

28 **Utah Code Sections Affected:**

29 ENACTS:

30 **63F-5-101**, Utah Code Annotated 1953

31 **63F-5-102**, Utah Code Annotated 1953

32 **63F-5-103**, Utah Code Annotated 1953



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

35 Section 1. Section **63F-5-101** is enacted to read:

36 **CHAPTER 5. GOVERNMENT RECORDS TRANSPARENCY ACT**

37 **63F-5-101. Title.**

38 This chapter is known as "Government Records Transparency Act."

39 Section 2. Section **63F-5-102** is enacted to read:

40 **63F-5-102. Definitions.**

41 As used in this chapter:

42 (1) "Government agency" means an executive, legislative, or judicial office, agency,
43 bureau, or department of the state or of a county, municipality, or other political subdivision of
44 the state.

45 (2) "Personal identifying information" means an individual's:

46 (a) first name, middle name, first or middle initial, last name, or maiden name;

47 (b) alias or nickname, including a name used in childhood;

48 (c) photograph or image;

49 (d) social security number;

50 (e) medical or disability information;

51 (f) date of birth;

52 (g) place of birth;

53 (h) mother's maiden name;

54 (i) address;

55 (j) telephone number;

56 (k) personal characteristics;

57 (l) gender;

58 (m) driver license number;

- 59 (n) passport number;
- 60 (o) identification number;
- 61 (p) credit card number;
- 62 (q) financial account number;
- 63 (r) DNA; or
- 64 (s) other information that may be used to identify the individual.
- 65 (3) "Type of personal identifying information" means each type described in
- 66 Subsection (2).

67 Section 3. Section **63F-5-103** is enacted to read:

68 **63F-5-103. Government agency personal identifying information report -- Public**
69 **disclosure.**

70 (1) Each government agency shall annually, on or after December 1, and on or before
71 December 31, upload a report to the state auditor, in a format specified by the state auditor,
72 detailing the collection, use, and disclosure of personal identifying information by the
73 government agency for that year.

74 (2) The report shall include:

- 75 (a) a list of each type of personal identifying information collected, used, or disclosed;
- 76 (b) the statutory authority for collecting, using, or disclosing the personal identifying
77 information;
- 78 (c) a description of how the personal identifying information is used by the government
79 agency;
- 80 (d) a list of each entity, and a general description of the category of individuals, with
81 which the government agency shares the personal identifying information;
- 82 (e) a list of each type of personal identifying information shared with each entity and
83 category of individual described in Subsection (2)(d); and
- 84 (f) a list of each misuse or improper disclosure of personal identifying information by
85 or from the government agency during that year, including for each:
 - 86 (i) actions taken to notify the individuals whose personal identifying information was
87 improperly disclosed or used;
 - 88 (ii) details regarding any remedial measures taken to assist individuals whose personal
89 identifying information was misused or improperly disclosed; and

90 (iii) details regarding actions taken or proposed to prevent future misuse or improper
91 disclosure of personal identifying information.

92 (3) The state auditor shall:

93 (a) within 30 days after the day on which the state auditor receives a report described in
94 Subsection (1), post the report on the state auditor's website; and

95 (b) on or before January 31 each year, post on the state auditor's website a list of each
96 government agency that did not timely comply with the requirements of this section for the
97 preceding year.

98 (4) Except for an annual report submitted in 2020, a government agency shall include
99 in each annual report any information that was not included in the preceding year's report
100 because the event occurred too late to be included in the preceding year's report.