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**Workforce Development**  
**2026 GENERAL SESSION**  
**STATE OF UTAH**  
**Chief Sponsor: Ann Millner**  
**House Sponsor: Karen M. Peterson**

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**3 LONG TITLE**

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**General Description:**

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

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**Highlighted Provisions:**

8 This bill:

9 ▶ modifies definitions;

10 ▶ authorizes the governor to delegate approval authority for eligible workforce programs to  
11 the Utah Board of Higher Education;

12 ▶ authorizes the Department of Workforce Services to provide wage record data to the Utah  
13 Board of Higher Education;

14 ▶ authorizes the Utah Board of Higher Education to enter into interstate agreements;

15 ▶ provides governmental immunity;

16 ▶ classifies certain student data as protected records;

17 ▶ establishes the Statewide Youth Apprenticeship Governance Council to coordinate youth  
18 apprenticeship programs across state agencies and education providers; and

19 ▶ makes technical and conforming changes.

20

**Money Appropriated in this Bill:**

21 None

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**Other Special Clauses:**

23 None

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**Utah Code Sections Affected:**

25

**AMENDS:**

26 **53E-10-310**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

27 **53H-15-101**, as renumbered and amended by Laws of Utah 2025, First Special Session,  
28 Chapter 8

29 **63G-2-305**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

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**ENACTS:**

31       **53H-11-416**, Utah Code Annotated 1953

32       **53H-13-312**, Utah Code Annotated 1953

33       **53H-15-306**, Utah Code Annotated 1953

34       REPEALS AND REENACTS:

35       **53H-15-305**, as renumbered and amended by Laws of Utah 2025, First Special Session,  
36       Chapter 8

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

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

40       **53E-10-310 . Utah first credential program.**

41       (1) As used in this section:

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

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

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

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

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

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

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

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

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

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

61       (2) The commissioner of higher education, the state superintendent of public instruction,  
62               and the governor's education advisor shall establish the First Credential Oversight  
63               Committee comprised of:

64       (a) representatives from industries, including:

- (i) members of professional associations or trade groups; and
- (ii) employers from high-demand sectors as the state board determines in collaboration with the Utah Board of Higher Education and the Department of Workforce Services;

(b) representatives from education including:

- (i) members from the state board;
- (ii) the director of the Catalyst Center Grant Program described in Section 53E-3-507.1;
- (iii) LEA administrators, such as a superintendent or charter school director;
- (iv) professionals from institutions of higher education, including technical colleges;
- (v) career and technical education specialists; and
- (vi) Talent Ready Utah; and

(c) workforce development experts, including representatives from the Department of Workforce Services.

The state board shall staff the First Credential Oversight Committee.

The First Credential Oversight Committee shall develop a first credential master plan, which shall include:

- (a) a framework for developing and maintaining the master credential list;
- (b) a comprehensive needs assessment framework that evaluates:
  - (i) resources available through institutions of higher education, including:
    - (A) faculty expertise and availability;
    - (B) facilities and equipment;
    - (C) existing certification programs; and
    - (D) potential for program expansion;
  - (ii) industry partnership opportunities, including:
    - (A) geographical proximity to potential partners;
    - (B) willingness of local industries to participate;
    - (C) capacity for work-based learning placements; and
    - (D) alignment between industry needs and educational capabilities; and
  - (iii) general resource availability, including:
    - (A) current funding streams and potential funding sources;
    - (B) existing technology infrastructure;
    - (C) qualified personnel and staffing needs; and
    - (D) professional development requirements;

