

34-46-203 Retention of information collected during an initial selection process.

- (1) Subject to Subsection (2), with regard to information collected about an applicant obtained through an initial selection process, an employer shall:
 - (a) maintain a specific policy regarding the retention, disposition, access, and confidentiality of the information; and
 - (b) if an applicant requests to see the policy described in Subsection (1)(a), provide an opportunity for the applicant to review the policy before being required to provide information as part of the initial selection process.
- (2) Except to the extent required by law, an employer may not retain the information described in Subsection (1) more than two years after the day on which the applicant provides the information to the employer, if the employer does not hire the applicant within that two-year period.

Enacted by Chapter 174, 2009 General Session