

1 **Drinking Water Utilities Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Colin W. Jack**

Senate Sponsor: Heidi Balderree

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2  
3 **LONG TITLE**

4 **General Description:**

5 This bill addresses security at drinking water facilities.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ requires a community water system to:
  - 10 • complete an emergency response plan; and
  - 11 • report a security breach to the Utah Cyber Center within two hours of discovering the
- 12 breach;
- 13 ▶ requires the Division of Drinking Water to report annually to two legislative committees
- 14 on security at community water systems;
- 15 ▶ classifies a community water system's emergency response plan as a protected record; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **19-4-106 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
24 2023, Chapter 238

25 **63G-2-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special  
26 Session, Chapter 17

27 ENACTS:

28 **19-4-117 (Effective 05/06/26)**, Utah Code Annotated 1953

29

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

31 Section 1. Section **19-4-106** is amended to read:

32 **19-4-106 (Effective 05/06/26) (Repealed 07/01/29). Director -- Appointment --**

33 **Authority.**

34 (1) The executive director shall appoint the director. The director shall serve under the  
35 administrative direction of the executive director.

36 (2) The director shall:

37 (a) develop programs to promote and protect the quality of the public drinking water  
38 supplies of the state;

39 (b) advise, consult, and cooperate with other agencies of this and other states, the federal  
40 government, and with other groups, political subdivisions, and industries in  
41 furtherance of the purpose of this chapter;

42 (c) review plans, specifications, and other data pertinent to proposed or expanded water  
43 supply systems to ensure proper design and construction; ~~and~~

44 ~~(d) ensure that a community water system has an emergency response plan that meets~~  
45 ~~the requirements described in Subsection 19-4-117(2);~~

46 ~~[(d)] (e)~~ subject to the provisions of this chapter, enforce rules made by the board  
47 through the issuance of orders that may be subsequently revoked, which orders may  
48 require:

49 (i) discontinuance of use of unsatisfactory sources of drinking water;

50 (ii) suppliers to notify the public concerning the need to boil water; or

51 (iii) suppliers in accordance with existing rules, to take remedial actions necessary to  
52 protect or improve an existing water system; and

53 ~~[(e)] (f)~~ as authorized by the board and subject to the provisions of this chapter, act as  
54 executive secretary of the board under the direction of the chair of the board.

55 (3) The director may authorize employees or agents of the department, after reasonable  
56 notice and presentation of credentials, to enter any part of a public water system at  
57 reasonable times to inspect the facilities and water quality records required by board  
58 rules, conduct sanitary surveys, take samples, and investigate the standard of operation  
59 and service delivered by public water systems.

60 (4) As provided in this chapter and in accordance with rules made by the board, the director  
61 may:

- 62 (a) issue and enforce a notice of violation and an administrative order; and
- 63 (b) assess and make a demand for payment of an administrative penalty arising from a
- 64 violation of this chapter, a rule or order issued under the authority of this chapter, or
- 65 the terms of a permit or other administrative authorization issued under the authority
- 66 of this chapter.

67 ~~[(5)(a) The director shall study how water providers, municipalities, counties, and state~~  
 68 ~~agencies may find greater efficiencies through improved coordination, consolidation,~~  
 69 ~~and regionalization related to:]~~

- 70 ~~[(i) water use and conservation; and]~~
- 71 ~~[(ii) administrative and economic efficiencies.]~~

72 ~~[(b) The study under this Subsection (5) shall consider recommendations including~~  
 73 ~~incentives, funding, regulatory changes, and statutory changes to promote greater~~  
 74 ~~coordination and efficiency and to help meet water infrastructure needs statewide.]~~

75 ~~[(c) The director shall:]~~

- 76 ~~[(i) conduct the study in conjunction with the Division of Water Resources; and]~~
- 77 ~~[(ii) consult with a diverse group consisting of water providers, state agencies, local~~  
 78 ~~governments, and relevant stakeholders to help the director conduct the study and~~  
 79 ~~develop recommendations described in this Subsection (5).]~~

80 ~~[(d) On or before October 30, 2024, the director shall provide a written report of the~~  
 81 ~~study's findings, including any recommended legislative action, to the Natural~~  
 82 ~~Resources, Agriculture, and Environment Interim Committee.]~~

83 Section 2. Section **19-4-117** is enacted to read:

84 **19-4-117 (Effective 05/06/26). Emergency response plan required for community**  
 85 **water systems -- Requirements -- Report.**

86 (1) As used in this section:

87 (a) "Authorized employee" means an employee of a community water system authorized  
 88 to access:

- 89 (i) an operational technology;
- 90 (ii) a control system; or
- 91 (iii) a secure area.

