

**MINUTES OF THE
UTAH PRIVACY OVERSIGHT COMMISSION MEETING**

Wednesday, May 22, 2024 ▪ 2:00 p.m.

Virtual Meeting ▪ Anchor Location: Room 220, East Building, Utah Capitol Complex

Participating Commission Members:

Commissioner Chris Koopman	Commissioner David N. Sonnenreich
Commissioner J. Kent Millington	Commissioner Steve McCown
Commissioner Sam Smith	Commissioner Quinn Fowers
Commissioner Jason Shelton	Commissioner Brandon Greenwood
Commissioner Josh Daniels	Commissioner Keith Squires
Commissioner Phillip J. Windley	Commissioner Mike Smith

Other Attendees:

John Dougall, State Auditor
Whitney Phillips, State Privacy Officer
Mandy Teerlink, Office of the State Auditor
Tauna MacPherson, Office of the State Auditor
Christopher Bramwell, Chief Privacy Officer
Micah Vorwaller, Government Operations
Brian Nelson, Government Operations, Division of Technology Services
Elliott Clark, Office of the Attorney General
Jeff Johnson, Utah State Board of Education
Judy Rohner, Utah State Representative
Ron Mortensen
Shelly Teuscher

Note: A copy of the meeting materials and an audio recording of the meeting may be found on the Public Meeting Notice website under the Utah Privacy Commission (listed as a public body under the State/State Auditor) on the May 22, 2024 meeting. These minutes may refer to the recording found on the Public Notice Website with the approximate number on the recording where an issue is being discussed.

1. Welcome

Chair Koopman called the meeting to order at 2:01 p.m.

2. Approval of minutes of the February 14, 2024 meeting

Chair Koopman asked for a vote to approve the February 14, 2024 minutes.

MOTION: Commissioner Daniels moved that the minutes of the February 14, 2024 meeting be approved. The motion passed unanimously, with Commissioners Greenwood, Smith, and Windley being absent. [Please refer to 00:01:11 in the recording to hear the motion.]

3. UPC Membership – Welcome New Members, Select New Chair

The commission welcomed Jason Shelton as the newest commissioner. He briefly introduced himself and gave his background in privacy-related work in the military and at Goldman-Sachs.

Chair Koopman indicated he would step down as Chair of the Commission.

MOTION:

Commissioner Koopman moved that Commissioner Sonnenreich be nominated for chair. The motion passed unanimously, with Commissioner Sonnenreich abstaining and Commissioners Smith and Windley being absent.

[Please refer to 00:05:20 in the recording to hear the motion.]

MOTION:

Commissioner Sonnenreich moved that Josh Daniels be nominated for vice chair. Motion passed unanimously with Commissioner Daniels abstaining and Commissioners Smith and Windley being absent.

Commissioner Sonnenreich immediately assumed the role of Chair and Commissioner Daniels immediately assumed the role of Vice Chair.

[Please refer to 00:06:20 to hear the motion.]

4. OPMA Training

Elliott Clark from the Office of the Attorney General presented on the Open and Public Meetings Act (OPMA) and changes made during the last legislative session. His presentation included definitions of meetings, quorums, and notices. The presentation also touched on requirements for meetings and how GRAMA relates to OPMA requirements.

[Please refer to 00:09:10 to hear this presentation and discussion.]

4. UPC Review Statutory Duties

Chair Sonnenreich reviewed new statutory duties effective May 1, 2024, including reports on activities and recommendations. Some duties will have to be addressed in the following year because of the newness of the statute.

[Please refer to 00:38:30 to hear this discussion.]

5. UPC Subcommittee Proposals

Chair Sonnenreich reviewed potential advisory subcommittees for the commission, including education and training, protocol and best practices, civil liberties, and legislative. Chairs will be chosen for each subcommittee at a later meeting.

[Please refer to 00:41:40 to hear this discussion.]

6. Chief Privacy Officer Report

Chief Privacy Officer Christopher Bramwell discussed data privacy formalization for his team because of HB 491 being adopted into the law. Mr. Bramwell covered four strategies for his team to work with the commission: (1) creation of standards and policy templates, (2) providing privacy awareness training program, (3) creating a standard for privacy impact assessments, and (4) participate in the privacy workgroup.

[Please refer to 00:45:25 to hear this presentation and discussion.]

7. State Privacy Officer Report

State Privacy Officer Dr. Whitney Phillips discussed the main focuses of her office, which include compliance, training, cybersecurity resources (including IT support for rural entities), resource sharing (privacy toolkit), clarification of the Government Data Privacy Act (GDPA), support to entities for new technologies and how they will impact privacy.

Chair Sonnenreich also discussed cybersecurity reports from other commissions.

[Please refer to 00:49:10 to hear this presentation and discussion.]

8. Data Privacy Agenda

The commission is expected to submit a data privacy agenda to the Governing Board created in the GDPA. Chair Sonnenreich drafted an agenda which was shared with the commission in the board packet. The agenda will become more detailed over time as the Utah Privacy Commission begins to fill its expected role. Many of the same issues that the Personal Privacy Oversight (PPOC) was involved with will also be covered by the UPC.

MOTION:

Commissioner Windley moved to adopt the document drafted by Chair Sonnenreich. The motion passed unanimously.

[Please refer to 00:58:10 to hear the motion.]

9. Next Meeting and Other Business

Chair Sonnenreich proposed the idea of meeting on a monthly basis to reach reporting requirements listed in statute before the next legislative session begins. He proposed a possible consistent meeting time of the second Wednesday of each month at 2:30pm (starting in August). The commission will most likely maintain anchor locations for public comment as more participation from the public is expected as the commission moves forward with its mandate.

10. Adjourn

Chair Sonnenreich called for a motion to adjourn the meeting.

MOTION: Vice Chair Daniels moved to adjourn the meeting. The motion passed unanimously.