 (b) the state superintendent of public instruction or the superintendent's designee;
- 502 (c) the commissioner or the commissioner's designee;

- 503 (d) the executive director of the Department of Workforce Services or the executive
504 director's designee;
- 505 (e) the executive director of the Governor's Office of Economic Opportunity or the
506 executive director's designee;
- 507 (f) three representatives from industry who have experience in apprenticeship or
508 work-based learning programs, appointed by the talent board;
- 509 (g) one representative from a local education agency, appointed by the State Board of
510 Education;
- 511 (h) one representative from an institution of higher education, appointed by the board;
512 and
- 513 (i) any additional individuals the youth apprenticeship council determines necessary to
514 fulfill the council's duties.
- 515 (3) The youth apprenticeship council shall select a chair and vice chair from among the
516 members of the youth apprenticeship council.
- 517 (4) The youth apprenticeship council shall meet at least quarterly.
- 518 (5) Attendance of a majority of the members of the youth apprenticeship council constitutes
519 a quorum for the transaction of official youth apprenticeship council business.
- 520 (6) Formal action by the youth apprenticeship council requires the majority vote of a
521 quorum.
- 522 (7) A member of the youth apprenticeship council:
- 523 (a) may not receive compensation or benefits for the member's service; and
- 524 (b) who is not employed by the state may receive per diem and travel expenses in
525 accordance with:
- 526 (i) Section 63A-3-106;
- 527 (ii) Section 63A-3-107; and
- 528 (iii) rules made by the Division of Finance in accordance with Sections 63A-3-106
529 and 63A-3-107.
- 530 (8) The youth apprenticeship council shall:
- 531 (a) clarify and define the roles and responsibilities of state agencies involved in youth
532 apprenticeship programs to:
- 533 (i) minimize duplication of efforts; and
- 534 (ii) ensure aligned action across the talent program, the State Board of Education, the
535 board, and the Department of Workforce Services;
- 536 (b) develop and maintain:

- 537 (i) a statewide operational definition of youth apprenticeship; and
538 (ii) shared program quality standards to ensure local education agencies, institutions
539 of higher education, and participating employers are aligned on a consistent
540 program model;
- 541 (c) coordinate cross-agency implementation structures by:
542 (i) establishing regular cross-agency meetings;
543 (ii) creating operational team structures; and
544 (iii) developing decision-making processes to support consistent and coordinated
545 implementation statewide;
- 546 (d) establish communication roles and protocols to:
547 (i) define how agencies coordinate communication efforts;
548 (ii) assign messaging responsibilities;
549 (iii) identify appropriate communication channels and processes; and
550 (iv) ensure consistency and avoid conflicting or duplicative outreach to students,
551 families, local education agencies, and employers;
- 552 (e) develop and recommend statewide strategies for:
553 (i) student incentives to support participation in youth apprenticeship programs; and
554 (ii) employer incentives to encourage engagement in youth apprenticeship programs;
- 555 (f) implement unified performance monitoring and integrated data systems by:
556 (i) developing shared performance measures; and
557 (ii) coordinating a data strategy to track participation, outcomes, and long-term
558 system impact;
- 559 (g) develop coordinated communication and phased statewide implementation plans that:
560 (i) establish consistent messaging across agencies;
561 (ii) establish statewide priorities for which industry sectors to prioritize; and
562 (iii) use workforce data and analysis of high-wage, in-demand careers to inform
563 prioritization; and
- 564 (h) perform other duties as directed by the talent board to support the development and
565 sustainability of youth apprenticeship programs in the state.
- 566 (9) The talent program shall provide staff support to the youth apprenticeship council.
567 (10) The youth apprenticeship council shall report to the talent board:
568 (a) on the activities and progress of the youth apprenticeship council; and
569 (b) no less than twice each calendar year.
- 570 (11) No later than November 1, 2027, the youth apprenticeship council shall submit a

571 written report to the Education Interim Committee and the Economic Development and
 572 Workforce Services Interim Committee that includes:

- 573 (a) recommendations on statewide funding needs for youth apprenticeship programs;
 574 (b) recommendations on employer incentive structures; and
 575 (c) a comprehensive statewide action plan for expanding youth apprenticeship
 576 opportunities.

