

1 **LAW ENFORCEMENT USE OF BIOMETRIC INFORMATION**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Adam Robertson**

5 Senate Sponsor: _____

6

7 **LONG TITLE**

8 **General Description:**

9 This bill prohibits law enforcement from using an individual's biometric information to
10 access the individual's electronic device that is protected by biometric security.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms; and
- 14 ▶ prohibits law enforcement from using an individual's biometric information to
- 15 access the individual's electronic device that is protected by biometric security.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **77-23-214**, Utah Code Annotated 1953

23

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

25 Section 1. Section **77-23-214** is enacted to read:

26 **77-23-214. Use of biometric security information to access an electronic device.**

27 **(1) As used in this section:**



28 (a) "Biometric information" means an individual's face, iris, fingerprint, voice, hand, or
29 any other physical characteristic used to authenticate the individual through biometric security
30 in order to access the individual's electronic device.

31 (b) "Biometric security" means facial recognition, iris recognition, fingerprint
32 scanning, voice recognition, hand geometry, and any other method of using physical
33 characteristics to authenticate an individual in order to secure the individual's electronic device.

34 (c) "Electronic device" means a computer, tablet, cell phone, or any other personal
35 electronic device.

36 (2) A law enforcement officer may not use and a court may not order an individual to
37 provide the individual's biometric information for a law enforcement officer to access the
38 individual's personal electronic device that is protected by biometric security.