

1 **Taxpayer Information Sharing Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Troy Shelley

Senate Sponsor:

2 **LONG TITLE**3 **Committee Note:**

4 The Revenue and Taxation Interim Committee recommended this bill.

5 Legislative Vote: 10 voting for 0 voting against 8 absent

6 **General Description:**7 This bill provides for information sharing between the Driver License Division and county
8 assessors.9 **Highlighted Provisions:**

10 This bill:

11

- 12 ▶ requires the Driver License Division to provide county assessors with certain personal
13 identifying information for each person issued a driver license;
- 14 ▶ limits a county assessor's use of information provided by the Driver License Division to
15 the purpose of verifying a property owner's eligibility to receive a residential property
16 tax exemption; and
- 17 ▶ makes technical changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**23 **AMENDS:**24 **53-3-109**, as last amended by Laws of Utah 2024, Chapter 51725 **59-2-103.5**, as last amended by Laws of Utah 2025, Chapter 234

26 *Be it enacted by the Legislature of the state of Utah:*27 Section 1. Section **53-3-109** is amended to read:28 **53-3-109 . Records -- Access -- Fees -- Rulemaking.**

29 (1)(a) Except as provided in this section, all records of the division shall be classified

31 and disclosed in accordance with Title 63G, Chapter 2, Government Records Access
32 and Management Act.

33 (b) The division may disclose personal identifying information in accordance with 18
34 U.S.C. Chapter 123:

35 (i) to a licensed private investigator holding a valid agency license, with a legitimate
36 business need;

37 (ii) to an insurer, insurance support organization, or a self-insured entity, or its
38 agents, employees, or contractors that issues any motor vehicle insurance under
39 Title 31A, Chapter 22, Part 3, Motor Vehicle Insurance, for use in connection with
40 claims investigation activities, antifraud activities, rating, or underwriting for any
41 person issued a license certificate under this chapter;

42 (iii) to a depository institution as that term is defined in Section 7-1-103;

43 (iv) to the State Tax Commission for the purposes of tax fraud detection and
44 prevention and any other use required by law;

45 (v) subject to Subsection (8), to the University of Utah for data collection in relation
46 to genetic and epidemiologic research; [or]

47 (vi)(A) to a government entity, including any court or law enforcement agency, to
48 fulfill the government entity's functions; or
49 (B) to a private person acting on behalf of a government entity to fulfill the
50 government entity's functions, if the division determines disclosure of the
51 information is in the interest of public safety[.] ; or
52 (vii) subject to Subsection (9), to a county assessor for purposes of verifying
53 eligibility for the residential exemption described in Section 59-2-103.

54 (2)(a) A person who receives personal identifying information shall be advised by the
55 division that the person may not:

56 (i) disclose the personal identifying information from that record to any other person;
57 or
58 (ii) use the personal identifying information from that record for advertising or
59 solicitation purposes.

60 (b) Any use of personal identifying information by an insurer or insurance support
61 organization, or by a self-insured entity or its agents, employees, or contractors not
62 authorized by Subsection (1)(b)(ii) is:
63 (i) an unfair marketing practice under Section 31A-23a-402; or
64 (ii) an unfair claim settlement practice under Subsection 31A-26-303(3).

65 (3)(a) Notwithstanding the provisions of Subsection (1)(b), the division or [its] the
66 division's designee may disclose portions of a driving record, in accordance with this
67 Subsection (3), to:
68 (i) an insurer as defined under Section 31A-1-301, or a designee of an insurer, for
69 purposes of assessing driving risk on the insurer's current motor vehicle insurance
70 policyholders;
71 (ii) an employer or a designee of an employer, for purposes of monitoring the driving
72 record and status of current employees who drive as a responsibility of the
73 employee's employment if the requester demonstrates that the requester has
74 obtained the written consent of the individual to whom the information pertains;
75 and
76 (iii) an employer or the employer's agents to obtain or verify information relating to a
77 holder of a commercial driver license that is required under 49 U.S.C. Chapter 313.