577 Section 5. Section **53H-15-101** is amended to read:

578 **53H-15-101 . General provisions -- Definitions.**

579 As used in this chapter:

- 580 (1) "Advisory board" means the Utah Data Research Advisory Board created in Section
 581 53H-15-203.
- 582 (2) "Center" means the Utah Data Research Center created in Section 53H-15-202.
- 583 (3) "Data" means any information about a person stored in a physical or electronic record.
- 584 (4) "Data research program" means the data maintained by the center in accordance with
 585 Section 53H-15-302.
- 586 (5) "De-identified data" means data about a person that cannot, without additional
 587 information, identify the person to another person or machine.
- 588 (6) "Director" means the director of the Utah Data Research Center created in Section
 589 53H-15-202.
- 590 (7) "Office" means the Office of the Legislative Auditor General created in Section
 591 36-12-15.
- 592 (8) "Participating entity" means:
- 593 (a) the State Board of Education, which includes the director as defined in Section
 594 53E-10-701;
- 595 (b) the board;
- 596 (c) the Department of Workforce Services;
- 597 (d) the Department of Health and Human Services; and
- 598 (e) the Department of Commerce.
- 599 (9) "Participating state agency" means a department, division, office, entity, agency, or
 600 other unit of state government that provides data to the program described under Section
 601 53H-15-305.
- 602 (10) "Personal data" means data as defined in Subsection 63A-19-101(24).
- 603 [~~9~~] (11) "Unique student identifier" means the same as that term is defined in Section
 604 53E-4-308.

605 Section 6. Section **53H-15-305** is repealed and reenacted to read:

606 **53H-15-305 . Participating state agency access.**

- 607 (1) In addition to performing data research and responding to data research requests under
608 Section 53H-15-303, the center shall maintain a program to support data collection,
609 analysis, exchange, and for operational transactional purposes among participating state
610 agencies to provide access to data to promote the improvement of public health,
611 education, safety, and well-being of the state's citizenry and improvement of the overall
612 efficiency of state agencies.
- 613 (2) The director shall provide bi-annual updates to the advisory board about the program in
614 Subsection (1).
- 615 (3) The program described in Subsection (1):
- 616 (a) may collect, store, and process personal data as allowed under state and federal law;
617 (b) shall include protections to prevent the unauthorized access, use, or redisclosure of
618 personal data; and
619 (c) shall be considered a high-risk processing activity under Subsection 63A-19-101(17).
- 620 (4) A participating state agency and the center shall include any contribution of personal
621 data to the program described in Subsection (1) in the applicable personal data collection
622 notice required under Section 63A-19-402.
- 623 (5) A participating state agency that chooses to contribute personal data to the program
624 described in Subsection (1) shall comply with:
- 625 (a) guidelines established by the center; and
626 (b) applicable state and federal data privacy laws.
- 627 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
628 center may create rules to establish:
- 629 (a) procedures for submitting personal data under this section;
630 (b) procedures consistent with applicable federal and state data confidentiality and
631 privacy provisions to prevent the unauthorized access, use, or redisclosure of
632 personal data; and
633 (c) any additional requirements needed to administer this section.
- 634 (7) Prior to contributing personal data to the program described in Subsection (1), a
635 participating state agency and the center shall enter into a written agreement that:
- 636 (a) specifies the personal data that the participating state agency will share with the
637 center;
638 (b) defines the purposes for which the center may use the personal data contributed by

- 639 the participating state agency; and
 640 (c) establishes timelines for disposing of personal data the participating state agency
 641 discloses when:
 642 (i) the personal data is no longer needed for the program described in Subsection (1);
 643 or
 644 (ii) required by state or federal law.
 645 (8) The center may create a fee schedule in accordance with Section 63J-1-504 for
 646 completing an operational transactional service.
 647 (9) Nothing in this section shall be construed as requiring an entity to provide personal data
 648 to the program described in Subsection (1).
 649 (10) The program described in Subsection (1) is not subject to Title 63G, Chapter 2,
 650 Government Records Access and Management Act.

