SmartSuite

Framework / Privacy / Global Privacy Regulations

Utah Consumer Privacy Act (SB 227, 2022), Utah Code Title 13, Chapter 61

The Utah Consumer Privacy Act (Utah Code 13-61) gives consumers access, deletion, portability, correction and opt-out rights and binds controllers that meet its revenue and data thresholds.



What it is

The Utah Consumer Privacy Act (UCPA, Senate Bill 227 of 2022, Utah Code Title 13, Chapter 61) has applied since December 31, 2023 to a controller or processor that conducts business in Utah or targets Utah residents, has annual revenue of $25,000,000 or more, and either controls or processes the personal data of 100,000 or more consumers in a calendar year or derives over 50 percent of gross revenue from selling personal data while handling the data of 25,000 or more consumers (Utah Code 13-61-102(1)). Both the revenue test and a data test must be met, which keeps the act narrower than the other state consumer privacy laws.

At a glance

PUBLISHER
Utah State Legislature; enforced by the Utah Attorney General with the Division of Consumer Protection

TYPE
Regulation

VERSION
SB 227 (2022, Laws of Utah chapter 462), Utah Code 13-61-101 to 13-61-404, as amended through the 2026 General Session (chapters 95 and 193)

EFFECTIVE
December 31, 2023 (right to correct July 1, 2026; motor vehicle manufacturers January 1, 2027)

DOMAIN
Privacy

FAMILY
Global Privacy Regulations

REGION
Utah

ADOPTION MODEL
Regulatory Compliance

IMPLEMENTATION COMPLEXITY
Medium

Source: le.utah.gov/xcode/Title13/Chapter61/13-61.html

Why it matters

- **Two tests, both required** Annual revenue of $25,000,000 or more and either 100,000 consumers' data in a calendar year or 25,000 consumers' data with over 50 percent of gross revenue from sales (13-61-102(1)).
- **Sensitive data: notice and opt-out** A controller may not process sensitive data collected from a consumer without first presenting clear notice and an opportunity to opt out, or, for a known child, complying with COPPA (13-61-302(3)).
- **No assessments, no appeals** Chapter 61 contains no data protection assessment section and no appeal section; a refusal is explained within 45 days and the consumer's recourse is a Division complaint (13-61-203(3) and 13-61-401).
- **A two-step enforcement path** The Division receives and investigates complaints and refers substantial evidence to the Attorney General, who has exclusive authority and must give 30 days' written notice before acting (13-61-401 and 13-61-402).

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How SmartSuite supports Utah UCPA

Threshold Monitor

Track annual revenue, consumer counts per calendar year and the share of revenue from sales against 13-61-102(1), and record the January 1, 2027 vehicle-data rule for manufacturers.

Rights Request Desk

Log access, deletion, copy, correction and opt-out requests with authentication, the 13-61-203 45-day deadline and single extension, refusal reasons, the free-request count and fee decisions.

Sensitive Data Notice and Opt-Out Register

Record where sensitive data is collected, the clear notice shown, the opt-out offered and COPPA handling for known children under 13-61-302(3).

Privacy Notice Controls

Keep the 13-61-302(1) notice and the sales and targeted advertising opt-out disclosure as controlled documents linked to the data categories and third-party categories they describe.

Processor Contract Register

List every processor in Third Party Risk Management against the 13-61-301(2) contract terms, subcontractor contracts and the breach-notification help the contract must provide.

Enforcement Response File

Manage a Division complaint or Attorney General notice as a case in Compliance Management: provisions cited, cure actions, the written cure statement and evidence that the violation will not recur.

Common framework mappings

APEC PF | CCPA/CPRA | CPA (CO) | CTDPA | GDPR | ISO 27701 | NIST Privacy Framework v1.0 | VCDPA

Official resources

Enrolled S.B. 227 (2022), Consumer Privacy Act

The enrolled text of the bill that enacted Utah Code Title 13, Chapter 61, with its December 31, 2023 effective date.

le.utah.gov/~2022/bills/static/SB0227.html

Utah Division of Consumer Protection: UCPA

The Division's consumer and business guide to the Utah Consumer Privacy Act, with the complaint link.

commerce.utah.gov/dcp/ucpa

Frequently asked questions

Who must comply with the Utah Consumer Privacy Act?

Utah Code 13-61-102(1) applies the act to a controller or processor that conducts business in Utah or targets Utah residents, has annual revenue of $25,000,000 or more, and either controls or processes the personal data of 100,000 or more consumers in a calendar year or derives over 50 percent of gross revenue from selling personal data while handling the data of 25,000 or more consumers. Both the revenue test and a data test must be met. From January 1, 2027 a motor vehicle manufacturer that collects personal data through a vehicle data collection system is covered without regard to the thresholds. Governmental entities, tribes, higher education, nonprofits, HIPAA entities, GLBA institutions and air carriers are excluded (13-61-102(2)).

What rights does the UCPA give consumers, and what does it leave out?

Under 13-61-201 a consumer may confirm whether a controller is processing their data and access it, delete data they provided, obtain a portable and readily usable copy of data they provided, correct inaccuracies (a right added by HB 418 of 2025 and effective July 1, 2026), and opt out of targeted advertising and the sale of personal data. The act has no opt-out from profiling, no appeal process and no data protection assessment duty; a refused consumer's route is a complaint to the Division of Consumer Protection (13-61-401).

Does the UCPA require consent to process sensitive data?

No. Section 13-61-302(3) lets a controller process sensitive data collected from a consumer only after first presenting clear notice and an opportunity to opt out, or, for a known child, by processing the data in accordance with COPPA. Sensitive data under 13-61-101 means data revealing racial or ethnic origin, religious beliefs, sexual orientation, citizenship or immigration status, or medical history, condition, treatment or diagnosis; genetic or biometric data processed to identify a person; and specific geolocation data accurate within 1,750 feet.

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What must a UCPA privacy notice contain, and how quickly must requests be answered?

Section 13-61-302(1) requires a reasonably accessible and clear notice listing the categories of personal data processed, the purposes, how consumers may exercise a right, the categories shared with third parties, and the categories of third parties, plus a clear and conspicuous disclosure of how to opt out of sales and targeted advertising. Under 13-61-203 the controller acts on a request and informs the consumer within 45 days, may extend once by 45 days with notice and reasons, explains any refusal within 45 days, and answers free once in a 12-month period.

How is the UCPA enforced?

The Division of Consumer Protection operates the complaint system, investigates and refers matters with substantial evidence to the Attorney General (13-61-401), who has exclusive authority (13-61-402). The Attorney General must give at least 30 days' written notice identifying each provision and the basis; no action may begin if the controller or processor cures within 30 days and provides an express written statement that the violation is cured and will not recur. Otherwise the Attorney General may recover actual damages to the consumer and up to $7,500 per violation, paid into the Consumer Privacy Account (13-61-403). There is no private right of action (13-61-305).

License included / downloadable: Yes Utah Code Title 13, Chapter 61 is free to read on the Legislature's website, as are the enrolled bills and the Division of Consumer Protection's UCPA page and fact sheets.

Full framework page and mappings: smartsuite.com/frameworks/utah-consumer-privacy-act-ucpa

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