78 (b) A disclosure under Subsection (3)(a)(i) shall:
79 (i) include the licensed driver's name, driver license number, date of birth, and an
80 indication of whether the driver has had a moving traffic violation that is a
81 reportable violation, as defined under Section 53-3-102 during the previous month;
82 (ii) be limited to the records of drivers who, at the time of the disclosure, are covered
83 under a motor vehicle insurance policy of the insurer; and
84 (iii) be made under a contract with the insurer or a designee of an insurer.

85 (c) A disclosure under Subsection (3)(a)(ii) or (iii) shall:
86 (i) include the licensed driver's name, driver license number, date of birth, and an
87 indication of whether the driver has had a moving traffic violation that is a
88 reportable violation, as defined under Section 53-3-102, during the previous
89 month;
90 (ii) be limited to the records of a current employee of an employer;
91 (iii) be made under a contract with the employer or a designee of an employer; and
92 (iv) include an indication of whether the driver has had a change reflected in the
93 driver's:
94 (A) driving status;
95 (B) license class;
96 (C) medical self-certification status; or
97 (D) medical examiner's certificate under 49 C.F.R. Sec. 391.45.
98 (d) The contract under Subsection (3)(b)(iii) or (c)(iii) shall specify:

99 (i) the criteria for searching and compiling the driving records being requested;
100 (ii) the frequency of the disclosures;
101 (iii) the format of the disclosures, which may be in bulk electronic form; and
102 (iv) a reasonable charge for the driving record disclosures under this Subsection (3).

103 (4)(a) Notwithstanding Subsection (1)(a), the division may provide a "yes" or "no"
104 response to an electronically submitted request to verify information from a driver
105 license or identification card issued by the division if:
106 (i) the request is made by a private entity operating under the Transportation Security
107 Administration Registered Traveler program;
108 (ii) the private entity implements the Transportation Security Administration
109 enrollment standards; and
110 (iii) the program participant:
111 (A) voluntarily provides the participant's division-issued identification to confirm
112 the participant's identity; and
113 (B) consents to verification of the participant's name, date of birth, and home
114 address.

115 (b) The data described in Subsection (4)(a)(iii)(B) may only be used to enroll or reenroll
116 the participant in the Transportation Security Administration Registered Traveler
117 program.
118 (c) The division may not furnish a "yes" response under Subsection (4)(a) unless all data
119 fields match.

120 (5) The division may charge fees:
121 (a) in accordance with Section 53-3-105 for searching and compiling its files or
122 furnishing a report on the driving record of a person;
123 (b) for each document prepared under the seal of the division and deliver upon request, a
124 certified copy of any record of the division, and charge a fee set in accordance with
125 Section 63J-1-504 for each document authenticated;
126 (c) established in accordance with Section 63J-1-504, for disclosing personal identifying
127 information under Subsection (1)(b); and
128 (d) established in accordance with Section 63J-1-504, for each response under
129 Subsection (4).

130 (6) Each certified copy of a driving record furnished in accordance with this section is
131 admissible in any court proceeding in the same manner as the original.

132 (7)(a) A driving record furnished under this section may only report on the driving

133 record of a person for a period of 10 years.

134 (b) Subsection (7)(a) does not apply to court or law enforcement reports, reports of
135 commercial driver license violations, or reports for commercial driver license holders.

136 (8)(a) The division shall include on each application for or renewal of a license or
137 identification card under this chapter:

138 (i) the following notice: "The Driver License Division may disclose the information
139 provided on this form to an entity described in Utah Code Ann. Subsection
140 53-3-109(1)(b)(v).";

141 (ii) a reference to the website described in Subsection (8)(b); and

142 (iii) a link to the division website for:

143 (A) information provided by the division, after consultation with the University of
144 Utah, containing the explanation and description described in Subsection (8)(b);
145 and

146 (B) an online form for the individual to opt out of the disclosure of personal
147 identifying information described in Subsection (1)(b)(v).

148 (b) In consultation with the division, the University of Utah shall create a website that
149 provides an explanation and description of:

150 (i) what information may be disclosed by the division to the University of Utah under
151 Subsection (1)(b)(v);

152 (ii) the methods and timing of anonymizing the information;

153 (iii) for situations where the information is not anonymized:

154 (A) how the information is used;

155 (B) how the information is secured;

156 (C) how long the information is retained; and

157 (D) who has access to the information;

158 (iv) research and statistical purposes for which the information is used; and

159 (v) other relevant details regarding the information.

