

**SOCIAL CREDIT SCORE AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Cheryl K. Acton**

Senate Sponsor: Michael K. McKell

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11	Tyler Clancy	Michael J. Petersen	

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**LONG TITLE**

**General Description:**

This bill addresses social credit scores.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires the Division of Consumer Protection to establish a system that allows a consumer to report a financial institution's or company's use of a social credit score;
- ▶ prohibits a governmental entity from using, enforcing, providing data for use in, or otherwise participating in the creation or use of a system that, based on a social credit score, discriminates against, advocates for, or causes adverse or preferential treatment of a person;
- ▶ provides rulemaking authority; and
- ▶ creates reporting requirements.

**Money Appropriated in this Bill:**

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

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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

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 **63G-28-101. 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.

