

MINUTES OF THE UTAH PRIVACY COMMISSION MEETING

Wednesday, June 11, 2025 ▪ 2:30 p.m.

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

Participating Commission Members:

Commissioner David N. Sonnenreich
Commissioner Jeremy Baker
Commissioner J. Kent Millington
Commissioner Sam Smith
Commissioner Micah Vorwaller

Commissioner Steve McCown
Commissioner Don Wood
Commissioner Jason Shelton
Commissioner Brandon Greenwood
Commissioner Tanner Jensen

Absent Commission Members:

Commissioner Mike Smith

Commissioner Josh Daniels

Other Attendees:

Nora Kurzova, State Privacy Auditor
Mark Meyer, Assistant State Privacy Auditor
Bon Lee, Privacy Audit Outreach
Tina M. Cannon, Utah State Auditor
Christopher Bramwell, Chief Privacy Officer
Brian Nelson, Office of Data Privacy
Mandy Teerlink, Office of the Utah State Auditor
Sydney Ohlensehlen, Office of the Utah State Auditor
Elliott Clark, Attorney General's Office
Shanna Durrant, Department of Public Safety
Laura Mendoza, Department of Natural Resources
Ron Mortensen
Kyle Lindquist
Riley Stratton
Noah Passey

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 June 11, 2025 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 Sonnenreich called the meeting to order at 2:35 p.m.

2. Approval of minutes of the May 14, 2025 meeting

Chair Sonnenreich asked for a vote to approve the May 14, 2025 minutes.

MOTION: Commissioner Smith moved that May 14, 2025 meeting minutes be approved. The motion passed unanimously, with Commissioner Jensen being absent. [Please refer to 00:00:36 in the recording to hear the motion.]

3. Welcome New Commissioners

Commissioner Vorwaller expressed his excitement at being appointed to the commission and contributing to the work the commission does. [Please refer to 00:01:10 in the recording to hear it.]

Commissioner Jensen was not present at the beginning of the meeting, but he joined partway through and introduced himself to the commission. [Please refer to 00:54:10 in the recording to hear it.]

4. Subcommittee Reports

None of the subcommittees reported updates.

5. Report on May 28th Meeting of Utah Privacy Governing Board

Chair Sonnenreich provided a brief report on the May 28th meeting of the Utah Privacy Governing Board. Chair Sonnenreich presented the Commission's FY2026 Data Privacy Agenda and Report. The Governing Board tabled official approval of the FY2026 Report. However, considering that the Governing Board only meets twice a year, they have given the unofficial green light to proceed.

[Please refer to 00:03:04 in the recording to hear the report.]

6. FY2026 Subcommittee Assignments Schedule

Chair Sonnenreich shared the assignments for subcommittees for 2026.

[Please refer to 00:04:44 in the recording to hear the presentation and discussion.]

7. Advocating Against "phone home" technology for mobile drivers' licenses

Commissioner McCown provided a recap of his presentation from the Data Governance Summit on mobile drivers' licenses. One of the main issues with mobile drivers' licenses is that some systems operate on server retrieval mode, also known as "phone home," which requires external servers to verify the credential and allows for those servers to retrieve data on the usage of mobile licenses. There's little to no control over who is able to retrieve the data, which creates a massive risk. Commissioner McCown shared a statement that has been signed by multiple organizations to opt out of server retrieval mode. The statement can be found at nophonehome.com.

[Please refer to 00:06:20 in the recording to hear the presentation.]

MOTION: Commissioner Vorwaller moved for a resolution stating that the Commission supports the statement. After some discussion, the resolution passed unanimously with Commissioner Jensen being absent.

[Please refer to 00:33:30 in the recording to hear the motion and discussion.]

8. Report from the Office of Data Privacy

Chief Privacy Officer Christopher Bramwell discussed the alignment of public policy around privacy and individual rights in Utah and how that may affect government agencies. The Office of Data Privacy (ODP) encouraged collaboration between them and the other government agencies, with 700 guests present throughout the course of the event. Mr. Bramwell summarized the various presentations and workshops available at the Data Governance Summit, including a keynote address given by Governor

Spencer Cox.

Mr. Bramwell expects to continue the Summit on a yearly basis, providing overall themes that are relevant to the timing and context of the events.

Following the comments regarding the Data Governance Summit, Mr. Bramwell commented on workshops and legislation in the works to improve privacy in the state of Utah.

[Please refer to 00:43:46 in the recording to hear the report and discussion.]

9. Commissioners' Comments Regarding Data Governance Summit

The commissioners' feedback on the Data Governance Summit was very positive. The summit was very well attended and the attendees responded enthusiastically. Chair Sonnenreich stated that the event was overall highly informative without being overwhelming. The tone was also positive, encouraging problem-solving approaches.

Commissioner Vorwaller gave a special thank-you to Representative Jefferson Moss, who has played a large role in privacy legislation and in the Summit.

Mr. Bramwell emphasized the value of the Summit's discourse around privacy legislation, prompting important discussions that could affect legislation in future sessions.

[Please refer to 00:49:32 in the recording to hear the discussion.]

10. Report on the Data Privacy Ombuds Workshop

Chair Sonnenreich reported on the data privacy ombuds workshop, stating that the workshop focused on the broader conversation about what an ombuds does and how the role can benefit data privacy in the state of Utah. Commissioner Wood expressed slight concern about the breadth of the discussed role, but Chair Sonnenreich reminded him of the introductory nature of the workshop's conversation.

[Please refer to 01:059:45 in the recording to hear the report and discussion.]

11. Report from the State Privacy Auditor

State Privacy Auditor Nora Kurzova gave status updates on two surveys conducted by her team: the AI Risk Assessment Survey and Libraries' Use of Children's Data Survey. For the AI Risk Assessment Survey, 28 responses have been collected. Many entities do not conduct their own risk assessments and rely on privacy policies of the vendors.

Chair Sonnenreich discussed the library children's data survey and how that could impact privacy practices of libraries. Ms. Kurzova stated that the survey has already proved useful in showing libraries how pervasive data collection is, which many libraries never considered. Commissioner Vorwaller inquired which statutes the State Privacy Audit team is using to evaluate potential audits prompted by the surveys. Ms. Kurzova stated that some survey responses may trigger audits, but the main purpose of the survey is to assess risks in the state's entities.

Multiple privacy audits are under way, but not concluded, meaning that Ms. Kurzova cannot comment further until the audits are completed.

[Please refer to 01:08:54 in the recording to hear the presentation and discussion.]

12. Other Business

Chair Sonnenreich reminded the commission that there is no meeting in July and the next commission meeting will be held August 13, 2025.

13. Adjourn

Chair Sonnenreich called for a motion to adjourn the meeting.

MOTION: Commissioner Vorwaller moved to adjourn the meeting. The motion passed unanimously.

PENDING