160 (c) The website created by the University of Utah described in Subsection (8)(b) shall
161 include the following:

162 (i) a link to the division website for an online form for the individual to opt out of the
163 disclosure of personal identifying information as described in Subsection (1)(b)(v);
164 and

165 (ii) a link to an online form for the individual to affirmatively choose to remove,
166 subject to Subsection (8)(e)(ii), personal identifying information from the database

167 controlled by the University of Utah that was disclosed pursuant to Subsection
168 (1)(b)(v).

169 (d) In the course of business, the division shall provide information regarding the
170 disclosure of personal identifying information, including providing on the division
171 website:

172 (i) a link to the website created under Subsection (8)(b) to provide individuals with
173 information regarding the disclosure of personal identifying information under
174 Subsection (1)(b)(v); and
175 (ii) a link to the division website for:
176 (A) information provided by the division, after consultation with the University of
177 Utah, containing the explanation and description described in Subsection (8)(b);
178 and
179 (B) an online form for the individual to opt out of the disclosure of personal
180 identifying information as described in Subsection (1)(b)(v).

181 (e)(i) The division may not disclose the personal identifying information under
182 Subsection (1)(b)(v) if an individual opts out of the disclosure as described in
183 Subsection (8)(a)(iii)(B) or (8)(c)(i).

184 (ii)(A) Except as provided in Subsection (8)(e)(ii)(B), if an individual makes a
185 request as described in Subsection (8)(c)(ii), the University of Utah shall,
186 within 90 days of receiving the request, remove and destroy the individual's
187 personal identifying information received under Subsection (1)(b)(v) from a
188 database controlled by the University of Utah.

189 (B) The University of Utah is not required to remove an individual's personal
190 identifying information as described in Subsection (8)(e)(ii)(A) from data
191 released to a research study before the date of the request described in
192 Subsection (8)(c)(ii).

193 (f) The University of Utah shall conduct a biennial internal information security audit of
194 the information systems that store the data received pursuant to Subsection (1)(b)(v),
195 and, beginning in the year 2023, provide a biennial report of the findings of the
196 internal audit to the Transportation Interim Committee.

197 (9)(a) The division shall, for each person to whom a driver license has been issued,
198 provide to a county assessor the name, date of birth, and address listed on the driver
199 license.

200 (b) A county assessor may use the information described in Subsection (9)(a) only for

201 purposes of verifying a property owner's eligibility to receive a residential exemption
202 authorized under Section 59-2-103.

203 [(9)] (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,

204 the division may make rules to designate:

- 205 (a) what information shall be included in a report on the driving record of a person;
- 206 (b) the form of a report or copy of the report which may include electronic format;
- 207 (c) the form of a certified copy, as required under Section 53-3-216, which may include
208 electronic format;
- 209 (d) the form of a signature required under this chapter which may include electronic
210 format;
- 211 (e) the form of written request to the division required under this chapter which may
212 include electronic format;
- 213 (f) the procedures, requirements, and formats for disclosing personal identifying
214 information under Subsection (1)(b); and
- 215 (g) the procedures, requirements, and formats necessary for the implementation of
216 Subsection (3).

217 [(10)] (11)(a) It is a class B misdemeanor for a person to knowingly or intentionally
218 access, use, disclose, or disseminate a record created or maintained by the division or
219 any information contained in a record created or maintained by the division for a
220 purpose prohibited or not permitted by statute, rule, regulation, or policy of a
221 governmental entity.

222 (b) A person who discovers or becomes aware of any unauthorized use of records
223 created or maintained by the division shall inform the commissioner and the division
224 director of the unauthorized use.

225 Section 2. Section **59-2-103.5** is amended to read:

226 **59-2-103.5 . Procedures to obtain an exemption for residential property --**

227 **Procedure if property owner or property no longer qualifies to receive a residential
228 exemption.**

- 229 (1) Subject to Subsections (4), (5), (6), and (11), for residential property other than
230 part-year residential property, a county legislative body may adopt an ordinance that
231 requires an owner to file an application with the county board of equalization before the
232 county applies a residential exemption authorized under Section 59-2-103 to the value of
233 the residential property if:
 - 234 (a) the residential property was ineligible for the residential exemption during the

235 calendar year immediately preceding the calendar year for which the owner is
236 seeking to have the residential exemption applied to the value of the residential
237 property;

238 (b) an ownership interest in the residential property changes; or
239 (c) the county board of equalization determines that there is reason to believe that the
240 residential property no longer qualifies for the residential exemption.

