

1 **SOCIAL CREDIT SCORE AMENDMENTS**

2 2023 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Cheryl K. Acton**

5 Senate Sponsor: Michael K. McKell

7 **LONG TITLE**

8 **General Description:**

9 This bill addresses social credit scores.

10 **Highlighted Provisions:**

11 This bill:

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

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 ENACTS:



28 [13-2-10](#), Utah Code Annotated 1953

29 [63G-28-101](#), Utah Code Annotated 1953

30 [63G-28-201](#), Utah Code Annotated 1953

31

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

33 Section 1. Section **13-2-10** is enacted to read:

34 **13-2-10. Social credit score reporting system -- Rulemaking.**

35 (1) As used in this section:

36 (a) "Division" means the Division of Consumer Protection.

37 (b) "Financial institution" means the same as that term is defined in Section [7-1-103](#).

38 (c) "Social credit score" means the same as that term is defined in Section [63G-28-101](#).

39 (2) The division shall:

40 (a) establish and operate a system to receive consumer reports regarding a financial
41 institution's or company's use or creation of a social credit score; and

42 (b) before November 1 of each year, submit a written report to the Business and Labor
43 Interim Committee that summarizes the reports received during the immediately preceding
44 year.

45 (3) The division may make rules in accordance with Title 63G, Chapter 3, Utah
46 Administrative Rulemaking Act, to establish and operate the system described in Subsection
47 (2).

48 Section 2. Section **63G-28-101** is enacted to read:

49 **CHAPTER 28. SOCIAL CREDIT SCORE PROHIBITION ACT**

50 **Part 1. General Provisions**

51 **63G-28-101. Definitions.**

52 (1) (a) "Governmental entity" means:

53 (i) the state;

54 (ii) a county, city, town, metro township, school district, local district, special service
55 district, or other political subdivision of the state; or

56 (iii) an independent entity.

57 (b) "Governmental entity" includes an agency, bureau, office, department, division,
58 board, commission, institution, laboratory, or other instrumentality of an entity described in

59 Subsection (1)(a).

60 (2) "Independent entity" means the same as that term is defined in Section [63E-1-102](#).

61 (3) "Members of a person's social network" means the people a person authorizes to be
62 part of the person's social media communications and network.

63 (4) (a) "Social credit score" means a numeric, alphanumeric, or alphabetic value or
64 other categorization assigned to a person based on:

65 (i) the person's:

66 (A) compliance or noncompliance with government guidance;

67 (B) social media post;

68 (C) participation or membership in a lawful club, association, or union;

69 (D) political affiliation; or

70 (E) employment industry or employer;

71 (ii) the identity of the members of the person's social network; or

72 (iii) other values-based or impact criteria similar to the criteria described in this

73 Subsection (4)(a).

74 (b) "Social credit score" does not include:

75 (i) a consumer report as defined in 15 U.S.C. Sec. 1681a; or

76 (ii) a numeric, alphanumeric, or alphabetic value or other categorization assigned to a
77 person for purposes of:

78 (A) education, training, or job performance assessment;

79 (B) a contest or competition; or

80 (C) hiring a prospective employee or independent contractor.

81 Section 3. Section **63G-28-201** is enacted to read:

82 **Part 2. Prohibitions**

83 **63G-28-201. Social credit score prohibition.**

84 A governmental entity may not use, enforce, provide data for use in, or otherwise
85 participate in the creation or use of a system that, based on a social credit score, discriminates
86 against, advocates for, or causes adverse or preferential treatment of a person.