92 (b)(i) "Control system" means a physical or electronic system that implements a  
 93 procedure or process for water treatment or water delivery at a community water  
 94 system.

95 (ii) "Control system" includes:

- 96           (A) a computer system that monitors or controls water treatment or water delivery  
97           equipment in real time, including a supervisory control and data acquisition  
98           system;
- 99           (B) a computer device that performs calculations or processes data related to water  
100           treatment or water delivery; and
- 101           (C) a network device or server that allows an authorized employee to remotely  
102           access a computer system or computer device that monitors or controls water  
103           treatment or water delivery.
- 104       (c) "Emergency response plan" means the plan described in Subsection (2) and 42  
105           U.S.C. Sec. 300i-2(b).
- 106       (d) "Operational technology" means a hardware, software, or firmware component of a  
107           control system.
- 108       (e) "Secure area" means an area in a community water system that is not normally  
109           accessible by the public.
- 110       (f)(i) "Security breach" means an incident that threatens the security of a community  
111           water system with the potential to impact the quality or quantity of delivered  
112           water.
- 113           (ii) "Security breach" includes:
- 114               (A) a breach of an operational technology or control system; or
- 115               (B) an unauthorized attempt to delete, disable, destroy, or override data, an  
116               application, a device, or a computer network.
- 117       (2)(a) By no later than December 31, 2026, and July 1 annually thereafter, a supplier of  
118           a community water system serving a population of 3,300 or greater shall complete an  
119           emergency response plan.
- 120       (b) By no later than July 1, 2027, and annually thereafter, a supplier of a community  
121           water system serving a population less than 3,300 shall complete an emergency  
122           response plan.
- 123       (c) A supplier of a community water system shall report to the division on or before July  
124           1 of each year whether the supplier has completed an emergency response plan  
125           described in this Subsection (2).
- 126       (d) An emergency response plan shall include a requirement to:
- 127           (i) support and regularly update software used in a control system;
- 128           (ii) deploy and maintain network protection for a control system, as needed;
- 129           (iii) adopt best practices for secure authentication;

- 130            (iv) provide annual cybersecurity training to an employee who has regular access to  
131            an operational technology or control system;
- 132            (v) complete an internal assessment of the community water system's security  
133            vulnerabilities and implement corrective controls to address a security  
134            vulnerability;
- 135            (vi) promptly remove access to all operational technology and control systems from  
136            an employee whose employment is terminated;
- 137            (vii) prohibit an unauthorized copying of software and data;
- 138            (viii) ensure that an automated operational technology or control system can be  
139            operated manually, as needed;
- 140            (ix) report a security breach in accordance with Subsection (3);
- 141            (x) adopt other security and records management requirements in conformity with  
142            state and federal requirements; and
- 143            (xi) comply with a security directive by the director.
- 144            (e) A supplier of a community water system shall make available for review to the  
145            director or the director's authorized representative, upon request:
- 146            (i) the supplier's emergency response plan;  
147            (ii) an incident report; and  
148            (iii) any information related to an emergency response plan as requested by the  
149            director.
- 150            (f) For resources not related to water treatment and delivery owned or managed by a  
151            supplier of a community water system, the supplier may:
- 152            (i) create an alternative emergency response plan from the emergency response plan  
153            described in this Subsection (2); or
- 154            (ii) incorporate the emergency response plan developed under this Subsection (2), or  
155            any part thereof, into the emergency response plan for the resource not related to  
156            water treatment and delivery.
- 157            (3)(a) A supplier of a community water system shall report a security breach no later  
158            than two hours after the supplier discovers the security breach to the Utah Cyber  
159            Center created in Section 63A-16-1102.
- 160            (b) The Utah Cyber Center shall notify the division of a reported security breach  
161            described in Subsection (3)(a) as soon as possible, but not later than one day after  
162            receiving the report from the supplier.
- 163            (4)(a) By no later than October 31 of each year, the division shall submit a report on

