

# Utah Consumer Privacy Act

Utah Code §§ 13-61-101, et seq.

Effective 12/31/23

- Businesses must establish, implement, and maintain reasonable administrative, technical, and physical data security practices designed to:
  - protect the confidentiality and integrity of a consumer's personal data; and
  - reduce reasonably foreseeable risks of harm to consumers relating to the processing of their personal data.
- These requirements apply to any business that:
  - conducts business within the state of Utah or produces a product or service that targets consumers who are residents of the state of Utah;
  - has an annual revenue of \$25,000,000 or more; and
  - either:
    - controls or processes personal data of 100,000 or more consumers; or
    - derives over 50% of the entity's gross revenue from the sale of personal data and controls or processes personal data of 25,000 or more consumers.
- These businesses must provide consumers with a reasonably accessible and clear privacy notice which describes:
  - the categories of personal data processed by the business;
  - the purposes for which the personal data are processed;
  - how a consumer may exercise their privacy rights;
  - the categories of personal data that the business shares with third parties, if any; and
  - the categories of third parties, if any, with whom the business shares personal data.
- If a business sells a consumer's personal data or uses a consumer's personal data for targeted advertising, the business must inform the consumer about how a consumer may opt out of the:
  - sale of their personal data; or
  - the processing of their personal data for targeted advertising.
- Businesses may not process a consumer's sensitive data without first providing the consumer with clear notice and an opportunity to opt out of having their sensitive data processed.
- When a consumer seeks to exercise their rights, the business must:
  - act on a consumer's request within 45 days;
  - inform consumers of any action taken upon a request;
  - provide consumers with a reasonably accessible and clear privacy notice; and
  - provide consumers with clear notice and an opportunity to opt out of having their sensitive data processed.