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1	SOCIAL CREDIT SCORE AMENDMENTS				
2		2023 GENERAL SESSIC)N		
3	STATE OF UTAH				
4	Chief Sponsor: Cheryl K. Acton				
5	Senate Sponsor: Michael K. McKell				
6	Cosponsors:	Stephanie Gricius	Thomas W. Peterson		
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9	Bridger Bolinder	Tim Jimenez			
10	Walt Brooks	Quinn Kotter			
11	Tyler Clancy	Michael J. Petersen			
12					
13	LONG TITLE				
14	General Description:				
15	This bill addresses social credit scores.				
16	Highlighted Provisions:				
17	This bill:				
18	defines terms;				
19	requires the Division of Consumer Protection to establish a system that allows a				
20	consumer to report a financial institution's or company's use of a social credit score;				
21	 prohibits a governmental entity from using, enforcing, providing data for use in, or 				
22	otherwise participating in the creation or use of a system that, based on a social				
23	credit score, discriminates against, advocates for, or causes adverse or preferential				
24	treatment of a person;				
25	provides rulema	king authority; and			
26	creates reporting	g requirements.			
27	Money Appropriated in this Bill:				

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28	None		
29	Other Special Clauses:		
30	None		
31	Utah Code Sections Affected:		
32	ENACTS:		
33	13-2-10, Utah Code Annotated 1953		
34	63G-28-101, Utah Code Annotated 1953		
35	63G-28-201, Utah Code Annotated 1953		
36			
37	Be it enacted by the Legislature of the state of Utah:		
38	Section 1. Section 13-2-10 is enacted to read:		
39	13-2-10. Social credit score reporting system Rulemaking Referral to other		
40	agencies.		
41	(1) As used in this section:		
42	(a) "Division" means the Division of Consumer Protection.		
43	(b) "Financial institution" means the same as that term is defined in Section 7-1-103.		
44	(c) "Social credit score" means the same as that term is defined in Section 63G-28-101.		
45	(2) The division shall:		
46	(a) establish and operate a system to receive consumer reports regarding a financial		
47	institution's or company's use or creation of a social credit score; and		
48	(b) before November 1 of each year, submit a written report to the Business and Labor		
49	Interim Committee that summarizes the reports received during the immediately preceding year		
50	that indicate a financial institution or company used a social credit score to discriminate		
51	against, advocate for, or cause adverse or preferential treatment of a person.		
52	(3) The division may:		
53	(a) make rules in accordance with Title 63G, Chapter 3, Utah Administrative		
54	Rulemaking Act to establish and operate the system described in Subsection (2): and		

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55	(b) as appropriate, refer a consumer who provides a report through the system
56	described in Subsection (2) to the Department of Financial Institutions or another agency for
57	investigation of the report or other action.
58	Section 2. Section 63G-28-101 is enacted to read:
59	CHAPTER 28. SOCIAL CREDIT SCORE PROHIBITION ACT
60	Part 1. General Provisions
61	<u>63G-28-101.</u> Definitions.
62	(1) (a) "Governmental entity" means:
63	(i) the state;
64	(ii) a county, city, town, metro township, school district, local district, special service
65	district, or other political subdivision of the state; or
66	(iii) an independent entity.
67	(b) "Governmental entity" includes an agency, bureau, office, department, division,
68	board, commission, institution, laboratory, or other instrumentality of an entity described in
69	Subsection (1)(a).
70	(2) "Independent entity" means the same as that term is defined in Section 63E-1-102.
71	(3) "Members of a person's social network" means the people a person authorizes to be
72	part of the person's social media communications and network.
73	(4) (a) "Social credit score" means a numeric, alphanumeric, or alphabetic value or
74	other categorization assigned to a person based on:
75	(i) the person's:
76	(A) compliance or noncompliance with government guidance;
77	(B) social media post;
78	(C) participation or membership in a lawful club, association, or union;
79	(D) political affiliation; or
80	(E) employment industry or employer; or
81	(ii) the identity of the members of the person's social network.

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82	(b) "Social credit score" does not include:	
83	(i) a consumer report as defined in 15 U.S.C. Sec. 1681a;	
84	(ii) compliance or noncompliance with statute, administrative rule, or other law; or	
85	(iii) a numeric, alphanumeric, or alphabetic value or other categorization assigned to a	
86	person for:	
87	(A) purposes of education, training, or job performance assessment;	
88	(B) purposes of a contest or competition;	
89	(C) purposes of hiring a prospective employee or independent contractor;	
90	(D) purposes of issuance or taking an action against a professional license,	
91	certification, registration, or permit;	
92	(E) purposes of a professional or tax audit; or	
93	(F) use by a financial institution or an affiliate of a financial institution regulated under	
94	Title V of the Gramm-Leach-Bliley Act, 15 U.S.C. Sec. 6801 et seq., to determine risk of loss,	
95	impairment, or default.	
96	Section 3. Section 63G-28-201 is enacted to read:	
97	Part 2. Prohibitions	
98	63G-28-201. Social credit score prohibition.	
99	A governmental entity may not use, enforce, provide data for use in, or otherwise	
100	participate in the creation or use of a system that, based on a social credit score, discriminates	
101	against, advocates for, or causes adverse or preferential treatment of a person.	