- 99 (c) credential approval processes;
- 100 (d) methods for ensuring industry demand alignment;
- 101 (e) wage considerations for occupations associated with approved credentials;
- 102 (f) clear definitions of industry-recognized credentials;
- 103 (g) strategies for promoting stackability and sequencing of credentials;
- 104 (h) approaches to ensure regional relevance of credentials;
- 105 (i) mechanisms for collaboration between educational institutions, industry partners, and
- 106 workforce development agencies;
- 107 (j) strategies for continuous evaluation and improvement of the program;
- 108 (k) the creation of a credentials review committee, including membership and duties;
- 109 (l) in accordance with Subsection (17), an established framework of planning,
- 110 implementation, and student outcome performance funding for an LEA administering
- 111 first credential programming;
- 112 (m) a weighted system for the master credential list that:
  - 113 (i) assigns higher values to credentials based on:
    - 114 (A) alignment with high-demand, high-wage occupations;
    - 115 (B) incorporation of multiple learning pathways, including coursework,
    - 116 apprenticeships, internships, work-based learning, and related service
    - 117 opportunities;
    - 118 (C) industry recognition and portability; and
    - 119 (D) stackability with other credentials or degrees; and
  - 120 (ii) uses the weighted values to:
    - 121 (A) determine incentive funding levels;
    - 122 (B) prioritize program expansion support; and
    - 123 (C) guide student career planning; and
- 124 (n) guidelines for LEAs to procure industry-recognized certification program licenses,
- 125 including:
  - 126 (i) verification that certifications appear on the master credential list;
  - 127 (ii) requirement for competency-based assessments in proctored environments;
  - 128 (iii) documentation of local industry endorsement; and
  - 129 (iv) alignment with state and federal computer science initiatives where applicable,
  - 130 including the Computer Science for Utah Grant Program described in Section
  - 131 53H-13-306.

132 (5) In accordance with the Utah First Credential Master Plan, the state board shall:

133 (a) ensure that the credentials review committee membership reflects a balance of  
134 perspectives and expertise;

135 (b) develop an online application and submission system for credentialing organizations  
136 and providers to submit programs for inclusion in the master credential list;

137 (c) establish and maintain the master credential list based on the recommendations of the  
138 credentials review committee;

139 (d) develop clear mechanisms for students to understand how earning one credential can  
140 lead to higher-level certifications or degrees; and

141 (e) foster partnerships between high schools, technical colleges, employers, and  
142 apprenticeship programs to ensure students have access to meaningful work-based  
143 learning opportunities.

144 (6) The state board shall:

145 (a) automatically include on the initial master credential list any existing credential that:  
146 (i) meets the definition of industry-recognized credential under this section; and  
147 (ii) is currently recognized by the state board or Utah Board of Higher Education as  
148 of July 1, 2024; and

149 (b) review all automatically included credentials within one year to ensure ongoing  
150 compliance with program requirements.

151 (7) The state board shall award a first credential certificate to an eligible student who  
152 completes one of the following:

153 (a) concurrent enrollment courses, composed of:  
154 (i) between 12 and 18 core general education credits, or as industry standards dictate,  
155 with courses from different general education categories; or  
156 (ii) a prescribed set of courses as the Utah Board of Higher Education designates;

157 (b) an industry-recognized credential included on the master credential list;

158 (c) 300 hours of completion through a youth apprenticeship program that:  
159 (i) is described in Sections 35A-6-102 and 35A-6-104.5; and  
160 (ii) includes courses that fulfill the requirements for an industry-recognized credential  
161 included on the master credential list;

162 (d) completion of a technical college certificate; or

163 (e) completion of a Career and Technical Education Pathway program.

164 (8) The Utah Board of Higher Education shall ensure that credits earned for a first  
165 credential certificate are:

166 (a) accepted and transferable to institutions of higher education, including technical

colleges;

- (b) applicable towards relevant degree programs; and
- (c) recognized by relevant industries as adequate preparation for employment.

(9) Subject to legislative appropriations, the Utah Board of Higher Education shall award a first credential scholarship to each student who earns a first credential certificate.

(10) The first credential scholarship may be used at the following institutions:

- (a) an institution of higher education as defined in Section 53H-1-101; or
- (b) a private, nonprofit college or university in the state that is accredited by the Northwest Commission on Colleges and Universities.

(11) The Utah Board of Higher Education shall annually determine the first credential scholarship amount based on:

- (a) the number of eligible students; and
- (b) appropriations made by the Legislature.

(12) A student may use the first credential scholarship for:

- (a) tuition and fees;
- (b) books and supplies; or

(c) other educational expenses as the Utah Board of Higher Education determines.

(13) The Utah Board of Higher Education shall ensure the scholarship is valid for use within three years from the date the student graduates from high school.

(14) A student may earn the first credential scholarship in addition to any other state-sponsored scholarships for which the student may be eligible.

(15) The first credential oversight committee shall present the master plan described in Subsection (4) to the Education Interim Committee by the November 2025 interim committee meeting.