- 164 security at community water systems in the state to:
- 165 (i) the Natural Resources, Agriculture, and Environment Interim Committee; and
- 166 (ii) the Public Utilities, Energy, and Technology Interim Committee.
- 167 (b) The report described in this Subsection (4) shall include:
- 168 (i) information collected by the division regarding security incidents and emergency
- 169 response plans at community water systems in the state; and
- 170 (ii) recommendations from the division, if any, for legislative action and funding to
- 171 improve physical and electronic security at community water systems.
- 172 (5) The director shall provide information and technical resources to a community water
- 173 system completing an emergency response plan described in Subsection (2).

174 Section 3. Section **63G-2-305** is amended to read:

175 **63G-2-305 (Effective 05/06/26). Protected records.**

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

- 177 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
- 178 provided the governmental entity with the information specified in Section 63G-2-309;
- 179 (2) commercial information or nonindividual financial information obtained from a person
- 180 if:
- 181 (a) disclosure of the information could reasonably be expected to result in unfair
- 182 competitive injury to the person submitting the information or would impair the
- 183 ability of the governmental entity to obtain necessary information in the future;
- 184 (b) the person submitting the information has a greater interest in prohibiting access than
- 185 the public in obtaining access; and
- 186 (c) the person submitting the information has provided the governmental entity with the
- 187 information specified in Section 63G-2-309;
- 188 (3) commercial or financial information acquired or prepared by a governmental entity to
- 189 the extent that disclosure would lead to financial speculations in currencies, securities, or
- 190 commodities that will interfere with a planned transaction by the governmental entity or
- 191 cause substantial financial injury to the governmental entity or state economy;
- 192 (4) records, the disclosure of which could cause commercial injury to, or confer a
- 193 competitive advantage upon a potential or actual competitor of, a commercial project
- 194 entity as defined in Subsection 11-13-103(4);
- 195 (5) test questions and answers to be used in future license, certification, registration,
- 196 employment, or academic examinations;
- 197 (6) records, the disclosure of which would impair governmental procurement proceedings

198 or give an unfair advantage to any person proposing to enter into a contract or agreement  
199 with a governmental entity, except, subject to Subsections (1) and (2), that this  
200 Subsection (6) does not restrict the right of a person to have access to, after the contract  
201 or grant has been awarded and signed by all parties:

202 (a) a bid, proposal, application, or other information submitted to or by a governmental  
203 entity in response to:

204 (i) an invitation for bids;

205 (ii) a request for proposals;

206 (iii) a request for quotes;

207 (iv) a grant; or

208 (v) other similar document; or

209 (b) an unsolicited proposal, as defined in Section 63G-6a-712;

210 (7) information submitted to or by a governmental entity in response to a request for  
211 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not  
212 restrict the right of a person to have access to the information, after:

213 (a) a contract directly relating to the subject of the request for information has been  
214 awarded and signed by all parties; or

215 (b)(i) a final determination is made not to enter into a contract that relates to the  
216 subject of the request for information; and

217 (ii) at least two years have passed after the day on which the request for information  
218 is issued;

219 (8) records that would identify real property or the appraisal or estimated value of real or  
220 personal property, including intellectual property, under consideration for public  
221 acquisition before any rights to the property are acquired unless:

222 (a) public interest in obtaining access to the information is greater than or equal to the  
223 governmental entity's need to acquire the property on the best terms possible;

224 (b) the information has already been disclosed to persons not employed by or under a  
225 duty of confidentiality to the entity;

226 (c) in the case of records that would identify property, potential sellers of the described  
227 property have already learned of the governmental entity's plans to acquire the  
228 property;

229 (d) in the case of records that would identify the appraisal or estimated value of  
230 property, the potential sellers have already learned of the governmental entity's  
231 estimated value of the property; or