651 Section 7. Section **53H-15-306** is enacted to read:

652 **53H-15-306 . Reporting.**

- 653 (1) The center shall report to the Education Interim Committee and Business and Labor
 654 Interim Committee:
 655 (a) before July 1 of each year regarding the center's:
 656 (i) research and service priorities for the year;
 657 (ii) completed research from the previous year; and
 658 (iii) activities and accomplishments in the previous year; and
 659 (b) before December 1 of each year, the center's ongoing data research and service
 660 priority list described in Subsection 53B-33-302(2).
 661 (2) The Education Interim Committee shall provide the center ongoing input regarding the
 662 center's activities and data research priorities.

663 Section 8. Section **63G-2-305** is amended to read:

664 **63G-2-305 . Protected records.**

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

- 666 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
 667 provided the governmental entity with the information specified in Section 63G-2-309;
 668 (2) commercial information or nonindividual financial information obtained from a person
 669 if:
 670 (a) disclosure of the information could reasonably be expected to result in unfair
 671 competitive injury to the person submitting the information or would impair the
 672 ability of the governmental entity to obtain necessary information in the future;

- 673 (b) the person submitting the information has a greater interest in prohibiting access than
674 the public in obtaining access; and
- 675 (c) the person submitting the information has provided the governmental entity with the
676 information specified in Section 63G-2-309;
- 677 (3) commercial or financial information acquired or prepared by a governmental entity to
678 the extent that disclosure would lead to financial speculations in currencies, securities, or
679 commodities that will interfere with a planned transaction by the governmental entity or
680 cause substantial financial injury to the governmental entity or state economy;
- 681 (4) records, the disclosure of which could cause commercial injury to, or confer a
682 competitive advantage upon a potential or actual competitor of, a commercial project
683 entity as defined in Subsection 11-13-103(4);
- 684 (5) test questions and answers to be used in future license, certification, registration,
685 employment, or academic examinations;
- 686 (6) records, the disclosure of which would impair governmental procurement proceedings
687 or give an unfair advantage to any person proposing to enter into a contract or agreement
688 with a governmental entity, except, subject to Subsections (1) and (2), that this
689 Subsection (6) does not restrict the right of a person to have access to, after the contract
690 or grant has been awarded and signed by all parties:
- 691 (a) a bid, proposal, application, or other information submitted to or by a governmental
692 entity in response to:
- 693 (i) an invitation for bids;
- 694 (ii) a request for proposals;
- 695 (iii) a request for quotes;
- 696 (iv) a grant; or
- 697 (v) other similar document; or
- 698 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 699 (7) information submitted to or by a governmental entity in response to a request for
700 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not
701 restrict the right of a person to have access to the information, after:
- 702 (a) a contract directly relating to the subject of the request for information has been
703 awarded and signed by all parties; or
- 704 (b)(i) a final determination is made not to enter into a contract that relates to the
705 subject of the request for information; and
- 706 (ii) at least two years have passed after the day on which the request for information

- 707 is issued;
- 708 (8) records that would identify real property or the appraisal or estimated value of real or
709 personal property, including intellectual property, under consideration for public
710 acquisition before any rights to the property are acquired unless:
- 711 (a) public interest in obtaining access to the information is greater than or equal to the
712 governmental entity's need to acquire the property on the best terms possible;
 - 713 (b) the information has already been disclosed to persons not employed by or under a
714 duty of confidentiality to the entity;
 - 715 (c) in the case of records that would identify property, potential sellers of the described
716 property have already learned of the governmental entity's plans to acquire the
717 property;
 - 718 (d) in the case of records that would identify the appraisal or estimated value of
719 property, the potential sellers have already learned of the governmental entity's
720 estimated value of the property; or
 - 721 (e) the property under consideration for public acquisition is a single family residence
722 and the governmental entity seeking to acquire the property has initiated negotiations
723 to acquire the property as required under Section 78B-6-505;
- 724 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
725 transaction of real or personal property including intellectual property, which, if
726 disclosed prior to completion of the transaction, would reveal the appraisal or estimated
727 value of the subject property, unless:
- 728 (a) the public interest in access is greater than or equal to the interests in restricting
729 access, including the governmental entity's interest in maximizing the financial
730 benefit of the transaction; or
 - 731 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
732 the value of the subject property have already been disclosed to persons not
733 employed by or under a duty of confidentiality to the entity;
- 734 (10) records created or maintained for civil, criminal, or administrative enforcement
735 purposes or audit purposes, or for discipline, licensing, certification, or registration
736 purposes, if release of the records:
- 737 (a) reasonably could be expected to interfere with investigations undertaken for
738 enforcement, discipline, licensing, certification, or registration purposes;
 - 739 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
740 proceedings;

