

Sahara Hayes proposes the following substitute bill:

1 **Victim Privacy Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sahara Hayes

Senate Sponsor: Stephanie Pitcher

2 **LONG TITLE**

3 **General Description:**

4 This bill addresses a crime victim's right to privacy.

5 **Highlighted Provisions:**

6 This bill:

7

- 8 ▶ allows a crime victim to request the use of the victim's initials instead of the victim's
- 9 name in publicly available criminal justice documents under certain circumstances;
- 10 ▶ requires the creation and maintenance of a database of victim names that is searchable in
- 11 response to a court order;
- 12 ▶ provides that a database of victim names is a protected record under the Government
- 13 Records Access and Management Act; and
- 14 ▶ makes technical and conforming changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 **AMENDS:**

21 **63G-2-305**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

22 **77-38-6**, as last amended by Laws of Utah 2023, Chapters 16, 237 and 352

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

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

26 **63G-2-305 . Protected records.**

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

28 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has

29 provided the governmental entity with the information specified in Section 63G-2-309;

30 (2) commercial information or nonindividual financial information obtained from a person
31 if:

32 (a) disclosure of the information could reasonably be expected to result in unfair
33 competitive injury to the person submitting the information or would impair the
34 ability of the governmental entity to obtain necessary information in the future;

35 (b) the person submitting the information has a greater interest in prohibiting access than
36 the public in obtaining access; and

37 (c) the person submitting the information has provided the governmental entity with the
38 information specified in Section 63G-2-309;

39 (3) commercial or financial information acquired or prepared by a governmental entity to
40 the extent that disclosure would lead to financial speculations in currencies, securities, or
41 commodities that will interfere with a planned transaction by the governmental entity or
42 cause substantial financial injury to the governmental entity or state economy;

43 (4) records, the disclosure of which could cause commercial injury to, or confer a
44 competitive advantage upon a potential or actual competitor of, a commercial project
45 entity as defined in Subsection 11-13-103(4);

46 (5) test questions and answers to be used in future license, certification, registration,
47 employment, or academic examinations;

48 (6) records, the disclosure of which would impair governmental procurement proceedings
49 or give an unfair advantage to any person proposing to enter into a contract or agreement
50 with a governmental entity, except, subject to Subsections (1) and (2), that this
51 Subsection (6) does not restrict the right of a person to have access to, after the contract
52 or grant has been awarded and signed by all parties:

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

55 (i) an invitation for bids;

56 (ii) a request for proposals;

57 (iii) a request for quotes;

58 (iv) a grant; or

59 (v) other similar document; or

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

61 (7) information submitted to or by a governmental entity in response to a request for
62 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not

63 restrict the right of a person to have access to the information, after:

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

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

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

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

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

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

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

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

83 (e) the property under consideration for public acquisition is a single family residence
84 and the governmental entity seeking to acquire the property has initiated negotiations
85 to acquire the property as required under Section 78B-6-505;

86 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
87 transaction of real or personal property including intellectual property, which, if
88 disclosed prior to completion of the transaction, would reveal the appraisal or estimated
89 value of the subject property, unless:

90 (a) the public interest in access is greater than or equal to the interests in restricting
91 access, including the governmental entity's interest in maximizing the financial
92 benefit of the transaction; or

93 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
94 the value of the subject property have already been disclosed to persons not
95 employed by or under a duty of confidentiality to the entity;

96 (10) records created or maintained for civil, criminal, or administrative enforcement

97 purposes or audit purposes, or for discipline, licensing, certification, or registration
98 purposes, if release of the records:

99 (a) reasonably could be expected to interfere with investigations undertaken for
100 enforcement, discipline, licensing, certification, or registration purposes;

101 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
102 proceedings;

103 (c) would create a danger of depriving a person of a right to a fair trial or impartial
104 hearing;

105 (d) reasonably could be expected to disclose the identity of a source who is not generally
106 known outside of government and, in the case of a record compiled in the course of
107 an investigation, disclose information furnished by a source not generally known
108 outside of government if disclosure would compromise the source; or

