



Privacy Policy Statement Compliance of Utah Governmental Entities

Utah's Governmental Internet Information Privacy Act (*Utah Code* [63D-2-103](#)) requires government entities to create a privacy policy statement. Having, and abiding by, an effective privacy policy statement is an essential element of protecting the personally-identifiable information (PII) of Utah's residents. During 2023, a comprehensive review of entities revealed a significant lack of compliance. Only approximately 34% of the 1600+ reviewed entities were compliant with this requirement; however, most entities (66%) did not have formal and properly published privacy policy statements.

Overview of the Governmental Internet Information Privacy Act:

The Government Internet Information Privacy Act requires Utah government entities to have a privacy policy statement if they have websites that collect PII. The statement should include:

1. The identity and contact information of the website operator,
2. The PII that is being collected,
3. A summary of how PII is used,
4. Practices related to the sharing of PII,
5. Procedures (if any) of how a user may request access to and/or correction of a user's PII, and
6. Security measures to protect the PII from unintended sharing.

Criteria for Assessment:

The review consisted of checking the websites of the entities in scope, focusing on the requirements of Utah Code, as well as an explanation of user rights, contact information, and accessibility of information. The review determined that the majority of the reviewed designated governmental entities are not fully compliant with regulatory requirements.

Conclusion:

This assessment reveals a significant gap in compliance with *Utah Code* 63D-2-103 regarding the creation and maintenance of privacy policy statements. Governmental nonprofit entities are not currently required to have a privacy policy statement, but we consider it a best practice for all governmental entities to inform visitors of their websites on data processing practices and rights.

Next Steps:

1. The State Privacy Officer will notify non-compliant government entities to provide training and templates to support state-wide compliance.
2. The State Privacy Officer will review the entities' compliance regularly to observe trends of compliance.

Contact: Dr. Whitney Phillips, State Privacy Officer, wphillips@utah.gov