(16) Every three years, the First Credential Oversight Committee shall:

- (a) review the Utah First Credential Master Plan;
- (b) as needed, create a list of recommendations and update the Utah First Credential Master Plan;
- (c) report the list of recommendations and the updated Utah First Credential Master Plan to:
  - (i) the state board;
  - (ii) the Utah Board of Higher Education;
  - (iii) the Department of Workforce Services;
  - (iv) the Education Interim Committee; and

201 (v) the Economic Development and Workforce Services Interim Committee.

202 (17)(a) The state board shall administer a first credential grant program for an LEA and  
203 award a grant in accordance with the following process.

204 (b) The First Credential Oversight Committee shall establish:

205 (i) a needs assessment tool that evaluates:

206 (A) an LEA's current first credential offering;

207 (B) an LEA's capacity to develop or expand a first credential pathway;

208 (C) resources and support needed for a first credential program, including  
209 resources available through institutions of higher education, industry  
210 partnership opportunities, and general resource availability; and

211 (D) each potential barrier to implementation; and

212 (ii) a continuum of need to place each applying LEA.

213 (c) An LEA seeking a first credential grant shall submit to the First Credential Oversight  
214 Committee:

215 (i) a completed needs assessment; and

216 (ii) a grant application that contains:

217 (A) current first credential data, including current credentials offered;

218 (B) preliminary goals for creating or expanding first credential opportunities  
219 within the LEA; and

220 (C) if applicable, plans for procurement of industry certification program licenses,  
221 including certification details and alignment with master credential list,  
222 documentation of employer endorsements, assessment and proctoring  
223 procedures, and integration with existing computer science programs.

224 (d) The First Credential Oversight Committee shall:

225 (i) review each submitted application and needs assessment;

226 (ii) assign the LEA a placement on the continuum of need; and

227 (iii) provide to the LEA a specific requirement for an implementation plan based on:

228 (A) the LEA's continuum placement;

229 (B) each identified area for growth;

230 (C) each available resource; and

231 (D) each additional factor the First Credential Oversight Committee determines  
232 relevant.

233 (e) An LEA shall submit to the First Credential Oversight Committee an implementation  
234 plan that includes:

235 (i) specific goals for expanding a first credential opportunity;  
236 (ii) each implementation step and timeline;  
237 (iii) a detailed cost projection; and  
238 (iv) each additional element the committee requires based on the needs assessment  
239 results.

240 (f) The First Credential Oversight Committee shall:

- 241 (i) review the implementation plan;
- 242 (ii) direct technical assistance to the LEA in accordance with the LEA's  
243 implementation plan;
- 244 (iii) provide feedback to the LEA to improve the implementation plan;
- 245 (iv) approve each implementation plan that meets the established criteria; and
- 246 (v) award an implementation grant for each approved plan.

247 (g) Subject to legislative appropriations, the state board shall:

- 248 (i) award an incentive grant to an LEA that:
  - 249 (A) has implemented an approved plan;
  - 250 (B) increases the number of students who earn a first credential certificate; and
  - 251 (C) achieves each established implementation goal; and
- 252 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
253 and in collaboration with the First Credential Oversight Committee, establish by  
254 rule:
  - 255 (A) tiers for incentive grant awards;
  - 256 (B) performance metrics for continued funding;
  - 257 (C) reporting requirements for a grant recipient;
  - 258 (D) requirements for reporting certification program outcomes and industry  
259 alignment;
  - 260 (E) procedures for coordinating with computer science initiative grants; and
  - 261 (F) guidelines for certification program procurement and implementation.

262 (18) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in  
263 collaboration with the Utah Board of Higher Education and the Department of  
264 Workforce Services, the state board shall make rules to implement the provisions of this  
265 section.

266 Section 2. Section **53H-11-416** is enacted to read:

267 **53H-11-416 . Workforce Pell Grant program -- State participation authorized.**

268 (1) As used in this section:

269 (a) "Eligible workforce program" means an educational program that:

270 (i) an institution of higher education offers; and

271 (ii) the board approves for submission to the United States Secretary of Education for

272 consideration regarding participation in the federal Workforce Pell Grant program.

273 (b) "Federal Workforce Pell Grant program" means the program that Section 401 of the

274 Higher Education Act of 1965, 20 U.S.C. Sec. 1070a, as amended, establishes to

275 provide federal Pell Grant assistance to students the federal government determines

276 are eligible and who enroll in eligible workforce programs.

