2nd Sub. (Salmon) S.B. 227

88	<u>13-61-101.</u> Definitions.
89	As used in this chapter:
90	(1) "Account" means the Consumer Privacy Restricted Account established in Section
91	<u>13-61-403.</u>
92	(2) "Affiliate" means an entity that:
93	(a) controls, is controlled by, or is under common control with another entity; or
94	(b) shares common branding with another entity.
95	(3) "Aggregated data" means information that relates to a group or category of
96	consumers:
97	(a) from which individual consumer identities have been removed; and
98	(b) that is not linked or reasonably linkable to any consumer.
99	(4) "Air carrier" means the same as that term is defined in 49 U.S.C. Sec. 40102.
100	(5) "Authenticate" means to use reasonable means to determine that a consumer's
101	request to exercise the rights described in Section 13-61-201 is made by the consumer who is
102	entitled to exercise those rights.
103	(6) (a) "Biometric data" means data generated by automatic measurements of an
104	individual's unique biological characteristics.
105	(b) "Biometric data" includes data described in Subsection (6)(a) that are $\hat{H} \rightarrow [:$
106	(i) (i) (ii) (iii) (iii) (i) generated by automatic measurements of an individual's fingerprint, voiceprint, eye
107	retinas, irises, or any other unique biological pattern or characteristic that is used to identify a
108	<u>specific individual</u> Ĥ→ [; or] . ←Ĥ
109	$\hat{H} \rightarrow [\underline{(ii) \text{ captured from a patient in a health care setting.}}] \leftarrow \hat{H}$
110	(c) "Biometric data" does not include:
111	(i) a physical or digital photograph;
112	(ii) a video or audio recording;
113	(iii) data generated from an item described in Subsection (6)(c)(i) or (ii); $\hat{H} \rightarrow [or]$
113a	(iv) information captured from a patient in a health care setting; or +Ĥ
114	$\hat{\mathbf{H}} \rightarrow [\underline{(iv)}] (v) \leftarrow \hat{\mathbf{H}}$ information collected, used, or stored for treatment, payment, or health
114a	care
115	operations as those terms are defined in 45 C.F.R. Parts 160, 162, and 164.
116	(7) "Business associate" means the same as that term is defined in 45 C.F.R. Sec.
117	<u>160.103.</u>
118	(8) "Child" means an individual younger than 13 years old.