

1                   **RESOLUTION REGARDING THE COLLECTION**  
2                               **AND RETENTION OF PERSONAL**  
3                               **INFORMATION BY GOVERNMENT ENTITIES**

4   2003 GENERAL SESSION

5   STATE OF UTAH

6   **Sponsor: Wayne A. Harper**

7   **This joint resolution of the Legislature urges state agencies and political subdivisions of**  
8   **the state to ensure the protection and privacy of personal information they collect on the**  
9   **citizens of Utah.**

10 *Be it resolved by the Legislature of the state of Utah:*

11               WHEREAS, it is essential that government's authority to collect personal information  
12 about its citizens be carefully and prudently exercised;

13               WHEREAS, state agencies and political subdivisions of the state must carry out their  
14 responsibilities to collect and safeguard information in compliance with the Government  
15 Records Access and Management Act (GRAMA);

16               WHEREAS, state agency efforts to comply with GRAMA are facilitated by the state's  
17 Chief Information Officer;

18               WHEREAS, state agencies and political subdivisions of the state should adhere to  
19 important principles of information practice to ensure that the privacy of the personal  
20 information they collect is safeguarded; and

21               WHEREAS, by following these principles, state agencies and political subdivisions can  
22 help protect the privacy of the citizens of Utah:

23               NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah  
24 urges state agencies and political subdivisions to ensure that personal information is collected  
25 only if it is explicitly or implicitly authorized by law, and is used only if it is accurate and  
26 current.

27               BE IT FURTHER RESOLVED that the Legislature urges state agencies and political



28 subdivisions to ensure that information is collected only if the need for it has been clearly  
29 established, that the information is appropriate and relevant to the purpose for which it is  
30 collected, and that procedures are in place to prevent information collected for one purpose  
31 from being used for another purpose.

32 BE IT FURTHER RESOLVED that the Legislature urges state agencies and political  
33 subdivisions to ensure that personal information is not obtained by fraudulent or unfair means.

34 BE IT FURTHER RESOLVED that the Legislature urges state agencies and political  
35 subdivisions to ensure that there are clearly prescribed procedures for individuals to learn the  
36 purpose for which information has been **h [recorded] COLLECTED h** , the particulars of its use and  
36a dissemination,

37 and to correct, erase, or amend inaccurate, obsolete, or irrelevant information.

38 BE IT FURTHER RESOLVED that the Legislature of the state of Utah urges state  
39 agencies and political subdivisions of the state to ensure that there is no personal information  
40 system whose existence is secret.

41 BE IT FURTHER RESOLVED that a copy of this resolution be sent to each department  
42 and division in state government, the Utah Association of Counties, the Utah League of Cities  
43 and Towns, and to each city and county in the state.

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**Legislative Review Note**  
**as of 1-30-03 12:42 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note****Bill Number HJR016****Resolution Regarding the Collection and Retention of Personal  
Information by Government Entities***31-Jan-03**9:03 AM*

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**State Impact**

Mailing requirements of this resolution can be completed within existing budgets. If state agencies and political subdivisions follow provisions of the resolution they might have additional fiscal needs. It is unknown at this time the extent of those fiscal requirements.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**