- 741 (c) would create a danger of depriving a person of a right to a fair trial or impartial
742 hearing;
- 743 (d) reasonably could be expected to disclose the identity of a source who is not generally
744 known outside of government and, in the case of a record compiled in the course of
745 an investigation, disclose information furnished by a source not generally known
746 outside of government if disclosure would compromise the source; or
- 747 (e) reasonably could be expected to disclose investigative or audit techniques,
748 procedures, policies, or orders not generally known outside of government if
749 disclosure would interfere with enforcement or audit efforts;
- 750 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 751 (12) records the disclosure of which would jeopardize the security of governmental
752 property, governmental programs, or governmental recordkeeping systems from
753 damage, theft, or other appropriation or use contrary to law or public policy;
- 754 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
755 facility, or records relating to incarceration, treatment, probation, or parole, that would
756 interfere with the control and supervision of an offender's incarceration, treatment,
757 probation, or parole;
- 758 (14) records that, if disclosed, would reveal recommendations made to the Board of
759 Pardons and Parole by an employee of or contractor for the Department of Corrections,
760 the Board of Pardons and Parole, or the Department of Health and Human Services that
761 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
762 person within the board's jurisdiction;
- 763 (15) records and audit workpapers that identify audit, collection, and operational procedures
764 and methods used by the State Tax Commission, if disclosure would interfere with
765 audits or collections;
- 766 (16) records of a governmental audit agency relating to an ongoing or planned audit until
767 the final audit is released;
- 768 (17) records that are subject to the attorney client privilege;
- 769 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
770 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
771 judicial, quasi-judicial, or administrative proceeding;
- 772 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
773 from a member of the Legislature; and
- 774 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of

775 legislative action or policy may not be classified as protected under this section;
776 and

777 (b)(i) an internal communication that is part of the deliberative process in connection
778 with the preparation of legislation between:

779 (A) members of a legislative body;
780 (B) a member of a legislative body and a member of the legislative body's staff; or
781 (C) members of a legislative body's staff; and

782 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
783 legislative action or policy may not be classified as protected under this section;

784 (20)(a) records in the custody or control of the Office of Legislative Research and
785 General Counsel, that, if disclosed, would reveal a particular legislator's
786 contemplated legislation or contemplated course of action before the legislator has
787 elected to support the legislation or course of action, or made the legislation or course
788 of action public; and

789 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
790 Office of Legislative Research and General Counsel is a public document unless a
791 legislator asks that the records requesting the legislation be maintained as protected
792 records until such time as the legislator elects to make the legislation or course of
793 action public;

794 (21) a research request from a legislator to a legislative staff member and research findings
795 prepared in response to the request;

796 (22) drafts, unless otherwise classified as public;

797 (23) records concerning a governmental entity's strategy about:

798 (a) collective bargaining; or
799 (b) imminent or pending litigation;

800 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
801 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
802 Uninsured Employers' Fund, or similar divisions in other governmental entities;

803 (25) records, other than personnel evaluations, that contain a personal recommendation
804 concerning an individual if disclosure would constitute a clearly unwarranted invasion
805 of personal privacy, or disclosure is not in the public interest;

806 (26) records that reveal the location of historic, prehistoric, paleontological, or biological
807 resources that if known would jeopardize the security of those resources or of valuable
808 historic, scientific, educational, or cultural information;