109 (e) reasonably could be expected to disclose investigative or audit techniques,
110 procedures, policies, or orders not generally known outside of government if
111 disclosure would interfere with enforcement or audit efforts;

112 (11) records the disclosure of which would jeopardize the life or safety of an individual;

113 (12) records the disclosure of which would jeopardize the security of governmental
114 property, governmental programs, or governmental recordkeeping systems from
115 damage, theft, or other appropriation or use contrary to law or public policy;

116 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
117 facility, or records relating to incarceration, treatment, probation, or parole, that would
118 interfere with the control and supervision of an offender's incarceration, treatment,
119 probation, or parole;

120 (14) records that, if disclosed, would reveal recommendations made to the Board of
121 Pardons and Parole by an employee of or contractor for the Department of Corrections,
122 the Board of Pardons and Parole, or the Department of Health and Human Services that
123 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
124 person within the board's jurisdiction;

125 (15) records and audit workpapers that identify audit, collection, and operational procedures
126 and methods used by the State Tax Commission, if disclosure would interfere with
127 audits or collections;

128 (16) records of a governmental audit agency relating to an ongoing or planned audit until
129 the final audit is released;

130 (17) records that are subject to the attorney client privilege;

131 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
132 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
133 judicial, quasi-judicial, or administrative proceeding;

134 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
135 from a member of the Legislature; and

136 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
137 legislative action or policy may not be classified as protected under this section;
138 and

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

141 (A) members of a legislative body;

142 (B) a member of a legislative body and a member of the legislative body's staff; or

143 (C) members of a legislative body's staff; and

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

146 (20)(a) records in the custody or control of the Office of Legislative Research and
147 General Counsel, that, if disclosed, would reveal a particular legislator's
148 contemplated legislation or contemplated course of action before the legislator has
149 elected to support the legislation or course of action, or made the legislation or course
150 of action public; and

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

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

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

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

160 (a) collective bargaining; or

161 (b) imminent or pending litigation;

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

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

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

171 (27) records of independent state agencies if the disclosure of the records would conflict
172 with the fiduciary obligations of the agency;

173 (28) records of an institution of higher education defined in Section 53H-1-101 regarding
174 tenure evaluations, appointments, applications for admissions, retention decisions, and
175 promotions, which could be properly discussed in a meeting closed in accordance with
176 Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final
177 decisions about tenure, appointments, retention, promotions, or those students admitted,
178 may not be classified as protected under this section;

179 (29) records of the governor's office, including budget recommendations, legislative
180 proposals, and policy statements, that if disclosed would reveal the governor's
181 contemplated policies or contemplated courses of action before the governor has
182 implemented or rejected those policies or courses of action or made them public;

183 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
184 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
185 recommendations in these areas;

186 (31) records provided by the United States or by a government entity outside the state that
187 are given to the governmental entity with a requirement that they be managed as
188 protected records if the providing entity certifies that the record would not be subject to
189 public disclosure if retained by it;

190 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
191 public body except as provided in Section 52-4-206;

192 (33) records that would reveal the contents of settlement negotiations but not including final
193 settlements or empirical data to the extent that they are not otherwise exempt from
194 disclosure;

195 (34) memoranda prepared by staff and used in the decision-making process by an
196 administrative law judge, a member of the Board of Pardons and Parole, or a member of
197 any other body charged by law with performing a quasi-judicial function;

198 (35) records that would reveal negotiations regarding assistance or incentives offered by or

199 requested from a governmental entity for the purpose of encouraging a person to expand
200 or locate a business in Utah, but only if disclosure would result in actual economic harm
201 to the person or place the governmental entity at a competitive disadvantage, but this
202 section may not be used to restrict access to a record evidencing a final contract;

203 (36) materials to which access must be limited for purposes of securing or maintaining the
204 governmental entity's proprietary protection of intellectual property rights including
205 patents, copyrights, and trade secrets;