241 (2)(a) The application described in Subsection (1):

242 (i) shall be on a form the commission provides by rule and makes available to the
243 counties;
244 (ii) shall be signed by the owner of the residential property; and
245 (iii) may not request the sales price of the residential property.

246 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
247 commission may make rules providing the contents of the form described in
248 Subsection (2)(a).

249 (c) For purposes of the application described in Subsection (1), a county may not request
250 information from an owner of a residential property beyond the information in the
251 form provided by the commission under this Subsection (2).

252 (3)(a) Regardless of whether a county legislative body adopts an ordinance described in
253 Subsection (1), before a county may apply a residential exemption to the value of
254 part-year residential property, an owner of the property shall:

255 (i) subject to Subsection (6), file the application described in Subsection (2)(a) with
256 the county board of equalization; and
257 (ii) include as part of the application described in Subsection (2)(a) a statement that
258 certifies:
259 (A) the date the part-year residential property became residential property;
260 (B) that the part-year residential property will be used as residential property for
261 183 or more consecutive calendar days during the calendar year for which the
262 owner seeks to obtain the residential exemption; and
263 (C) that the owner, or a member of the owner's household, may not claim a
264 residential exemption for any property for the calendar year for which the
265 owner seeks to obtain the residential exemption, other than the part-year
266 residential property, or as allowed under Section 59-2-103 with respect to the
267 primary residence or household furnishings, furniture, and equipment of the
268 owner's tenant.

269 (b) If an owner files an application under this Subsection (3) on or after May 1 of the
270 calendar year for which the owner seeks to obtain the residential exemption, the
271 county board of equalization may require the owner to pay an application fee not to
272 exceed \$50.

273 (4) Before a county allows residential property described in Subsection 59-2-102(35)(b)(ii)
274 a residential exemption authorized under Section 59-2-103, an owner of the residential
275 property shall file with the county assessor a written declaration that:
276 (a) states under penalty of perjury that, to the best of each owner's knowledge, upon
277 completion of construction or occupancy of the residential property, the residential
278 property will be used for residential purposes as a primary residence;
279 (b) is signed by each owner of the residential property; and
280 (c) is on a form approved by the commission.

281 (5)(a) Before a county allows residential property described in Subsection 59-2-103(6)(b)
282 a residential exemption authorized under Section 59-2-103, an owner of the
283 residential property shall file with the county assessor a written declaration that:
284 (i) states under penalty of perjury that, to the best of each owner's knowledge, the
285 residential property will be used for residential purposes as a primary residence of
286 a tenant;
287 (ii) is signed by each owner of the residential property; and
288 (iii) is on a form approved by the commission.

289 (b)(i)(A) In addition to the declaration, a county assessor may request from an
290 owner a current lease agreement signed by the tenant.
291 (B) If the lease agreement is insufficient for a county assessor to make a
292 determination about eligibility for a residential exemption, a county assessor
293 may request a copy of the real estate insurance policy for the property.
294 (C) If the real estate insurance policy is insufficient for a county assessor to make
295 a determination about eligibility for a residential exemption, a county assessor
296 may request a copy of a filing from the most recent federal tax return showing
297 that the owner had profit or loss from the residential property as a rental.
298 (ii) A county assessor may not request information from an owner's tenant.

299 (6)(a) Except as provided in Subsection (6)(b), the county board of equalization may not
300 accept from a property owner an application to receive a residential exemption
301 authorized under Section 59-2-103 for the property owner's primary residence that is
302 filed after the later of:

303 (i) September 15 of the calendar year for which the property owner seeks to receive
304 the residential exemption; or
305 (ii) the last day of a 45-day period beginning on the day on which the county auditor
306 provides the notice under Section 59-2-919.1.