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

278 (d) "Title IV programs" means federal student financial aid programs authorized under

279 Title IV of the Higher Education Act of 1965, 20 U.S.C. Sec. 1070 et seq., including

280 the federal Pell Grant program and the federal Workforce Pell Grant program.

281 (2) The governor delegates to the board the authority that federal law grants to the governor

282 to approve eligible workforce programs to submit to the secretary for consideration

283 regarding participation in the federal Workforce Pell Grant program.

284 (3) The board shall:

285 (a) receive applications from institutions of higher education that seek approval of

286 eligible workforce programs;

287 (b) determine whether a program meets the requirements that federal law and regulations

288 establish for eligible workforce programs;

289 (c) create an approved list of eligible programs to submit to the secretary for

290 consideration regarding participation in the federal Workforce Pell Grant program;

291 (d) certify the eligibility of approved programs to the United States Secretary of

292 Education;

293 (e) monitor programs that the board approves;

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

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

296 (4)(a) The board may limit the number of programs the board approves or the number of

297 institutions that may participate during any award year to ensure effective program

298 administration and quality control.

299 (b) The commissioner of higher education acts as the board's designee to execute

300 certifications, agreements, and other documents that federal regulations require.

301 (c) The board may contract with third-party vendors for data analysis, labor market

302 information, outcome tracking, or technical assistance necessary to perform the

303 board's duties under this section.

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

306 (A) calculate completion rates and job placement rates for eligible workforce  
307 programs;

308 (B) certify completion rates and job placement rates to the United States Secretary  
309 of Education; and

310 (C) verify student enrollment, completion, employment, and earnings for purposes  
311 of administering Title IV programs.

312 (ii) The Department of Workforce Services may contract with third-party vendors for  
313 data analysis, technical assistance, or services necessary to perform the  
314 department's duties under this section.

315 (b) The board may request and a state agency may provide to the board administrative  
316 data, including personally identifiable information, that the board needs to perform  
317 the board's duties under this section.

318 (c) The board shall:

319 (i) use data the board receives under this Subsection (5) only for purposes this section  
320 authorizes;

321 (ii) maintain the confidentiality and security of personally identifiable information  
322 the board receives;

323 (iii) comply with federal and state privacy laws; and

324 (iv) enter into data sharing agreements with state agencies that provide data under  
325 this Subsection (5).

326 (d) The board may share data with the United States Secretary of Education, the United  
327 States Secretary of Labor, or another state as federal law or an interstate agreement  
328 requires, subject to applicable privacy protections.

329 (e) An individual commits a class B misdemeanor if the individual knowingly or  
330 intentionally:

331 (i) discloses personally identifiable information the individual obtains under this  
332 Subsection (5) for a purpose this section does not authorize;

333 (ii) uses personally identifiable information the individual obtains under this  
334 Subsection (5) for a purpose this section does not authorize; or

335 (iii) accesses personally identifiable information the individual obtains under this  
336 Subsection (5) without authorization.

337 (6) The board may enter into agreements with another state to allow:

338 (a) students who reside in the state to enroll in eligible workforce programs that the  
339 other state approves; or

340 (b) students who reside in the other state to enroll in eligible workforce programs that  
341 the board approves.

342 (7) The board shall make rules in accordance with Title 63G, Chapter 3, Utah  
343 Administrative Rulemaking Act, to:

344 (a) establish procedures for institutions of higher education to apply for approval of  
345 eligible workforce programs;

346 (b) establish criteria the board will use to determine whether a program meets federal  
347 requirements for eligible workforce programs;

348 (c) establish procedures for the board to consult with the State Workforce Development  
349 Board before the board approves a program;

350 (d) establish procedures for the board to calculate and certify completion rates and job  
351 placement rates;

352 (e) establish procedures for the board to monitor, reapprove, and withdraw approval of  
353 programs;

354 (f) require institutions that offer eligible workforce programs to disclose program  
355 information to students; and

356 (g) implement this section and comply with federal requirements.

357 (8)(a) The board, the commissioner of higher education, and employees of the board  
358 acting within the scope of employment have immunity from suit for a decision the  
359 board, the commissioner, or an employee makes or an action the board, the  
360 commissioner, or an employee takes regarding:

361 (i) approval or denial of an eligible workforce program;

362 (ii) withdrawal of approval of an eligible workforce program;

363 (iii) calculation or certification of completion rates or job placement rates; or

364 (iv) any other discretionary function this section authorizes.

