



OFFICE OF THE
STATE AUDITOR

June 4, 2024

Duchesne County Commission
734 North Center Street
Duchesne, UT 84021

Dear County Commissioners:

During the 2024 General Session, the state legislature passed House Bill 257 “Distinctions on the Basis of Sex,” enacted as [Utah Code §63G-31](#) (Statute).

Section 63G-31-401(1)(a) requires the Office of the State Auditor (Office) to “establish a process to receive and investigate alleged violations of the statute by a government entity.” Effective May 1, 2024, the Office established a process to receive alleged violations. Recently, the Office received a complaint of a possible violation by Duchesne County (Entity). The Office provided the Entity with information regarding the alleged violation(s) as part of the Office’s investigatory process.

Additionally, Section 63G-31-401(1)(b)(ii) requires the Office to provide notice to a government entity when the Office determines a violation has occurred. Section 63G-31-304(2)(a) requires each government entity to adopt a privacy compliance plan by May 1, 2024 to address compliance with the entity’s duties under the Statute. During our investigation, we noted that the Entity has not adopted a privacy compliance plan. **Statute allows 30 days to cure the violation. Please send the Office [a copy of the official policy once adopted].**

Statute requires the Office to notify the Attorney General if a noted violation is not cured within 30 days.

Other than the lack of an officially-adopted privacy compliance plan, the Office noted no other exception to Statute. The nature of the complaint was insufficient such that the Office was unable to identify the validity of the complaint.

We appreciate the timely and cooperative response of the Entity during this investigation.

Sincerely,

Office of the State Auditor

Office of the State Auditor