

Utah Code Ann. § 76-6-703.1

Current through May 1, 2024 of the 2024 General Session.

Utah Code Annotated > Title 76 Utah Criminal Code (Chs. 1 — 10) > Chapter 6 Offenses Against Property (Pts. 1 — 14) > Part 7 Utah Computer Crimes Act (§§ 76-6-701 — 76-6-705)

76-6-703.1. Unlawful disclosure of personal information.

(1)

(a) As used in this section, “electronic communication harassment” means an offense under Section 76-9-201.

(b) Terms defined in Sections 76-1-101.5 and 76-6-702 apply to this section.

(2) An actor commits unlawful disclosure of personal information if:

(a) with intent that electronic communication harassment occur, the actor discloses or disseminates another person’s identifying information with the expectation that others will further disseminate or use the person’s identifying information; and

(b) the disclosure or dissemination of the other person’s identifying information results in electronic communication harassment.

(3)

(a) If the person whose identifying information is disseminated is an adult, a violation of Subsection (2) is:

(i) a class B misdemeanor on the first offense;

(ii) a class A misdemeanor on the second offense; or

(iii) a third degree felony on a third or subsequent offense.

(b) If the person whose identifying information is disseminated is a minor, a violation of Subsection (2) is:

(i) a class A misdemeanor on the first offense; or

(ii) a third degree felony on the second or subsequent offense.

(4)

(a) This section does not apply to an actor who provides information in conjunction with a report under Title 34A, Chapter 6, Utah Occupational Safety and Health Act, or Title 67, Chapter 21, Utah Protection of Public Employees Act.

(b) In accordance with 47 U.S.C. Sec. 230, this section may not apply to, and nothing in this section may be construed to impose liability or culpability on, an interactive computer service for content provided by another person.

(c) This section does not affect, limit, or apply to any activity or conduct that is protected by the constitution or laws of this state, or by the constitution or laws of the United States.

(5)

(a) An interactive computer service is not guilty of violating this section if an actor violates this section using the interactive computer service and the interactive computer service did not knowingly assist the actor to commit the violation.

(b) A service provider is not guilty of violating this section for:

(i) action taken in relation to a customer of the service provider, for a legitimate business purpose, to install software on, monitor, or interact with the customer's Internet or other network connection, service, or computer for network or computer security purposes, authentication, diagnostics, technical support, maintenance, repair, network management, updates of computer software or system firmware, or remote system management; or

(ii) action taken, including scanning and removing computer software, to detect or prevent the following:

(A) unauthorized or fraudulent use of a network, service, or computer software;

(B) illegal activity; or

(C) infringement of intellectual property rights.

History

2023 ch. 111, § 106, effective May 3, 2023.

Utah Code Annotated

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