365 (b) Subsection (8)(a) does not limit the immunity that Title 63G, Chapter 7,  
366 Governmental Immunity Act of Utah, provides.

367 Section 3. Section **53H-13-312** is enacted to read:

368 **53H-13-312 . Statewide Youth Apprenticeship Governance Council -- Creation --**

369 **Membership -- Duties -- Reporting.**

370 (1) There is created the Statewide Youth Apprenticeship Governance Council to strengthen

371 collaboration across agencies, create system alignment, and ensure shared accountability  
372 for developing and sustaining youth apprenticeship programs in the state.

373 (2) The youth apprenticeship council is composed of the following members:

- 374 (a) the director of the talent program or the director's designee;
- 375 (b) the state superintendent of public instruction or the superintendent's designee;
- 376 (c) the commissioner or the commissioner's designee;
- 377 (d) the executive director of the Department of Workforce Services or the executive  
378 director's designee;
- 379 (e) the executive director of the Governor's Office of Economic Opportunity or the  
380 executive director's designee;
- 381 (f) three representatives from industry who have experience in apprenticeship or  
382 work-based learning programs, appointed by the talent board;
- 383 (g) one representative from a local education agency, appointed by the State Board of  
384 Education;
- 385 (h) one representative from an institution of higher education, appointed by the board;  
386 and
- 387 (i) any additional individuals the youth apprenticeship council determines necessary to  
388 fulfill the council's duties.

389 (3) The youth apprenticeship council shall select a chair and vice chair from among the  
390 members of the youth apprenticeship council.

391 (4) The youth apprenticeship council shall meet at least quarterly.

392 (5) Attendance of a majority of the members of the youth apprenticeship council constitutes  
393 a quorum for the transaction of official youth apprenticeship council business.

394 (6) Formal action by the youth apprenticeship council requires the majority vote of a  
395 quorum.

396 (7) A member of the youth apprenticeship council:

- 397 (a) may not receive compensation or benefits for the member's service; and
- 398 (b) who is not employed by the state may receive per diem and travel expenses in  
399 accordance with:
  - 400 (i) Section 63A-3-106;
  - 401 (ii) Section 63A-3-107; and
  - 402 (iii) rules made by the Division of Finance in accordance with Sections 63A-3-106  
403 and 63A-3-107.

404 (8) The youth apprenticeship council shall:

405 (a) clarify and define the roles and responsibilities of state agencies involved in youth  
406 apprenticeship programs to:  
407 (i) minimize duplication of efforts; and  
408 (ii) ensure aligned action across the talent program, the State Board of Education, the  
409 board, and the Department of Workforce Services;  
410 (b) develop and maintain:  
411 (i) a statewide operational definition of youth apprenticeship; and  
412 (ii) shared program quality standards to ensure local education agencies, institutions  
413 of higher education, and participating employers are aligned on a consistent  
414 program model;  
415 (c) coordinate cross-agency implementation structures by:  
416 (i) establishing regular cross-agency meetings;  
417 (ii) creating operational team structures; and  
418 (iii) developing decision-making processes to support consistent and coordinated  
419 implementation statewide;  
420 (d) establish communication roles and protocols to:  
421 (i) define how agencies coordinate communication efforts;  
422 (ii) assign messaging responsibilities;  
423 (iii) identify appropriate communication channels and processes; and  
424 (iv) ensure consistency and avoid conflicting or duplicative outreach to students,  
425 families, local education agencies, and employers;  
426 (e) develop and recommend statewide strategies for:  
427 (i) student incentives to support participation in youth apprenticeship programs; and  
428 (ii) employer incentives to encourage engagement in youth apprenticeship programs;  
429 (f) implement unified performance monitoring and integrated data systems by:  
430 (i) developing shared performance measures; and  
431 (ii) coordinating a data strategy to track participation, outcomes, and long-term  
432 system impact;  
433 (g) develop coordinated communication and phased statewide implementation plans that:  
434 (i) establish consistent messaging across agencies;  
435 (ii) establish statewide priorities for which industry sectors to prioritize; and  
436 (iii) use workforce data and analysis of high-wage, in-demand careers to inform  
437 prioritization; and  
438 (h) perform other duties as directed by the talent board to support the development and

sustainability of youth apprenticeship programs in the state.