- 232 (e) the property under consideration for public acquisition is a single family residence  
233 and the governmental entity seeking to acquire the property has initiated negotiations  
234 to acquire the property as required under Section 78B-6-505;
- 235 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated  
236 transaction of real or personal property including intellectual property, which, if  
237 disclosed prior to completion of the transaction, would reveal the appraisal or estimated  
238 value of the subject property, unless:
- 239 (a) the public interest in access is greater than or equal to the interests in restricting  
240 access, including the governmental entity's interest in maximizing the financial  
241 benefit of the transaction; or
- 242 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of  
243 the value of the subject property have already been disclosed to persons not  
244 employed by or under a duty of confidentiality to the entity;
- 245 (10) records created or maintained for civil, criminal, or administrative enforcement  
246 purposes or audit purposes, or for discipline, licensing, certification, or registration  
247 purposes, if release of the records:
- 248 (a) reasonably could be expected to interfere with investigations undertaken for  
249 enforcement, discipline, licensing, certification, or registration purposes;
- 250 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement  
251 proceedings;
- 252 (c) would create a danger of depriving a person of a right to a fair trial or impartial  
253 hearing;
- 254 (d) reasonably could be expected to disclose the identity of a source who is not generally  
255 known outside of government and, in the case of a record compiled in the course of  
256 an investigation, disclose information furnished by a source not generally known  
257 outside of government if disclosure would compromise the source; or
- 258 (e) reasonably could be expected to disclose investigative or audit techniques,  
259 procedures, policies, or orders not generally known outside of government if  
260 disclosure would interfere with enforcement or audit efforts;
- 261 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 262 (12) records the disclosure of which would jeopardize the security of governmental  
263 property, governmental programs, or governmental recordkeeping systems from  
264 damage, theft, or other appropriation or use contrary to law or public policy;
- 265 (13) records that, if disclosed, would jeopardize the security or safety of a correctional

- 266 facility, or records relating to incarceration, treatment, probation, or parole, that would  
267 interfere with the control and supervision of an offender's incarceration, treatment,  
268 probation, or parole;
- 269 (14) records that, if disclosed, would reveal recommendations made to the Board of  
270 Pardons and Parole by an employee of or contractor for the Department of Corrections,  
271 the Board of Pardons and Parole, or the Department of Health and Human Services that  
272 are based on the employee's or contractor's supervision, diagnosis, or treatment of any  
273 person within the board's jurisdiction;
- 274 (15) records and audit workpapers that identify audit, collection, and operational procedures  
275 and methods used by the State Tax Commission, if disclosure would interfere with  
276 audits or collections;
- 277 (16) records of a governmental audit agency relating to an ongoing or planned audit until  
278 the final audit is released;
- 279 (17) records that are subject to the attorney client privilege;
- 280 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,  
281 employee, or agent of a governmental entity for, or in anticipation of, litigation or a  
282 judicial, quasi-judicial, or administrative proceeding;
- 283 (19)(a)(i) personal files of a state legislator, including personal correspondence to or  
284 from a member of the Legislature; and
- 285 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of  
286 legislative action or policy may not be classified as protected under this section;  
287 and
- 288 (b)(i) an internal communication that is part of the deliberative process in connection  
289 with the preparation of legislation between:
- 290 (A) members of a legislative body;
- 291 (B) a member of a legislative body and a member of the legislative body's staff; or
- 292 (C) members of a legislative body's staff; and
- 293 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of  
294 legislative action or policy may not be classified as protected under this section;
- 295 (20)(a) records in the custody or control of the Office of Legislative Research and  
296 General Counsel, that, if disclosed, would reveal a particular legislator's  
297 contemplated legislation or contemplated course of action before the legislator has  
298 elected to support the legislation or course of action, or made the legislation or course  
299 of action public; and

- 300 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the  
301 Office of Legislative Research and General Counsel is a public document unless a  
302 legislator asks that the records requesting the legislation be maintained as protected  
303 records until such time as the legislator elects to make the legislation or course of  
304 action public;
- 305 (21) a research request from a legislator to a legislative staff member and research findings  
306 prepared in response to the request;
- 307 (22) drafts, unless otherwise classified as public;
- 308 (23) records concerning a governmental entity's strategy about:
- 309 (a) collective bargaining; or  
310 (b) imminent or pending litigation;
- 311 (24) records of investigations of loss occurrences and analyses of loss occurrences that may  
312 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the  
313 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 314 (25) records, other than personnel evaluations, that contain a personal recommendation  
315 concerning an individual if disclosure would constitute a clearly unwarranted invasion  
316 of personal privacy, or disclosure is not in the public interest;
- 317 (26) records that reveal the location of historic, prehistoric, paleontological, or biological  
318 resources that if known would jeopardize the security of those resources or of valuable  
319 historic, scientific, educational, or cultural information;
- 320 (27) records of independent state agencies if the disclosure of the records would conflict  
321 with the fiduciary obligations of the agency;
- 322 (28) records of an institution of higher education defined in Section 53H-1-101 regarding  
323 tenure evaluations, appointments, applications for admissions, retention decisions, and  
324 promotions, which could be properly discussed in a meeting closed in accordance with  
325 Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final  
326 decisions about tenure, appointments, retention, promotions, or those students admitted,  
327 may not be classified as protected under this section;
- 328 (29) records of the governor's office, including budget recommendations, legislative  
329 proposals, and policy statements, that if disclosed would reveal the governor's  
330 contemplated policies or contemplated courses of action before the governor has  
331 implemented or rejected those policies or courses of action or made them public;
- 332 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,  
333 revenue estimates, and fiscal notes of proposed legislation before issuance of the final