- 809 (27) records of independent state agencies if the disclosure of the records would conflict
810 with the fiduciary obligations of the agency;
- 811 (28) records of an institution of higher education defined in Section 53H-1-101 regarding
812 tenure evaluations, appointments, applications for admissions, retention decisions, and
813 promotions, which could be properly discussed in a meeting closed in accordance with
814 Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final
815 decisions about tenure, appointments, retention, promotions, or those students admitted,
816 may not be classified as protected under this section;
- 817 (29) records of the governor's office, including budget recommendations, legislative
818 proposals, and policy statements, that if disclosed would reveal the governor's
819 contemplated policies or contemplated courses of action before the governor has
820 implemented or rejected those policies or courses of action or made them public;
- 821 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
822 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
823 recommendations in these areas;
- 824 (31) records provided by the United States or by a government entity outside the state that
825 are given to the governmental entity with a requirement that they be managed as
826 protected records if the providing entity certifies that the record would not be subject to
827 public disclosure if retained by it;
- 828 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
829 public body except as provided in Section 52-4-206;
- 830 (33) records that would reveal the contents of settlement negotiations but not including final
831 settlements or empirical data to the extent that they are not otherwise exempt from
832 disclosure;
- 833 (34) memoranda prepared by staff and used in the decision-making process by an
834 administrative law judge, a member of the Board of Pardons and Parole, or a member of
835 any other body charged by law with performing a quasi-judicial function;
- 836 (35) records that would reveal negotiations regarding assistance or incentives offered by or
837 requested from a governmental entity for the purpose of encouraging a person to expand
838 or locate a business in Utah, but only if disclosure would result in actual economic harm
839 to the person or place the governmental entity at a competitive disadvantage, but this
840 section may not be used to restrict access to a record evidencing a final contract;
- 841 (36) materials to which access must be limited for purposes of securing or maintaining the
842 governmental entity's proprietary protection of intellectual property rights including

- 843 patents, copyrights, and trade secrets;
- 844 (37) the name of a donor or a prospective donor to a governmental entity, including an
845 institution of higher education defined in Section 53H-1-101, and other information
846 concerning the donation that could reasonably be expected to reveal the identity of the
847 donor, provided that:
- 848 (a) the donor requests anonymity in writing;
- 849 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
850 classified protected by the governmental entity under this Subsection (37); and
- 851 (c) except for an institution of higher education defined in Section 53H-1-101, the
852 governmental unit to which the donation is made is primarily engaged in educational,
853 charitable, or artistic endeavors, and has no regulatory or legislative authority over
854 the donor, a member of the donor's immediate family, or any entity owned or
855 controlled by the donor or the donor's immediate family;
- 856 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 857 (39) a notification of workers' compensation insurance coverage described in Section
858 34A-2-205;
- 859 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher
860 education defined in Section 53H-1-101, which have been developed, discovered,
861 disclosed to, or received by or on behalf of faculty, staff, employees, or students of the
862 institution:
- 863 (a) unpublished lecture notes;
- 864 (b) unpublished notes, data, and information:
- 865 (i) relating to research; and
- 866 (ii) of:
- 867 (A) the institution of higher education defined in Section 53H-1-101; or
- 868 (B) a sponsor of sponsored research;
- 869 (c) unpublished manuscripts;
- 870 (d) creative works in process;
- 871 (e) scholarly correspondence; and
- 872 (f) confidential information contained in research proposals;
- 873 (g) this Subsection (40) may not be construed to prohibit disclosure of public
874 information required pursuant to Subsection 53H-14-202(2)(a) or (b); and
- 875 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 876 (41)(a) records in the custody or control of the Office of the Legislative Auditor General