(9) The talent program shall provide staff support to the youth apprenticeship council.

(10) The youth apprenticeship council shall report to the talent board:

(a) on the activities and progress of the youth apprenticeship council; and

(b) no less than twice each calendar year.

(11) No later than November 1, 2027, the youth apprenticeship council shall submit a written report to the Education Interim Committee and the Economic Development and Workforce Services Interim Committee that includes:

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

Section 4. Section **53H-15-101** is amended to read:

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

As used in this chapter:

(1) "Advisory board" means the Utah Data Research Advisory Board created in Section 53H-15-203.

(2) "Center" means the Utah Data Research Center created in Section 53H-15-202.

(3) "Data" means any information about a person stored in a physical or electronic record.

(4) "Data research program" means the data maintained by the center in accordance with Section 53H-15-302

(5) "De-identified data" means data about a person that cannot, without additional information, identify the person to another person or machine.

(6) "Director" means the director of the Utah Data Research Center created in Section 53U-15-202.

(7) "Office" means the Office of the Legislative Auditor General created in Section 36.12.15.

(8) "Participating entity" means:

(a) the State Board of Education, which includes the director as defined in Section 52E-10-701

1000-1001

(c) the Department of Workforce Services;

(d) the Department of Health and Human Services and

(c) the Department of Commerce

473 (9) "Participating state agency" means a department, division, office, entity, agency, or  
474 other unit of state government that provides data to the program described under Section  
475 53H-15-305.

476 (10) "Personal data" means data as defined in Subsection 63A-19-101(24).

477 [49] (11) "Unique student identifier" means the same as that term is defined in Section  
478 53E-4-308.

479 Section 5. Section **53H-15-305** is repealed and reenacted to read:

480 **53H-15-305 . Participating state agency access.**

481 (1) In addition to performing data research and responding to data research requests under  
482 Section 53H-15-303, the center shall maintain a program to support data collection,  
483 analysis, exchange, and for operational transactional purposes among participating state  
484 agencies to provide access to data to promote the improvement of public health,  
485 education, safety, and well-being of the state's citizenry and improvement of the overall  
486 efficiency of state agencies.

487 (2) The director shall provide bi-annual updates to the advisory board about the program in  
488 Subsection (1).

489 (3) The program described in Subsection (1):

- 490 (a) may collect, store, and process personal data as allowed under state and federal law;
- 491 (b) shall include protections to prevent the unauthorized access, use, or redisclosure of  
personal data; and
- 493 (c) shall be considered a high-risk processing activity under Subsection 63A-19-101(17).

494 (4) A participating state agency and the center shall include any contribution of personal  
495 data to the program described in Subsection (1) in the applicable personal data collection  
496 notice required under Section 63A-19-402.

497 (5) A participating state agency that chooses to contribute personal data to the program  
498 described in Subsection (1) shall comply with:

- 499 (a) guidelines established by the center; and
- 500 (b) applicable state and federal data privacy laws.

501 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
502 center may create rules to establish:

- 503 (a) procedures for submitting personal data under this section;
- 504 (b) procedures consistent with applicable federal and state data confidentiality and  
privacy provisions to prevent the unauthorized access, use, or redisclosure of  
personal data; and

507 (c) any additional requirements needed to administer this section.

508 (7) Prior to contributing personal data to the program described in Subsection (1), a  
509 participating state agency and the center shall enter into a written agreement that:

510 (a) specifies the personal data that the participating state agency will share with the

511 center;

512 (b) defines the purposes for which the center may use the personal data contributed by  
513 the participating state agency; and

514 (c) establishes timelines for disposing of personal data the participating state agency  
515 discloses when:

516 (i) the personal data is no longer needed for the program described in Subsection (1);  
517 or

518 (ii) required by state or federal law.

519 (8) The center may create a fee schedule in accordance with Section 63J-1-504 for  
520 completing an operational transactional service.

521 (9) Nothing in this section shall be construed as requiring an entity to provide personal data  
522 to the program described in Subsection (1).

523 (10) The program described in Subsection (1) is not subject to Title 63G, Chapter 2,  
524 Government Records Access and Management Act.

