

429 (c) a public school, school district, charter school, or public higher education  
 430 institution; or

431 (d) a judicial or quasi-judicial body.

432 Section 4. Section **63G-24-103** is enacted to read:

433 **63G-24-103. Protection of personal information.**

434 (1) Except as provided in Subsections (2) ~~§~~ [and] , ~~§~~ (3), ~~§~~ and (5), ~~§~~ a public  
 434a agency may not:

435 (a) require an individual to provide the public agency with personal information or  
 436 otherwise compel the release of personal information;

437 (b) require an entity exempt from federal income tax under Section 501(c) of the  
 438 Internal Revenue Code to provide the public agency with personal information or compel the  
 439 entity to release personal information;

440 (c) release, publicize, or otherwise publicly disclose personal information in possession  
 441 of a public agency; or

442 (d) request or require a current or prospective contractor or grantee of the public  
 443 agency to provide the public agency with a list of entities exempt from federal income tax  
 444 under Section 501(c) of the Internal Revenue Code to which the contractor or grantee has  
 445 provided financial or nonfinancial support.

446 (2) Subsection (1) does not apply to:

447 (a) a disclosure of personal information required under Title 20A, Election Code, Title  
 448 36, Chapter 11, Lobbyist Disclosure and Regulation Act, or any other legal requirement  
 449 relating to reporting campaign contributions, campaign expenditures, lobbying disclosures, or  
 450 lobbying expenditures;

451 (b) a disclosure of personal information expressly required by law;

452 (c) a disclosure of personal information voluntarily made:

453 (i) as part of public comment or in a public meeting; or

454 (ii) in another manner that is publicly accessible;

455 (d) a disclosure of personal information pursuant to a warrant or court order issued by a  
 456 court of competent jurisdiction;

457 (e) a lawful request for discovery of personal information in litigation or a criminal  
 458 proceeding;

459 (f) the use of personal information in a legal proceeding; or

460 (g) a public agency sharing personal information with another public agency in  
 461 accordance with the requirements of law.

462 (3) Subsections (1)(a), (b), and (d) do not apply to:

463 (a) administration or enforcement of Title 13, Chapter 11, Utah Consumer Sales  
 464 Practice Act, or Title 13, Chapter 22, Charitable Solicitations Act;

465 (b) the request or use of personal information necessary to the Tax Commission's  
 466 administration of tax or motor vehicle laws; or

467 (c) access to personal information by the Office of the Legislative Auditor General or  
 468 the State Auditor's Office to conduct an audit.

469 (4) A court shall consider whether to:

470 (a) limit a request for discovery of personal information; or

471 (b) issue a protective order in relation to the disclosure of personal information  
 472 obtained or used in relation to a legal proceeding.

472a **§→ (5) Subsection (1) does not apply to disclosure of a contributor, as defined in Section**  
 472b **41-1a-422 , to a sponsoring organization described in Subsection 41-1a-422(3). ←§**

473 Section 5. Section **63G-24-104** is enacted to read:

474 **63G-24-104. Enforcement -- Penalty.**

475 (1) A person whose personal information is provided or disclosed in violation of this  
 476 chapter may bring a civil action for appropriate injunctive relief, damages, or both.

477 (2) A court may award court costs and attorney fees to a person that brings an action  
 478 described in Subsection (1) if the person prevails in that action.

479 (3) A person that knowingly violates a provision of Section **63G-24-103** is guilty of a  
 480 class C misdemeanor, punishable by imprisonment for not more than 90 days or a fine of not  
 481 more than \$1,000, or both.

482 Section 6. Section **63G-24-105** is enacted to read:

483 **63G-24-105. Limitations on regulation by a public agency.**

484 A public agency may not impose a requirement on the registration or maintenance of a  
 485 nonprofit entity that is more restrictive or expansive than the requirements **§→ [of] authorized**  
 485a by ←§ Utah Code or  
 486 federal law.