- 877 that would reveal the name of a particular legislator who requests a legislative audit
878 prior to the date that audit is completed and made public; and
- 879 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
880 Office of the Legislative Auditor General is a public document unless the legislator
881 asks that the records in the custody or control of the Office of the Legislative Auditor
882 General that would reveal the name of a particular legislator who requests a
883 legislative audit be maintained as protected records until the audit is completed and
884 made public;
- 885 (42) records that provide detail as to the location of an explosive, including a map or other
886 document that indicates the location of:
- 887 (a) a production facility; or
888 (b) a magazine;
- 889 (43) information contained in the statewide database of the Division of Aging and Adult
890 Services created by Section 26B-6-210;
- 891 (44) information contained in the Licensing Information System described in Title 80,
892 Chapter 2, Child Welfare Services;
- 893 (45) information regarding National Guard operations or activities in support of the
894 National Guard's federal mission;
- 895 (46) records provided by any pawn or secondhand business to a law enforcement agency or
896 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
897 Merchandise, and Catalytic Converter Transaction Information Act;
- 898 (47) information regarding food security, risk, and vulnerability assessments performed by
899 the Department of Agriculture and Food;
- 900 (48) except to the extent that the record is exempt from this chapter pursuant to Section
901 63G-2-106, records related to an emergency plan or program, a copy of which is
902 provided to or prepared or maintained by the Division of Emergency Management, and
903 the disclosure of which would jeopardize:
- 904 (a) the safety of the general public; or
905 (b) the security of:
- 906 (i) governmental property;
907 (ii) governmental programs; or
908 (iii) the property of a private person who provides the Division of Emergency
909 Management information;
- 910 (49) records of the Department of Agriculture and Food that provides for the identification,

- 911 tracing, or control of livestock diseases, including any program established under Title
912 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
913 of Animal Disease;
- 914 (50) as provided in Section 26B-2-709:
- 915 (a) information or records held by the Department of Health and Human Services related
916 to a complaint regarding a provider, program, or facility which the department is
917 unable to substantiate; and
- 918 (b) information or records related to a complaint received by the Department of Health
919 and Human Services from an anonymous complainant regarding a provider, program,
920 or facility;
- 921 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided
922 under Section 41-1a-116, an individual's home address, home telephone number, or
923 personal mobile phone number, if:
- 924 (a) the individual is required to provide the information in order to comply with a law,
925 ordinance, rule, or order of a government entity; and
- 926 (b) the subject of the record has a reasonable expectation that this information will be
927 kept confidential due to:
- 928 (i) the nature of the law, ordinance, rule, or order; and
929 (ii) the individual complying with the law, ordinance, rule, or order;
- 930 (52) the portion of the following documents that contains a candidate's residential or
931 mailing address, if the candidate provides to the filing officer another address or phone
932 number where the candidate may be contacted:
- 933 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
934 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405,
935 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;
- 936 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or
937 (c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;
- 938 (53) the name, home address, work addresses, and telephone numbers of an individual that
939 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 940 (a) conducted within the state system of higher education, as described in Section
941 53H-1-102; and
942 (b) conducted using animals;
- 943 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
944 Evaluation Commission concerning an individual commissioner's vote, in relation to

- 945 whether a judge meets or exceeds minimum performance standards under Subsection
946 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
947 (55) information collected and a report prepared by the Judicial Performance Evaluation
948 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
949 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
950 public, the information or report;
- 951 (56) records provided or received by the Public Lands Policy Coordinating Office in
952 furtherance of any contract or other agreement made in accordance with Section
953 63L-11-202;
- 954 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
955 (58) in accordance with Section 73-10-33:
- 956 (a) a management plan for a water conveyance facility in the possession of the Division
957 of Water Resources or the Board of Water Resources; or
- 958 (b) an outline of an emergency response plan in possession of the state or a county or
959 municipality;
- 960 (59) the following records in the custody or control of the Office of Inspector General of
961 Medicaid Services, created in Section 63A-13-201:
- 962 (a) records that would disclose information relating to allegations of personal
963 misconduct, gross mismanagement, or illegal activity of a person if the information
964 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
965 Services through other documents or evidence, and the records relating to the
966 allegation are not relied upon by the Office of Inspector General of Medicaid
967 Services in preparing a final investigation report or final audit report;
- 968 (b) records and audit workpapers to the extent they would disclose the identity of a
969 person who, during the course of an investigation or audit, communicated the
970 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
971 violation of a law, rule, or regulation adopted under the laws of this state, a political
972 subdivision of the state, or any recognized entity of the United States, if the
973 information was disclosed on the condition that the identity of the person be
974 protected;
- 975 (c) before the time that an investigation or audit is completed and the final investigation
976 or final audit report is released, records or drafts circulated to a person who is not an
977 employee or head of a governmental entity for the person's response or information;
- 978 (d) records that would disclose an outline or part of any investigation, audit survey plan,