- 334 recommendations in these areas;
- 335 (31) records provided by the United States or by a government entity outside the state that  
336 are given to the governmental entity with a requirement that they be managed as  
337 protected records if the providing entity certifies that the record would not be subject to  
338 public disclosure if retained by it;
- 339 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a  
340 public body except as provided in Section 52-4-206;
- 341 (33) records that would reveal the contents of settlement negotiations but not including final  
342 settlements or empirical data to the extent that they are not otherwise exempt from  
343 disclosure;
- 344 (34) memoranda prepared by staff and used in the decision-making process by an  
345 administrative law judge, a member of the Board of Pardons and Parole, or a member of  
346 any other body charged by law with performing a quasi-judicial function;
- 347 (35) records that would reveal negotiations regarding assistance or incentives offered by or  
348 requested from a governmental entity for the purpose of encouraging a person to expand  
349 or locate a business in Utah, but only if disclosure would result in actual economic harm  
350 to the person or place the governmental entity at a competitive disadvantage, but this  
351 section may not be used to restrict access to a record evidencing a final contract;
- 352 (36) materials to which access must be limited for purposes of securing or maintaining the  
353 governmental entity's proprietary protection of intellectual property rights including  
354 patents, copyrights, and trade secrets;
- 355 (37) the name of a donor or a prospective donor to a governmental entity, including an  
356 institution of higher education defined in Section 53H-1-101, and other information  
357 concerning the donation that could reasonably be expected to reveal the identity of the  
358 donor, provided that:
- 359 (a) the donor requests anonymity in writing;
- 360 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be  
361 classified protected by the governmental entity under this Subsection (37); and
- 362 (c) except for an institution of higher education defined in Section 53H-1-101, the  
363 governmental unit to which the donation is made is primarily engaged in educational,  
364 charitable, or artistic endeavors, and has no regulatory or legislative authority over  
365 the donor, a member of the donor's immediate family, or any entity owned or  
366 controlled by the donor or the donor's immediate family;
- 367 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;

- 368 (39) a notification of workers' compensation insurance coverage described in Section  
369 34A-2-205;
- 370 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher  
371 education defined in Section 53H-1-101, which have been developed, discovered,  
372 disclosed to, or received by or on behalf of faculty, staff, employees, or students of the  
373 institution:
- 374 (a) unpublished lecture notes;
- 375 (b) unpublished notes, data, and information:
- 376 (i) relating to research; and
- 377 (ii) of:
- 378 (A) the institution of higher education defined in Section 53H-1-101; or
- 379 (B) a sponsor of sponsored research;
- 380 (c) unpublished manuscripts;
- 381 (d) creative works in process;
- 382 (e) scholarly correspondence; and
- 383 (f) confidential information contained in research proposals;
- 384 (g) this Subsection (40) may not be construed to prohibit disclosure of public  
385 information required pursuant to Subsection 53H-14-202(2)(a) or (b); and
- 386 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 387 (41)(a) records in the custody or control of the Office of the Legislative Auditor General  
388 that would reveal the name of a particular legislator who requests a legislative audit  
389 prior to the date that audit is completed and made public; and
- 390 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the  
391 Office of the Legislative Auditor General is a public document unless the legislator  
392 asks that the records in the custody or control of the Office of the Legislative Auditor  
393 General that would reveal the name of a particular legislator who requests a  
394 legislative audit be maintained as protected records until the audit is completed and  
395 made public;
- 396 (42) records that provide detail as to the location of an explosive, including a map or other  
397 document that indicates the location of:
- 398 (a) a production facility; or
- 399 (b) a magazine;
- 400 (43) information contained in the statewide database of the Division of Aging and Adult  
401 Services created by Section 26B-6-210;

