UTAH PRIVACY COMMISSION

Amended FY 2026 Report to the Government Operations Interim Committee
October 14, 2026

The Utah Privacy Commission issues this report pursuant to Utah Code §63A-19-202(3). The Utah Privacy Commission's FY 2027 Data Privacy Agenda and Report to the Utah Privacy Governing Board, approved May 13, 2026 can be found here: Microsoft Word - 2026-04-24 Draft UPC Statutory Annual Agenda. The Commission has four standing subcommittees:

- Government Privacy Standards and Best Practices;
- Government Privacy Education and Training;
- Government Privacy and Civil Liberties; and
- Government Privacy and Cybersecurity Legislation.

The standing subcommittees periodically preview issues for, and make recommendations to, the Commission, which then votes on the same. However, currently most of the work of the Commission is centered around seven task forces, each of which is tasked with addressing a specific legislative mandate:

- **Automatic License Plate Reader (ALPR) Task Force**: This task force addresses questions of ALPR governance and legislation generally, and more specifically the issues raised by Representative Chevrier in her letter of May 10, 2026, which requested a report from the Commission. The ALPR task force met with a wide range of stakeholders and then the Commission held a public hearing on the subject on September 8, 2026. The ALPR task force's draft report was presented to the full Commission on September 30, 2026. A vote by the full Commission is expected at our next meeting on October 14th.
- **Third Party Contract Requirements Task Force**: This task force is focused on recommending contractual language and procedures to ensure that contractors and vendors hired by governmental entities comply with the Government Data Privacy Act, in particular Utah Code Section 63A-19-401.4, and don't undercut the privacy protections built into the GDPA. Said recommendations will be presented to and approved by the full Commission prior to the statutory deadline of July 1, 2027.
- **GRAMA Classifications Task Force**: This task force is focused on Utah Code Section 63A-19-204(2)(g) which authorizes the UPC to "study and recommend which information contained in the privacy program report described in Section 63A-19-401.3 should be a public record." A report and recommendations are anticipated in FY 2027.
- **UPC Administrative Rule Task Force**: This task force focused on the rule making requirement of Utah Code Section 63A-19-203(11)(a). With assistance from the State Privacy Ombuds and the Office of Data Privacy, it drafted and proposed a rule which was

presented to the full Commission and approved at the June 10, 2026 meeting. The rule became effective on September 9, 2026 as Utah Administrative Code Rule R18-2.

- **State Endorsed Digital Identity (SEDI) Task Force**: This task force is involved in helping the state move forward with the SEDI initiative, and provides updates as appropriate to the full Commission. The task force will continue in existence at least until the SEDI credential are officially adopted, and it may recommend legislation in support of the SEDI initiative to the UPC from time to time. It may also develop guidelines and best practices for the Commission to approve concerning how governmental entities should interface with and adopt SEDI technology.
- **Annual Employee Training Guidelines Task Force**: This task force works with the Office of Data Privacy and other stakeholders to develop educational and training materials for the annual employee training mandated by Utah Code Section 63A-19-401.2 as well as recommending minimum best practices for governmental entities that wish to provide their own training.
- **Technology Transparency Study Task Force**: This task force is working closely with the Office of Data Privacy to draft the Technology Transparency Study mandated by Utah Code Section 63A-19-407. While the full report isn't due until November of 2027, the task force anticipates making recommendations for at least some legislation significantly in advance of that date.

The Commission typically meets monthly at the Capitol complex. In order to better acquaint the public and government stakeholders about the Commission's work, some meetings are conducted in other locations. Our September 8, 2026 meeting was held at the Utah Valley Convention Center as part of the Utah Association of Counties semiannual conference. That meeting created an opportunity for a dialogue with county officials concerning their experiences in implementing the Government Data Privacy Act. Further, the Commission participated actively in the 2026 Utah Data Governance Summit | Utah Valley University on May 26, 2026. Commissioners McCown, Sonnenreich, Vorwaller, and Wood participated on various panels.

Recommendations for Legislation

The Government Privacy and Cybersecurity Legislation subcommittee evaluates possible legislation concerning data privacy and government and makes recommendations to the full Commission which are discussed and voted on in open meetings. The Commission typically discusses proposed and pending legislation before and during the legislative session each year and makes recommendations concerning specific bills. Bills from the 2026 General Session that were addressed in detail included:

- HB 450: Data Privacy Amendments
- SB 123: Privacy and Cybersecurity Amendments
- HB 542: Multi-factor Authentication Amendments
- SB 275: State Endorsed Digital Identity Program Amendments

- HB 325: GRAMA Amendments
- HB 357: Amendments to Motor Vehicle Data Privacy
- HB 327: License Plate Reader Amendments

The Commission currently recommends that the Legislature consider the following possible legislation:

1. The Legislature should consider passing an Automatic License Plate Reader Amendments bill, consistent with the attached recommendations of the Commission.

2. The Legislature should consider amending the Commission's Duties as follows:

   a) Delete Utah Code Section 63A-19-204(1) which requires the Commission to develop an annual agenda by May 1st of each year. In practice the pace at which developments occur in the area of data privacy, combined with the changing needs of government, and various legislative initiatives the Commission is called upon to consider during the year, all combine to make such annual planning impractical.

   b) Delete Utah Code Section 63A-19-203, which limits the Commission to meeting 12 times a year. While the Commission does typically meet monthly, it also has occasion to meet more frequently, for example during the legislative session.

3. The Legislature should consider amending the Technology Transparency Study mandated by Utah Code Section 63A-19-407 as follows:

   a) Amend Section 407(1) to add "high risk" to the scope to the study: "The office and the commission shall jointly study the implementation of high risk processing activities for which an individual's personal data may be collected without the ability to provide direct notice:" This addition is intended to narrow the scope of applicable technologies and allow for more specificity in the technologies considered for the study.
   b) Section 407(1) uses the term uses the term "direct notice," which is not defined, potentially creating vagueness and ambiguity. Defining the term would be advisable. To ensure the Legislature's intended goals for the study are met, the Commission recommends that the Legislature consider either (a) adding a directive to define the term as part of the study or (b) amending the statute to define the term directly.

4. The Commission may make additional recommendations prior to the legislative session.

Adopted by vote of the Utah Privacy Commission on September 30, 2026.