525 Section 6. Section **53H-15-306** is enacted to read:

526 **53H-15-306 . Reporting.**

527 (1) The center shall report to the Education Interim Committee and Business and Labor  
528 Interim Committee:

529 (a) before July 1 of each year regarding the center's:

530 (i) research and service priorities for the year;

531 (ii) completed research from the previous year; and

532 (iii) activities and accomplishments in the previous year; and

533 (b) before December 1 of each year, the center's ongoing data research and service  
534 priority list described in Subsection 53B-33-302(2).

535 (2) The Education Interim Committee shall provide the center ongoing input regarding the  
536 center's activities and data research priorities.

537 Section 7. Section **63G-2-305** is amended to read:

538 **63G-2-305 . Protected records.**

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

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

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

542 (2) commercial information or nonindividual financial information obtained from a person  
543 if:

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

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

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

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

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

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

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

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

567 (i) an invitation for bids;

568 (ii) a request for proposals;

569 (iii) a request for quotes;

570 (iv) a grant; or

571 (v) other similar document; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

609 purposes or audit purposes, or for discipline, licensing, certification, or registration  
610 purposes, if release of the records:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

653 (A) members of a legislative body;

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

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

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

658 (20)(a) records in the custody or control of the Office of Legislative Research and  
659 General Counsel, that, if disclosed, would reveal a particular legislator's  
660 contemplated legislation or contemplated course of action before the legislator has  
661 elected to support the legislation or course of action, or made the legislation or course  
662 of action public; and

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

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

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

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

672 (a) collective bargaining; or

673 (b) imminent or pending litigation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

731 (39) a notification of workers' compensation insurance coverage described in Section  
732 34A-2-205;

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

737 (a) unpublished lecture notes;

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

739 (i) relating to research; and

740 (ii) of:

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

742 (B) a sponsor of sponsored research;

743 (c) unpublished manuscripts;

744 (d) creative works in process;

- 745 (e) scholarly correspondence; and
- 746 (f) confidential information contained in research proposals;
- 747 (g) this Subsection (40) may not be construed to prohibit disclosure of public
- 748 information required pursuant to Subsection 53H-14-202(2)(a) or (b); and
- 749 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 750 (41)(a) records in the custody or control of the Office of the Legislative Auditor General
- 751 that would reveal the name of a particular legislator who requests a legislative audit
- 752 prior to the date that audit is completed and made public; and
- 753 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
- 754 Office of the Legislative Auditor General is a public document unless the legislator
- 755 asks that the records in the custody or control of the Office of the Legislative Auditor
- 756 General that would reveal the name of a particular legislator who requests a
- 757 legislative audit be maintained as protected records until the audit is completed and
- 758 made public;
- 759 (42) records that provide detail as to the location of an explosive, including a map or other
- 760 document that indicates the location of:
  - 761 (a) a production facility; or
  - 762 (b) a magazine;
- 763 (43) information contained in the statewide database of the Division of Aging and Adult
- 764 Services created by Section 26B-6-210;
- 765 (44) information contained in the Licensing Information System described in Title 80,
- 766 Chapter 2, Child Welfare Services;
- 767 (45) information regarding National Guard operations or activities in support of the
- 768 National Guard's federal mission;
- 769 (46) records provided by any pawn or secondhand business to a law enforcement agency or
- 770 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
- 771 Merchandise, and Catalytic Converter Transaction Information Act;
- 772 (47) information regarding food security, risk, and vulnerability assessments performed by
- 773 the Department of Agriculture and Food;
- 774 (48) except to the extent that the record is exempt from this chapter pursuant to Section
- 775 63G-2-106, records related to an emergency plan or program, a copy of which is
- 776 provided to or prepared or maintained by the Division of Emergency Management, and
- 777 the disclosure of which would jeopardize:
  - 778 (a) the safety of the general public; or

779 (b) the security of:

780 (i) governmental property;

781 (ii) governmental programs; or

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

783 Management information;

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

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

786 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control

787 of Animal Disease;

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

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

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

791 unable to substantiate; and

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

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

794 or facility;

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

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

797 personal mobile phone number, if:

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

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

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

801 kept confidential due to:

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

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

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

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

806 number where the candidate may be contacted:

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

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

809 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;

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

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

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

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

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

815 53H-1-102; and

816 (b) conducted using animals;

817 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance  
818 Evaluation Commission concerning an individual commissioner's vote, in relation to  
819 whether a judge meets or exceeds minimum performance standards under Subsection  
820 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);