- 402 (44) information contained in the Licensing Information System described in Title 80,  
403 Chapter 2, Child Welfare Services;
- 404 (45) information regarding National Guard operations or activities in support of the  
405 National Guard's federal mission;
- 406 (46) records provided by any pawn or secondhand business to a law enforcement agency or  
407 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand  
408 Merchandise, and Catalytic Converter Transaction Information Act;
- 409 (47) information regarding food security, risk, and vulnerability assessments performed by  
410 the Department of Agriculture and Food;
- 411 (48) except to the extent that the record is exempt from this chapter pursuant to Section  
412 63G-2-106, records related to an emergency plan or program, a copy of which is  
413 provided to or prepared or maintained by the Division of Emergency Management, and  
414 the disclosure of which would jeopardize:
- 415 (a) the safety of the general public; or  
416 (b) the security of:
- 417 (i) governmental property;  
418 (ii) governmental programs; or  
419 (iii) the property of a private person who provides the Division of Emergency  
420 Management information;
- 421 (49) records of the Department of Agriculture and Food that provides for the identification,  
422 tracing, or control of livestock diseases, including any program established under Title  
423 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control  
424 of Animal Disease;
- 425 (50) as provided in Section 26B-2-709:
- 426 (a) information or records held by the Department of Health and Human Services related  
427 to a complaint regarding a provider, program, or facility which the department is  
428 unable to substantiate; and  
429 (b) information or records related to a complaint received by the Department of Health  
430 and Human Services from an anonymous complainant regarding a provider, program,  
431 or facility;
- 432 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided  
433 under Section 41-1a-116, an individual's home address, home telephone number, or  
434 personal mobile phone number, if:
- 435 (a) the individual is required to provide the information in order to comply with a law,

- 436 ordinance, rule, or order of a government entity; and
- 437 (b) the subject of the record has a reasonable expectation that this information will be  
438 kept confidential due to:
- 439 (i) the nature of the law, ordinance, rule, or order; and
- 440 (ii) the individual complying with the law, ordinance, rule, or order;
- 441 (52) the portion of the following documents that contains a candidate's residential or  
442 mailing address, if the candidate provides to the filing officer another address or phone  
443 number where the candidate may be contacted:
- 444 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,  
445 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405,  
446 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;
- 447 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or
- 448 (c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;
- 449 (53) the name, home address, work addresses, and telephone numbers of an individual that  
450 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 451 (a) conducted within the state system of higher education, as described in Section  
452 53H-1-102; and
- 453 (b) conducted using animals;
- 454 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance  
455 Evaluation Commission concerning an individual commissioner's vote, in relation to  
456 whether a judge meets or exceeds minimum performance standards under Subsection  
457 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 458 (55) information collected and a report prepared by the Judicial Performance Evaluation  
459 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,  
460 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes  
461 public, the information or report;
- 462 (56) records provided or received by the Public Lands Policy Coordinating Office in  
463 furtherance of any contract or other agreement made in accordance with Section  
464 63L-11-202;
- 465 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 466 (58) in accordance with Section 73-10-33:
- 467 (a) a management plan for a water conveyance facility in the possession of the Division  
468 of Water Resources or the Board of Water Resources; or
- 469 (b) an outline of an emergency response plan in possession of the state or a county or