- 979 or audit program; or
- 980 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
981 investigation or audit;
- 982 (60) records that reveal methods used by the Office of Inspector General of Medicaid
983 Services, the fraud unit, or the Department of Health and Human Services, to discover
984 Medicaid fraud, waste, or abuse;
- 985 (61) information provided to the Department of Health and Human Services or the Division
986 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
987 58-68-304(3) and (4);
- 988 (62) a record described in Section 63G-12-210;
- 989 (63) captured plate data that is obtained through an automatic license plate reader system
990 used by a governmental entity as authorized in Section 41-6a-2003;
- 991 (64) an audio or video recording created by a body-worn camera, as that term is defined in
992 Section 77-7a-103, that records sound or images inside a hospital or health care facility
993 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
994 as that term is defined in Section 78B-3-403, or inside a human service program as that
995 term is defined in Section 26B-2-101, except for recordings that:
- 996 (a) depict the commission of an alleged crime;
- 997 (b) record any encounter between a law enforcement officer and a person that results in
998 death or bodily injury, or includes an instance when an officer fires a weapon;
- 999 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
1000 law enforcement officer or law enforcement agency;
- 1001 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);
1002 or
- 1003 (e) have been requested for reclassification as a public record by a subject or authorized
1004 agent of a subject featured in the recording;
- 1005 (65) a record pertaining to the search process for a president of an institution of higher
1006 education described in Section 53H-3-302;
- 1007 (66) an audio recording that is:
- 1008 (a) produced by an audio recording device that is used in conjunction with a device or
1009 piece of equipment designed or intended for resuscitating an individual or for treating
1010 an individual with a life-threatening condition;
- 1011 (b) produced during an emergency event when an individual employed to provide law
1012 enforcement, fire protection, paramedic, emergency medical, or other first responder

- 1013 service:
- 1014 (i) is responding to an individual needing resuscitation or with a life-threatening
- 1015 condition; and
- 1016 (ii) uses a device or piece of equipment designed or intended for resuscitating an
- 1017 individual or for treating an individual with a life-threatening condition; and
- 1018 (c) intended and used for purposes of training emergency responders how to improve
- 1019 their response to an emergency situation;
- 1020 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
- 1021 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
- 1022 Legislative Audit Subcommittee, established under Section 36-12-8, for an employment
- 1023 position with the Legislature;
- 1024 (68) work papers as defined in Section 31A-2-204;
- 1025 (69) a record made available to Adult Protective Services or a law enforcement agency
- 1026 under Section 61-1-206;
- 1027 (70) a record submitted to the Insurance Department in accordance with Section
- 1028 31A-37-201;
- 1029 (71) a record described in Section 31A-37-503;
- 1030 (72) any record created by the Division of Professional Licensing as a result of Subsection
- 1031 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 1032 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
- 1033 involving an amusement ride;
- 1034 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
- 1035 political petition, or on a request to withdraw a signature from a political petition,
- 1036 including a petition or request described in the following titles:
- 1037 (a) Title 10, Utah Municipal Code;
- 1038 (b) Title 17, Counties;
- 1039 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 1040 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 1041 (e) Title 20A, Election Code;
- 1042 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
- 1043 voter registration record;
- 1044 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
- 1045 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
- 1046 political subdivision collected or held under, or in relation to, Title 20A, Election Code;

- 1047 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
1048 Victims Guidelines for Prosecutors Act;
- 1049 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 1050 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
1051 prohibited under Section 63G-26-103;
- 1052 (80) an image taken of an individual during the process of booking the individual into jail,
1053 unless:
- 1054 (a) the individual is convicted of a criminal offense based upon the conduct for which
1055 the individual was incarcerated at the time the image was taken;
- 1056 (b) a law enforcement agency releases or disseminates the image:
- 1057 (i) after determining that the individual is a fugitive or an imminent threat to an
1058 individual or to public safety and releasing or disseminating the image will assist
1059 in apprehending the individual or reducing or eliminating the threat; or
- 1060 (ii) to a potential witness or other individual with direct knowledge of events relevant
1061 to a criminal investigation or criminal proceeding for the purpose of identifying or
1062 locating an individual in connection with the criminal investigation or criminal
1063 proceeding;
- 1064 (c) a judge orders the release or dissemination of the image based on a finding that the
1065 release or dissemination is in furtherance of a legitimate law enforcement interest; or
- 1066 (d) the image is displayed to a person who is permitted to view the image under Section
1067 17-72-802;
- 1068 (81) a record:
- 1069 (a) concerning an interstate claim to the use of waters in the Colorado River system;
- 1070 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
1071 representative from another state or the federal government as provided in Section
1072 63M-14-205; and
- 1073 (c) the disclosure of which would:
- 1074 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
1075 Colorado River system;
- 1076 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to
1077 negotiate the best terms and conditions regarding the use of water in the Colorado
1078 River system; or
- 1079 (iii) give an advantage to another state or to the federal government in negotiations
1080 regarding the use of water in the Colorado River system;