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

825 (56) records provided or received by the Public Lands Policy Coordinating Office in  
826 furtherance of any contract or other agreement made in accordance with Section  
827 63L-11-202;

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

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

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

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

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

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

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

847 information was disclosed on the condition that the identity of the person be  
848 protected;

849 (c) before the time that an investigation or audit is completed and the final investigation  
850 or final audit report is released, records or drafts circulated to a person who is not an  
851 employee or head of a governmental entity for the person's response or information;

852 (d) records that would disclose an outline or part of any investigation, audit survey plan,  
853 or audit program; or

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

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

859 (61) information provided to the Department of Health and Human Services or the Division  
860 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections  
861 58-68-304(3) and (4);

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

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

865 (64) an audio or video recording created by a body-worn camera, as that term is defined in  
866 Section 77-7a-103, that records sound or images inside a hospital or health care facility  
867 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,  
868 as that term is defined in Section 78B-3-403, or inside a human service program as that  
869 term is defined in Section 26B-2-101, except for recordings that:

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

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

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

875 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);  
876 or

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

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

881 (66) an audio recording that is:

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

885 (b) produced during an emergency event when an individual employed to provide law  
886 enforcement, fire protection, paramedic, emergency medical, or other first responder  
887 service:  
888 (i) is responding to an individual needing resuscitation or with a life-threatening  
889 condition; and  
890 (ii) uses a device or piece of equipment designed or intended for resuscitating an  
891 individual or for treating an individual with a life-threatening condition; and  
892 (c) intended and used for purposes of training emergency responders how to improve  
893 their response to an emergency situation;

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

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

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

901 (70) a record submitted to the Insurance Department in accordance with Section  
902 31A-37-201;

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

904 (72) any record created by the Division of Professional Licensing as a result of Subsection  
905 58-37f-304(5) or 58-37f-702(2)(a)(ii);

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

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

915 (e) Title 20A, Election Code;

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

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

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

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

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

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

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

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

931 (i) after determining that the individual is a fugitive or an imminent threat to an  
932 individual or to public safety and releasing or disseminating the image will assist  
933 in apprehending the individual or reducing or eliminating the threat; or

934 (ii) to a potential witness or other individual with direct knowledge of events relevant  
935 to a criminal investigation or criminal proceeding for the purpose of identifying or  
936 locating an individual in connection with the criminal investigation or criminal  
937 proceeding;

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

940 (d) the image is displayed to a person who is permitted to view the image under Section  
941 17-72-802;

942 (81) a record:

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

944 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a  
945 representative from another state or the federal government as provided in Section  
946 63M-14-205; and

947 (c) the disclosure of which would:

948 (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:

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

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

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

989 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is  
990 reclassified as public as described in Subsection 13-2-11(4);

991 (88) a record of the Utah water agent, appointed under Section 73-10g-702:  
992 (a) concerning a claim to the use of waters;  
993 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a  
994 representative from another state, a tribe, the federal government, or other  
995 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;  
996 and

997 (c) the disclosure of which would:  
998 (i) reveal a legal strategy relating to the state's claim to the use of the water;  
999 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions  
1000 regarding the use of water; or

1001 (iii) give an advantage to another state, a tribe, the federal government, or other  
1002 government entity in negotiations regarding the use of water; [and]

1003 (89) a record created or maintained for an investigation of the Prosecutor Conduct  
1004 Commission, created in Section 63M-7-1102, that contains any personal identifying  
1005 information of a prosecuting attorney, including:  
1006 (a) a complaint, or a document that is submitted or created for a complaint, received by  
1007 the Prosecutor Conduct Commission; or  
1008 (b) a finding by the Prosecutor Conduct Commission[.] ; and

1009 (90) personally identifiable information, including individual student enrollment,  
1010 completion, employment, and earnings data, that the Utah Board of Higher Education  
1011 obtains under Section 53B-11-416, except that the Utah Board of Higher Education may  
1012 disclose the information:

1013 (a) in aggregate form that does not identify individual students;  
1014 (b) as federal law or regulations require;  
1015 (c) to other state agencies under data sharing agreements that Section 53B-11-416  
1016 authorizes; or

1017 (d) to the United States Secretary of Education or the United States Secretary of Labor  
1018 as federal regulations require.

1019 **Section 8. Effective Date.**

1020 This bill takes effect on May 6, 2026.