307 (b)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
308 the commission may make rules providing for circumstances under which the
309 county board of equalization is required to accept a property owner's application
310 for a residential exemption authorized under Section 59-2-103 that is filed after
311 the time period described in Subsection (6)(a).

312 (ii) The commission shall report to the Revenue and Taxation Interim Committee on
313 any rules [promulgated] implemented under this Subsection (6)(b).

314 (7) Except as provided in Subsection (8), if a property owner no longer qualifies to receive
315 a residential exemption authorized under Section 59-2-103 for the property owner's
316 primary residence, the property owner shall:

317 (a) file a written statement with the county board of equalization of the county in which
318 the property is located:
319 (i) on a form provided by the county board of equalization; and
320 (ii) notifying the county board of equalization that the property owner no longer
321 qualifies to receive a residential exemption authorized under Section 59-2-103 for
322 the property owner's primary residence; and
323 (b) declare on the property owner's individual income tax return under Chapter 10,
324 Individual Income Tax Act, for the taxable year for which the property owner no
325 longer qualifies to receive a residential exemption authorized under Section 59-2-103
326 for the property owner's primary residence, that the property owner no longer
327 qualifies to receive a residential exemption authorized under Section 59-2-103 for the
328 property owner's primary residence.

329 (8) A property owner is not required to file a written statement or make the declaration
330 described in Subsection (7) if the property owner:
331 (a) changes primary residences;
332 (b) qualified to receive a residential exemption authorized under Section 59-2-103 for
333 the residence that was the property owner's former primary residence; and
334 (c) qualifies to receive a residential exemption authorized under Section 59-2-103 for the
335 residence that is the property owner's current primary residence.

336 (9) Subsections (2) through (8) do not apply to qualifying exempt primary residential rental

337 personal property.

338 (10)(a) Subject to Subsection (11), for the first calendar year in which a property owner
339 qualifies to receive a residential exemption under Section 59-2-103, a county assessor
340 may require the property owner to file a signed statement described in Section
341 59-2-306.

342 (b) Subject to Subsection (11) and notwithstanding Section 59-2-306, for a calendar year
343 after the calendar year described in Subsection (10)(a) in which a property owner
344 qualifies for an exemption authorized under Section 59-2-1115 for qualifying exempt
345 primary residential rental personal property, a signed statement described in Section
346 59-2-306 with respect to the qualifying exempt primary residential rental personal
347 property may only require the property owner to certify, under penalty of perjury,
348 that the property owner qualifies for the exemption authorized under Section
349 59-2-1115.

350 (11)(a) After an ownership interest in residential property changes, the county assessor
351 shall:

352 (i) notify the owner of the residential property that the owner is required to submit a
353 written declaration described in Subsection (11)(d) within 90 days after the day on
354 which the county assessor mails the notice under this Subsection (11)(a); and
355 (ii) provide the owner of the residential property with the form described in
356 Subsection (11)(e) to make the written declaration described in Subsection (11)(d).

357 (b) A county assessor is not required to provide a notice to an owner of residential
358 property under Subsection (11)(a) if the situs address of the residential property is the
359 same as any one of the following:

360 (i) the mailing address of the residential property owner or the tenant of the
361 residential property;

362 (ii) the address listed on the:

363 (A) residential property owner's driver license; or
364 (B) tenant of the residential property's driver license; or

365 (iii) the address listed on the:

366 (A) residential property owner's voter registration; or
367 (B) tenant of the residential property's voter registration.

368 (c) A county assessor is not required to provide a notice to an owner of residential
369 property under Subsection (11)(a) if:

370 (i) the owner is using a post office box or rural route box located in the county where

the residential property is located; and

(ii) the residential property is located in a county of the fourth, fifth, or sixth class.

(d) An owner of residential property that receives a notice described in Subsection

(11)(a) shall submit a written declaration to the county assessor under penalty of perjury certifying the information contained in the form described in Subsection (11)(e).

(e) The written declaration required by Subsection (11)(d) shall be:

(i) signed by the owner of the residential property; and

(ii) in substantially the following form:

"Residential Property Declaration

This form must be submitted to the County Assessor's office where your new residential property is located within 90 days of receipt. Failure to do so will result in the county assessor taking action that could result in the withdrawal of the primary residential exemption from your residential property.