- 1081 (82) any part of an application described in Section 63N-16-201 that the Governor's Office
1082 of Economic Opportunity determines is nonpublic, confidential information that if
1083 disclosed would result in actual economic harm to the applicant, but this Subsection (82)
1084 may not be used to restrict access to a record evidencing a final contract or approval
1085 decision;
- 1086 (83) the following records of a drinking water or wastewater facility:
- 1087 (a) an engineering or architectural drawing of the drinking water or wastewater facility;
1088 and
- 1089 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the
1090 drinking water or wastewater facility uses to secure, or prohibit access to, the records
1091 described in Subsection (83)(a);
- 1092 (84) a statement that an employee of a governmental entity provides to the governmental
1093 entity as part of the governmental entity's personnel or administrative investigation into
1094 potential misconduct involving the employee if the governmental entity:
- 1095 (a) requires the statement under threat of employment disciplinary action, including
1096 possible termination of employment, for the employee's refusal to provide the
1097 statement; and
- 1098 (b) provides the employee assurance that the statement cannot be used against the
1099 employee in any criminal proceeding;
- 1100 (85) any part of an application for a Utah Fits All Scholarship account described in Section
1101 53F-6-402 or other information identifying a scholarship student as defined in Section
1102 53F-6-401;
- 1103 (86) a record:
- 1104 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 1105 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
1106 person concerning the claim, including a representative from another state or the
1107 federal government; and
- 1108 (c) the disclosure of which would:
- 1109 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
1110 Great Salt Lake;
- 1111 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
1112 and conditions regarding the use of water in the Great Salt Lake; or
- 1113 (iii) give an advantage to another person including another state or to the federal
1114 government in negotiations regarding the use of water in the Great Salt Lake;

- 1115 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
1116 reclassified as public as described in Subsection 13-2-11(4);
- 1117 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 1118 (a) concerning a claim to the use of waters;
- 1119 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
1120 representative from another state, a tribe, the federal government, or other
1121 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;
1122 and
- 1123 (c) the disclosure of which would:
- 1124 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 1125 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
1126 regarding the use of water; or
- 1127 (iii) give an advantage to another state, a tribe, the federal government, or other
1128 government entity in negotiations regarding the use of water; [~~and~~]
- 1129 (89) a record created or maintained for an investigation of the Prosecutor Conduct
1130 Commission, created in Section 63M-7-1102, that contains any personal identifying
1131 information of a prosecuting attorney, including:
- 1132 (a) a complaint, or a document that is submitted or created for a complaint, received by
1133 the Prosecutor Conduct Commission; or
- 1134 (b) a finding by the Prosecutor Conduct Commission[~~;~~] ; and
- 1135 (90) personally identifiable information, including individual student enrollment,
1136 completion, employment, and earnings data, that the Utah Board of Higher Education
1137 obtains under Section 53B-11-416, except that the Utah Board of Higher Education may
1138 disclose the information:
- 1139 (a) in aggregate form that does not identify individual students;
- 1140 (b) as federal law or regulations require;
- 1141 (c) to other state agencies under data sharing agreements that Section 53B-11-416
1142 authorizes; or
- 1143 (d) to the United States Secretary of Education or the United States Secretary of Labor
1144 as federal regulations require.

1145 Section 9. **Effective Date.**

1146 This bill takes effect on May 6, 2026.