206 (37) the name of a donor or a prospective donor to a governmental entity, including an
207 institution of higher education defined in Section 53H-1-101, and other information
208 concerning the donation that could reasonably be expected to reveal the identity of the
209 donor, provided that:

210 (a) the donor requests anonymity in writing;
211 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
212 classified protected by the governmental entity under this Subsection (37); and
213 (c) except for an institution of higher education defined in Section 53H-1-101, the
214 governmental unit to which the donation is made is primarily engaged in educational,
215 charitable, or artistic endeavors, and has no regulatory or legislative authority over
216 the donor, a member of the donor's immediate family, or any entity owned or
217 controlled by the donor or the donor's immediate family;

218 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;

219 (39) a notification of workers' compensation insurance coverage described in Section
220 34A-2-205;

221 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher
222 education defined in Section 53H-1-101, which have been developed, discovered,
223 disclosed to, or received by or on behalf of faculty, staff, employees, or students of the
224 institution:

225 (a) unpublished lecture notes;

226 (b) unpublished notes, data, and information:

227 (i) relating to research; and

228 (ii) of:

229 (A) the institution of higher education defined in Section 53H-1-101; or

230 (B) a sponsor of sponsored research;

231 (c) unpublished manuscripts;

232 (d) creative works in process;

- 233 (e) scholarly correspondence; and
- 234 (f) confidential information contained in research proposals;
- 235 (g) this Subsection (40) may not be construed to prohibit disclosure of public
- 236 information required pursuant to Subsection 53H-14-202(2)(a) or (b); and
- 237 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 238 (41)(a) records in the custody or control of the Office of the Legislative Auditor General
- 239 that would reveal the name of a particular legislator who requests a legislative audit
- 240 prior to the date that audit is completed and made public; and
- 241 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
- 242 Office of the Legislative Auditor General is a public document unless the legislator
- 243 asks that the records in the custody or control of the Office of the Legislative Auditor
- 244 General that would reveal the name of a particular legislator who requests a
- 245 legislative audit be maintained as protected records until the audit is completed and
- 246 made public;
- 247 (42) records that provide detail as to the location of an explosive, including a map or other
- 248 document that indicates the location of:
 - 249 (a) a production facility; or
 - 250 (b) a magazine;
- 251 (43) information contained in the statewide database of the Division of Aging and Adult
- 252 Services created by Section 26B-6-210;
- 253 (44) information contained in the Licensing Information System described in Title 80,
- 254 Chapter 2, Child Welfare Services;
- 255 (45) information regarding National Guard operations or activities in support of the
- 256 National Guard's federal mission;
- 257 (46) records provided by any pawn or secondhand business to a law enforcement agency or
- 258 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
- 259 Merchandise, and Catalytic Converter Transaction Information Act;
- 260 (47) information regarding food security, risk, and vulnerability assessments performed by
- 261 the Department of Agriculture and Food;
- 262 (48) except to the extent that the record is exempt from this chapter pursuant to Section
- 263 63G-2-106, records related to an emergency plan or program, a copy of which is
- 264 provided to or prepared or maintained by the Division of Emergency Management, and
- 265 the disclosure of which would jeopardize:
- 266 (a) the safety of the general public; or

267 (b) the security of:

268 (i) governmental property;

269 (ii) governmental programs; or

270 (iii) the property of a private person who provides the Division of Emergency

271 Management information;

272 (49) records of the Department of Agriculture and Food that provides for the identification,

273 tracing, or control of livestock diseases, including any program established under Title

274 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control

275 of Animal Disease;

276 (50) as provided in Section 26B-2-709:

277 (a) information or records held by the Department of Health and Human Services related

278 to a complaint regarding a provider, program, or facility which the department is

279 unable to substantiate; and

280 (b) information or records related to a complaint received by the Department of Health

281 and Human Services from an anonymous complainant regarding a provider, program,

282 or facility;

283 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided

284 under Section 41-1a-116, an individual's home address, home telephone number, or

285 personal mobile phone number, if:

286 (a) the individual is required to provide the information in order to comply with a law,

287 ordinance, rule, or order of a government entity; and

288 (b) the subject of the record has a reasonable expectation that this information will be

289 kept confidential due to:

290 (i) the nature of the law, ordinance, rule, or order; and

291 (ii) the individual complying with the law, ordinance, rule, or order;

292 (52) the portion of the following documents that contains a candidate's residential or

293 mailing address, if the candidate provides to the filing officer another address or phone

294 number where the candidate may be contacted:

295 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,

296 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405,

297 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;

298 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or

299 (c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;

300 (53) the name, home address, work addresses, and telephone numbers of an individual that

301 is engaged in, or that provides goods or services for, medical or scientific research that is:

302 (a) conducted within the state system of higher education, as described in Section

303 53H-1-102; and

304 (b) conducted using animals;

305 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
306 Evaluation Commission concerning an individual commissioner's vote, in relation to
307 whether a judge meets or exceeds minimum performance standards under Subsection
308 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);

309 (55) information collected and a report prepared by the Judicial Performance Evaluation
310 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
311 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
312 public, the information or report;

313 (56) records provided or received by the Public Lands Policy Coordinating Office in
314 furtherance of any contract or other agreement made in accordance with Section
315 63L-11-202;

316 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;

317 (58) in accordance with Section 73-10-33:

318 (a) a management plan for a water conveyance facility in the possession of the Division
319 of Water Resources or the Board of Water Resources; or

320 (b) an outline of an emergency response plan in possession of the state or a county or
321 municipality;

322 (59) the following records in the custody or control of the Office of Inspector General of
323 Medicaid Services, created in Section 63A-13-201:

324 (a) records that would disclose information relating to allegations of personal
325 misconduct, gross mismanagement, or illegal activity of a person if the information
326 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
327 Services through other documents or evidence, and the records relating to the
328 allegation are not relied upon by the Office of Inspector General of Medicaid
329 Services in preparing a final investigation report or final audit report;

330 (b) records and audit workpapers to the extent they would disclose the identity of a
331 person who, during the course of an investigation or audit, communicated the
332 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
333 violation of a law, rule, or regulation adopted under the laws of this state, a political
334 subdivision of the state, or any recognized entity of the United States, if the

335 information was disclosed on the condition that the identity of the person be
336 protected;

337 (c) before the time that an investigation or audit is completed and the final investigation
338 or final audit report is released, records or drafts circulated to a person who is not an
339 employee or head of a governmental entity for the person's response or information;
340 (d) records that would disclose an outline or part of any investigation, audit survey plan,
341 or audit program; or

342 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
343 investigation or audit;

344 (60) records that reveal methods used by the Office of Inspector General of Medicaid
345 Services, the fraud unit, or the Department of Health and Human Services, to discover
346 Medicaid fraud, waste, or abuse;

347 (61) information provided to the Department of Health and Human Services or the Division
348 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
349 58-68-304(3) and (4);

350 (62) a record described in Section 63G-12-210;

351 (63) captured plate data that is obtained through an automatic license plate reader system
352 used by a governmental entity as authorized in Section 41-6a-2003;

353 (64) an audio or video recording created by a body-worn camera, as that term is defined in
354 Section 77-7a-103, that records sound or images inside a hospital or health care facility
355 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
356 as that term is defined in Section 78B-3-403, or inside a human [servicee] services
357 program as that term is defined in Section 26B-2-101, except for recordings that:

358 (a) depict the commission of an alleged crime;

359 (b) record any encounter between a law enforcement officer and a person that results in
360 death or bodily injury, or includes an instance when an officer fires a weapon;

361 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
362 law enforcement officer or law enforcement agency;

363 (d) contain an [officer involved] officer-involved critical incident as defined in
364 Subsection 76-2-408(1)(f); or

365 (e) have been requested for reclassification as a public record by a subject or authorized
366 agent of a subject featured in the recording;

367 (65) a record pertaining to the search process for a president of an institution of higher
368 education described in Section 53H-3-302;

