

House Political Subdivisions Committee

02/24/2026

Bill: 2nd substitute HB 450 - Data Privacy Amendments

Sponsor: Representative Shallenberger

Floor Sponsor: Senator Cullimore

UASD Position: Track

This Bill amends the Government Data Privacy Act and the Government Records Access and Management Act.

Discussion: The sponsor presented the 2nd substitute, which removes all law enforcement-related language, eliminates line 177 that would have required a study next year in coordination with key stakeholders, and removes the data privacy auditor. The Committee adopted the 2nd substitute.

The sponsor explained that the Bill amends the Government Data Privacy Act and the Government Records Access and Management Act to strengthen data privacy protections and update how government entities handle personal data. The Bill defines key terms related to personal data and high-risk data processing, requires governmental entities to obtain authorization from their governing legislative bodies before implementing high-risk surveillance or data processing activities such as facial recognition or automated decision making, and directs those approved activities to be included in annual reports. It restructures the Utah Privacy Commission and expands its membership, transfers support of the Commission to the Office of Data Privacy, establishes a Data Privacy Ombudsman within the Office, and clarifies and expands procedures for correcting government records. The Bill authorizes the Office to provide recommendations and guidance and to partner with state institutions of higher education for research and support functions. It requires the Office and the Commission to jointly study the use of passive data collection technology by governmental entities and to report findings and recommendations to the Government Operations Interim Committee.

Representative Ward asked whether the Bill removes the statutorily defined privacy-related role of the State Auditor. The sponsor confirmed that it does. He explained that because data privacy oversight will now be the Office's core function, the State Auditor's role is no longer necessary. Representative Fitismanu asked about the complaint process. The sponsor explained that while a complaint process already exists online, the new structure routes complaints first to the relevant agency and then escalates them to the Ombudsman if necessary.

The Utah League of Cities and Towns spoke in support of the Bill. The Utah Attorney General's Office expressed support for the new language included in the 2nd substitute but raised slight concerns about language in lines 687–689, cautioning that the individual complaint process could potentially create an unmanageable volume of complaints or unintended consequences. The Utah Media Coalition spoke in support.

Yeas: 7

Nays: 1

N/V: 4

Outcome: 2nd substitute HB 450 passed out of the Committee with a favorable recommendation.

Bill: 1st substitute HB 191 - Airport Land Use Amendments

Sponsor: Representative Shallenberger

Floor Sponsor: Senator Brammer

UASD Position: Track

This Bill amends definitions related to airports to include flight parks.

Discussion: The sponsor presented the 1st substitute, which adds clarifying language to specifically carve out areas outside of the flight pattern, limiting the restrictions to takeoff, landing, and the defined flight path. The Committee adopted the 1st substitute and House Amendment 1 which states adds “offer to” to the language found on lines 283 to 286 to read “...as a condition to granting a building permit, subdivision plat, or a requested zoning change within an airport influence area, require the person building or developing land to offer to grant or sell to the airport owner, at appraised fair market value, an aviation easement...”.

The sponsor stated that the Bill reduces the airport overlay zone from 5,000 feet to 1,000 feet. It amends the definitions of “airport” and “airport influence area” and defines “flight park” to ensure that a flight park receives similar treatment as other airports with respect to airport influence areas, airport overlay zones, and navigation easements.

Representative Hansen asked whether there was a way to achieve the same result without preventing development. The sponsor responded that property owners may still build but may not construct an obstruction. He noted that this concept is already established in law and that the Bill actually narrows the affected area.

Representative Dunnigan asked where the Federal Aviation Administration (“FAA”) had designated the site as an airport. The sponsor indicated that the Utah Department of Transportation (“UDOT”) was present and had confirmed that the Federal Aviation Administration maintains a map of designated public airports. The area that would be impacted is not classified as a public airport and therefore does not appear on that map.

A question was raised about whether limiting development constitutes a “regulatory taking” if property owners are restricted from building on land they own. The sponsor responded that existing law provides that such restrictions do not constitute a taking when they are based on preventing a hazard to an airport. Representative Arthur asked at what point development becomes a hazard or obstruction. The sponsor explained that multiple studies demonstrate it is a gradual scale, with both height and proximity being key factors. The larger and closer a structure is to the flight area, the greater the potential interference.

UDOT indicated it was neutral on the Bill. Representatives from Clyde Companies and Wood Partners spoke in opposition, arguing that the Bill limits what property owners may do with land they own. The Utah Hang Gliding and Paragliding Association, Utah State Parks, and members

of the public also expressed support for the Bill. The Mayors of Draper and Lehi spoke in opposition.

Yeas: 8
Nays: 1
N/V: 3

Outcome: 1st substitute HB 191, as amended, passed out of the Committee with a favorable recommendation.

Bill: 1st substitute HB 535 - Disposition of Public Property Modifications

Sponsor: Representative Walter

Floor Sponsor:

UASD Position: Track

This Bill deals with the disposition of certain publicly owned real property.

Discussion: 1st substitute HB 535 was not heard in the Committee today.

Yeas:
Nays:
N/V:

Outcome: 1st substitute HB 535 was not heard in the Committee.

Bill: HB 363 - Water Easement Amendments

Sponsor: Representative Abbott

Floor Sponsor:

UASD Position: Track

This Bill addresses provisions related to a prescriptive easement for water conveyance.

Discussion: HB 363 was not heard in the Committee today.

Yeas:
Nays:
N/V:

Outcome: HB 363 was not heard in the Committee.