

**53-2a-1005 Confidential nature of information preserved -- Relief from subpoena -- Unauthorized disclosure as misdemeanor -- Removal from office.**

- (1) Information furnished pursuant to Section 53-2a-1004 and designated by that person as confidential shall be maintained as confidential by the governor and any person who obtains information which the person knows to be confidential under this part. The governor shall not make known in any manner any particulars of such information to persons other than those specified in Subsection (4). No subpoena or judicial order may be issued compelling the governor or any other person to divulge or make known such confidential information, except when relevant to a prosecution for violation of Subsection (5).
- (2) Nothing in this section shall prohibit the use of confidential information to prepare statistics or other general data for publication, so presented as to prevent identification of particular persons.
- (3) Any person who is served with a subpoena to give testimony orally or in writing, or to produce books, papers, correspondence, memoranda, agreements, or other documents or records pursuant to this part may apply to any district court of this state for protection against abuse or hardship in the manner provided by law.
- (4) References to the governor in this section include the governor and any other individuals designated for this purpose in writing by the governor.
- (5) Any person who wilfully discloses confidential information in violation of this section is guilty of a class A misdemeanor and, in addition, may be subject to removal from office or immediate dismissal from public employment.

Renumbered and Amended by Chapter 295, 2013 General Session