

13-37-203 Liability.

- (1) A person may bring an action against a commercial entity in a court of competent jurisdiction in this state if:
 - (a) the commercial entity enters into a consumer transaction with that person;
 - (b) as a result of the consumer transaction described in Subsection (1)(a), the commercial entity obtains nonpublic personal information concerning that person; and
 - (c) the commercial entity violates this chapter.
- (2) In an action brought under Subsection (1), a commercial entity that violates this chapter is liable to the person who brings the action for:
 - (a) \$500 for each time the commercial entity fails to provide the notice required by this section in relation to the nonpublic personal information of the person who brings the action; and
 - (b) court costs.
- (3) A person may not bring a class action under this chapter.

Enacted by Chapter 97, 2003 General Session