Residential Property Owner Information

Name(s): _____

Home Phone: _____

Work Phone: _____

Mailing Address: _____

Residential Property Information

Physical Address: _____

Certification

1. Is this property used as a primary residential property or part-year residential property for you or another person?

"Part-year residential property" means owned property that is not residential property on January 1 of a calendar year but becomes residential property after January 1 of the calendar year.

2. Will this primary residential property or part-year residential property be occupied for 183 or more consecutive calendar days by the owner or another person?

A part-year residential property occupied for 183 or more consecutive calendar days in a calendar year by the owner(s) or a tenant is eligible for the exemption.

If a property owner or a property owner's spouse claims a residential exemption under

405 Utah Code Ann. §59-2-103 for property in this state that is the primary residence of the property
406 owner or the property owner's spouse, that claim of a residential exemption shall be considered
407 in determining whether the property owner and the property owner's spouse have domicile in
408 Utah for income tax purposes.

409 Signature

410 Under penalties of perjury, I declare to the best of my knowledge and belief, this
411 declaration and accompanying pages are true, correct, and complete.

412 _____(Owner signature) _____Date (mm/dd/yyyy)
413 _____(Owner printed name)"

414 (f) For purposes of a written declaration described in this Subsection (11), a county may
415 not request information from a property owner beyond the information described in
416 the form provided in Subsection (11)(e).

417 (g)(i) If, after receiving a written declaration filed under Subsection (11)(d), the
418 county determines that the property has been incorrectly qualified or disqualified
419 to receive a residential exemption, the county shall:

420 (A) redetermine the property's qualification to receive a residential exemption; and
421 (B) notify the claimant of the redetermination and the county's reason for the
422 redetermination.

423 (ii) The redetermination provided in Subsection (11)(g)(i)(A) is final unless:
424 (A) except as provided in Subsection (11)(g)(iii), the property owner appeals the
425 redetermination to the board of equalization in accordance with Subsection
426 59-2-1004(2); or
427 (B) the county determines that the property is eligible to receive a primary
428 residential exemption as part-year residential property.

429 (iii) The board of equalization may not accept an appeal that is filed after the later of:
430 (A) September 15 of the current calendar year; or
431 (B) the last day of the 45-day period beginning on the day on which the county
432 auditor provides the notice under Section 59-2-919.1.

433 (h)(i) If a residential property owner fails to file a written declaration required by
434 Subsection (11)(d), the county assessor shall mail to the owner of the residential
435 property a notice that:

436 (A) the property owner failed to file a written declaration as required by
437 Subsection (11)(d); and
438 (B) the property owner will no longer qualify to receive the residential exemption

authorized under Section 59-2-103 for the property that is the subject of the written declaration if the property owner does not file the written declaration required by Subsection (11)(d) within 30 days after the day on which the county assessor mails the notice under this Subsection (11)(h)(i).

(ii) If a property owner fails to file a written declaration required by Subsection (11)(d) after receiving the notice described in Subsection (11)(h)(i), the property owner no longer qualifies to receive the residential exemption authorized under Section 59-2-103 in the calendar year for the property that is the subject of the written declaration unless:

- (A) except as provided in Subsection (11)(h)(iii), the property owner appeals the redetermination to the board of equalization in accordance with Subsection 59-2-1004(2); or
- (B) the county determines that the property is eligible to receive a primary residential exemption as part-year residential property.

(iii) The board of equalization may not accept an appeal that is filed after the later of:

- (A) September 15 of the current calendar year; or
- (B) the last day of the 45-day period beginning on the day on which the county auditor provides the notice under Section 59-2-919.1.

(iv) A property owner that is disqualified to receive the residential exemption under Subsection (11)(h)(ii) may file an application described in Subsection (1) to determine whether the owner is eligible to receive the residential exemption.

(i) The requirements of this Subsection (11) do not apply to a county assessor in a county that adopts and enforces an ordinance described in Subsection (1).

(12) Subject to Subsection 53-3-109(9)(b), a county assessor may use information provided by the Driver License Division under Subsection 53-3-109(9)(a) for purposes of verifying a property owner's eligibility to receive a residential exemption.

Section 3. Effective Date.

This bill takes effect on May 6, 2026.