369 (66) an audio recording that is:

370 (a) produced by an audio recording device that is used in conjunction with a device or
371 piece of equipment designed or intended for resuscitating an individual or for treating
372 an individual with a life-threatening condition;

373 (b) produced during an emergency event when an individual employed to provide law
374 enforcement, fire protection, paramedic, emergency medical, or other first responder
375 service:
376 (i) is responding to an individual needing resuscitation or with a life-threatening
377 condition; and
378 (ii) uses a device or piece of equipment designed or intended for resuscitating an
379 individual or for treating an individual with a life-threatening condition; and
380 (c) intended and used for purposes of training emergency responders how to improve
381 their response to an emergency situation;

382 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
383 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
384 Legislative Audit Subcommittee, established under Section 36-12-8, for an employment
385 position with the Legislature;

386 (68) work papers as defined in Section 31A-2-204;

387 (69) a record made available to Adult Protective Services or a law enforcement agency
388 under Section 61-1-206;

389 (70) a record submitted to the Insurance Department in accordance with Section
390 31A-37-201;

391 (71) a record described in Section 31A-37-503;

392 (72) any record created by the Division of Professional Licensing as a result of Subsection
393 58-37f-304(5) or 58-37f-702(2)(a)(ii);

394 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
395 involving an amusement ride;

396 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
397 political petition, or on a request to withdraw a signature from a political petition,
398 including a petition or request described in the following titles:
399 (a) Title 10, Utah Municipal Code;
400 (b) Title 17, Counties;
401 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
402 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and

403 (e) Title 20A, Election Code;

404 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
405 voter registration record;

406 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
407 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
408 political subdivision collected or held under, or in relation to, Title 20A, Election Code;

409 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
410 Victims Guidelines for Prosecutors Act;

411 (78) a record submitted to the Insurance Department under Section 31A-48-103;

412 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
413 prohibited under Section 63G-26-103;

414 (80) an image taken of an individual during the process of booking the individual into jail,
415 unless:

416 (a) the individual is convicted of a criminal offense based upon the conduct for which
417 the individual was incarcerated at the time the image was taken;

418 (b) a law enforcement agency releases or disseminates the image:

419 (i) after determining that [-]the individual is a fugitive or an imminent threat to an
420 individual or to public safety and releasing or disseminating the image will assist
421 in apprehending the individual or reducing or eliminating the threat; or

422 (ii) to a potential witness or other individual with direct knowledge of events relevant
423 to a criminal investigation or criminal proceeding for the purpose of identifying or
424 locating an individual in connection with the criminal investigation or criminal
425 proceeding;

426 (c) a judge orders the release or dissemination of the image based on a finding that the
427 release or dissemination is in furtherance of a legitimate law enforcement interest; or

428 (d) the image is displayed to a person who is permitted to view the image under Section
429 17-72-802;

430 (81) a record:

431 (a) concerning an interstate claim to the use of waters in the Colorado River system;

432 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
433 representative from another state or the federal government as provided in Section
434 63M-14-205; and

435 (c) the disclosure of which would:

436 (i) reveal a legal strategy relating to the state's claim to the use of the water in the

Colorado River system;

- (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to negotiate the best terms and conditions regarding the use of water in the Colorado River system; or
- (iii) give an advantage to another state or to the federal government in negotiations regarding the use of water in the Colorado River system;

(82) any part of an application described in Section 63N-16-201 that the Governor's Office of Economic Opportunity determines is nonpublic, confidential information that if disclosed would result in actual economic harm to the applicant, but this Subsection (82) may not be used to restrict access to a record evidencing a final contract or approval decision;

(83) the following records of a drinking water or wastewater facility:

- (a) an engineering or architectural drawing of the drinking water or wastewater facility;
and
- (b) except as provided in Section 63G-2-106, a record detailing tools or processes the drinking water or wastewater facility uses to secure, or prohibit access to, the records described in Subsection (83)(a);