- 470 municipality;
- 471 (59) the following records in the custody or control of the Office of Inspector General of  
472 Medicaid Services, created in Section 63A-13-201:
- 473 (a) records that would disclose information relating to allegations of personal  
474 misconduct, gross mismanagement, or illegal activity of a person if the information  
475 or allegation cannot be corroborated by the Office of Inspector General of Medicaid  
476 Services through other documents or evidence, and the records relating to the  
477 allegation are not relied upon by the Office of Inspector General of Medicaid  
478 Services in preparing a final investigation report or final audit report;
- 479 (b) records and audit workpapers to the extent they would disclose the identity of a  
480 person who, during the course of an investigation or audit, communicated the  
481 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected  
482 violation of a law, rule, or regulation adopted under the laws of this state, a political  
483 subdivision of the state, or any recognized entity of the United States, if the  
484 information was disclosed on the condition that the identity of the person be  
485 protected;
- 486 (c) before the time that an investigation or audit is completed and the final investigation  
487 or final audit report is released, records or drafts circulated to a person who is not an  
488 employee or head of a governmental entity for the person's response or information;
- 489 (d) records that would disclose an outline or part of any investigation, audit survey plan,  
490 or audit program; or
- 491 (e) requests for an investigation or audit, if disclosure would risk circumvention of an  
492 investigation or audit;
- 493 (60) records that reveal methods used by the Office of Inspector General of Medicaid  
494 Services, the fraud unit, or the Department of Health and Human Services, to discover  
495 Medicaid fraud, waste, or abuse;
- 496 (61) information provided to the Department of Health and Human Services or the Division  
497 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections  
498 58-68-304(3) and (4);
- 499 (62) a record described in Section 63G-12-210;
- 500 (63) captured plate data that is obtained through an automatic license plate reader system  
501 used by a governmental entity as authorized in Section 41-6a-2003;
- 502 (64) an audio or video recording created by a body-worn camera, as that term is defined in  
503 Section 77-7a-103, that records sound or images inside a hospital or health care facility

- 504 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,  
505 as that term is defined in Section 78B-3-403, or inside a human service program as that  
506 term is defined in Section 26B-2-101, except for recordings that:
- 507 (a) depict the commission of an alleged crime;
  - 508 (b) record any encounter between a law enforcement officer and a person that results in  
509 death or bodily injury, or includes an instance when an officer fires a weapon;
  - 510 (c) record any encounter that is the subject of a complaint or a legal proceeding against a  
511 law enforcement officer or law enforcement agency;
  - 512 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);  
513 or
  - 514 (e) have been requested for reclassification as a public record by a subject or authorized  
515 agent of a subject featured in the recording;
- 516 (65) a record pertaining to the search process for a president of an institution of higher  
517 education described in Section 53H-3-302;
- 518 (66) an audio recording that is:
- 519 (a) produced by an audio recording device that is used in conjunction with a device or  
520 piece of equipment designed or intended for resuscitating an individual or for treating  
521 an individual with a life-threatening condition;
  - 522 (b) produced during an emergency event when an individual employed to provide law  
523 enforcement, fire protection, paramedic, emergency medical, or other first responder  
524 service:
    - 525 (i) is responding to an individual needing resuscitation or with a life-threatening  
526 condition; and
    - 527 (ii) uses a device or piece of equipment designed or intended for resuscitating an  
528 individual or for treating an individual with a life-threatening condition; and
  - 529 (c) intended and used for purposes of training emergency responders how to improve  
530 their response to an emergency situation;
- 531 (67) records submitted by or prepared in relation to an applicant seeking a recommendation  
532 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the  
533 Legislative Audit Subcommittee, established under Section 36-12-8, for an employment  
534 position with the Legislature;
- 535 (68) work papers as defined in Section 31A-2-204;
- 536 (69) a record made available to Adult Protective Services or a law enforcement agency  
537 under Section 61-1-206;

- 538 (70) a record submitted to the Insurance Department in accordance with Section  
539 31A-37-201;
- 540 (71) a record described in Section 31A-37-503;
- 541 (72) any record created by the Division of Professional Licensing as a result of Subsection  
542 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 543 (73) a record described in Section 72-16-306 that relates to the reporting of an injury  
544 involving an amusement ride;
- 545 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a  
546 political petition, or on a request to withdraw a signature from a political petition,  
547 including a petition or request described in the following titles:
- 548 (a) Title 10, Utah Municipal Code;
- 549 (b) Title 17, Counties;
- 550 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 551 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 552 (e) Title 20A, Election Code;
- 553 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a  
554 voter registration record;
- 555 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature  
556 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local  
557 political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- 558 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,  
559 Victims Guidelines for Prosecutors Act;
- 560 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 561 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is  
562 prohibited under Section 63G-26-103;
- 563 (80) an image taken of an individual during the process of booking the individual into jail,  
564 unless:
- 565 (a) the individual is convicted of a criminal offense based upon the conduct for which  
566 the individual was incarcerated at the time the image was taken;
- 567 (b) a law enforcement agency releases or disseminates the image:
- 568 (i) after determining that the individual is a fugitive or an imminent threat to an  
569 individual or to public safety and releasing or disseminating the image will assist  
570 in apprehending the individual or reducing or eliminating the threat; or
- 571 (ii) to a potential witness or other individual with direct knowledge of events relevant