(84) a statement that an employee of a governmental entity provides to the governmental entity as part of the governmental entity's personnel or administrative investigation into potential misconduct involving the employee if the governmental entity:

- (a) requires the statement under threat of employment disciplinary action, including possible termination of employment, for the employee's refusal to provide the statement; and
- (b) provides the employee assurance that the statement cannot be used against the employee in any criminal proceeding;

(85) any part of an application for a Utah Fits All Scholarship account described in Section 53F-6-402 or other information identifying a scholarship student as defined in Section 53F-6-401;

(86) a record:

- (a) concerning a claim to the use of waters in the Great Salt Lake;
- (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a person concerning the claim, including a representative from another state or the federal government; and
- (c) the disclosure of which would:

471 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
472 Great Salt Lake;

473 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
474 and conditions regarding the use of water in the Great Salt Lake; or

475 (iii) give an advantage to another person including another state or to the federal
476 government in negotiations regarding the use of water in the Great Salt Lake;

477 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
478 reclassified as public as described in Subsection [13-2-11(4)] 13-2-11(3);

479 (88) a record of the Utah water agent, appointed under Section 73-10g-702:

480 (a) concerning a claim to the use of waters;

481 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
482 representative from another state, a tribe, the federal government, or other
483 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;
484 and

485 (c) the disclosure of which would:

486 (i) reveal a legal strategy relating to the state's claim to the use of the water;

487 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
488 regarding the use of water; or

489 (iii) give an advantage to another state, a tribe, the federal government, or other
490 government entity in negotiations regarding the use of water;[and]

491 (89) a record created or maintained for an investigation of the Prosecutor Conduct
492 Commission, created in Section 63M-7-1102, that contains any personal identifying
493 information of a prosecuting attorney, including:

494 (a) a complaint, or a document that is submitted or created for a complaint, received by
495 the Prosecutor Conduct Commission; or

496 (b) a finding by the Prosecutor Conduct Commission[.] ; and

497 (90) a record of a list, or from a database, containing victim names as described in
498 Subsection 77-38-6(3)(c).

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

500 **77-38-6 . Victim's right to privacy -- Option to use victim's initials in publicly**
501 **available criminal justice documents.**

502 (1)(a) The victim of a crime has the right, at any court proceeding, including any
503 juvenile court proceeding, not to testify regarding the victim's address, telephone
504 number, place of employment, or other locating information unless the victim

505 specifically consents or the court orders disclosure on finding that a compelling need
506 exists to disclose the information.

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

508 (2)(a) A defendant may not compel any witness to a crime, at any court proceeding,
509 including any juvenile court proceeding, to testify regarding the witness's address,
510 telephone number, place of employment, or other locating information unless the
511 witness specifically consents or the court orders disclosure on finding that a
512 compelling need for the information exists.

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

514 (3)(a) Except as provided in Subsection (3)(d), and for an offense occurring on or after
515 July 1, 2026, a victim may request to have the victim's initials rather than the victim's
516 name used in charging documents and any other publicly available filing or
517 document related to the criminal justice process that is created by a prosecuting
518 agency, a court, a law enforcement agency, the Division of Juvenile Justice and
519 Youth Services, the Department of Corrections, the Youth Parole Authority, the
520 Board of Pardons and Parole, or a related entity.

521 (b)(i) For purposes of Subsection (3)(a), a filing or document is publicly available if
522 the filing or document is available to, and accessible by, the general public, even
523 if a member of the public is required to pay a fee to access the filing or document.

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

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

530 (d) Subsection (3)(a) does not apply to a publicly available filing or document:

531 (i) required for the issuance or enforcement of a criminal protective order described
532 in Title 78B, Chapter 7, Part 8, Criminal Protective Orders, or a criminal stalking
533 injunction described in Title 78B, Chapter 7, Part 9, Criminal Stalking
534 Injunctions; or

535 (ii) created by the Motor Vehicle Enforcement Division described in Section 41-3-104.

536 Section 3. Effective Date.

537 This bill takes effect on May 6, 2026.