- 572 to a criminal investigation or criminal proceeding for the purpose of identifying or  
573 locating an individual in connection with the criminal investigation or criminal  
574 proceeding;
- 575 (c) a judge orders the release or dissemination of the image based on a finding that the  
576 release or dissemination is in furtherance of a legitimate law enforcement interest; or  
577 (d) the image is displayed to a person who is permitted to view the image under Section  
578 17-72-802;
- 579 (81) a record:
- 580 (a) concerning an interstate claim to the use of waters in the Colorado River system;  
581 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a  
582 representative from another state or the federal government as provided in Section  
583 63M-14-205; and  
584 (c) the disclosure of which would:
- 585 (i) reveal a legal strategy relating to the state's claim to the use of the water in the  
586 Colorado River system;  
587 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to  
588 negotiate the best terms and conditions regarding the use of water in the Colorado  
589 River system; or  
590 (iii) give an advantage to another state or to the federal government in negotiations  
591 regarding the use of water in the Colorado River system;
- 592 (82) any part of an application described in Section 63N-16-201 that the Governor's Office  
593 of Economic Opportunity determines is nonpublic, confidential information that if  
594 disclosed would result in actual economic harm to the applicant, but this Subsection (82)  
595 may not be used to restrict access to a record evidencing a final contract or approval  
596 decision;
- 597 (83) the following records of a drinking water or wastewater facility:
- 598 (a) an engineering or architectural drawing of the drinking water or wastewater facility; [  
599 and]
- 600 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the  
601 drinking water or wastewater facility uses to secure, or prohibit access to, the records  
602 described in Subsection (83)(a); and
- 603 (c) any record related to an emergency response plan or incident report described in  
604 Section 19-4-117;
- 605 (84) a statement that an employee of a governmental entity provides to the governmental

- 606 entity as part of the governmental entity's personnel or administrative investigation into  
607 potential misconduct involving the employee if the governmental entity:
- 608 (a) requires the statement under threat of employment disciplinary action, including  
609 possible termination of employment, for the employee's refusal to provide the  
610 statement; and
- 611 (b) provides the employee assurance that the statement cannot be used against the  
612 employee in any criminal proceeding;
- 613 (85) any part of an application for a Utah Fits All Scholarship account described in Section  
614 53F-6-402 or other information identifying a scholarship student as defined in Section  
615 53F-6-401;
- 616 (86) a record:
- 617 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 618 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a  
619 person concerning the claim, including a representative from another state or the  
620 federal government; and
- 621 (c) the disclosure of which would:
- 622 (i) reveal a legal strategy relating to the state's claim to the use of the water in the  
623 Great Salt Lake;
- 624 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms  
625 and conditions regarding the use of water in the Great Salt Lake; or
- 626 (iii) give an advantage to another person including another state or to the federal  
627 government in negotiations regarding the use of water in the Great Salt Lake;
- 628 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is  
629 reclassified as public as described in Subsection 13-2-11(4);
- 630 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 631 (a) concerning a claim to the use of waters;
- 632 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a  
633 representative from another state, a tribe, the federal government, or other  
634 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;  
635 and
- 636 (c) the disclosure of which would:
- 637 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 638 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions  
639 regarding the use of water; or

- 640 (iii) give an advantage to another state, a tribe, the federal government, or other
- 641 government entity in negotiations regarding the use of water; and
- 642 (89) a record created or maintained for an investigation of the Prosecutor Conduct
- 643 Commission, created in Section 63M-7-1102, that contains any personal identifying
- 644 information of a prosecuting attorney, including:
- 645 (a) a complaint, or a document that is submitted or created for a complaint, received by
- 646 the Prosecutor Conduct Commission; or
- 647 (b) a finding by the Prosecutor Conduct Commission.

648 Section 4. **Effective Date.**

649 This bill takes effect on May 6, 2026.