

REVERSE-KEYWORD INFORMATION PROHIBITION

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: _____

LONG TITLE

General Description:

This bill prohibits access to and use of reverse-keyword information.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ prohibits the seeking or granting of a reverse-keyword court order;
- ▶ prohibits the request of reverse-keyword information;
- ▶ prohibits the use of evidence derived from reverse-keyword information;
- ▶ includes a five-year repeal; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-2-277, as last amended by Laws of Utah 2023, Chapter 382

ENACTS:

77-23g-101, Utah Code Annotated 1953

77-23g-102, Utah Code Annotated 1953



- 28 [77-23g-103](#), Utah Code Annotated 1953
- 29 [77-23g-104](#), Utah Code Annotated 1953
- 30 [77-23g-105](#), Utah Code Annotated 1953
- 31 [77-23g-106](#), Utah Code Annotated 1953



33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **63I-2-277** is amended to read:

35 **63I-2-277. Repeal dates: Title 77.**

36 (1) Subsections [77-23f-102\(2\)\(a\)\(ii\)](#) and [77-23f-103\(2\)\(a\)\(ii\)](#), which require a notice
37 for certain reverse-location search warrant applications, are repealed January 1, 2033.

38 (2) Title 77, Chapter 23g, Prohibition on Reverse-keyword Information, is repealed
39 July 1, 2029.

40 Section 2. Section **77-23g-101** is enacted to read:

41 **CHAPTER 23g. PROHIBITION ON REVERSE-KEYWORD INFORMATION**

42 **77-23g-101. Definitions.**

43 (1) "Law enforcement agency" means the same as that term is defined in Section
44 [77-23c-101.2](#).

45 (2) "Reverse-keyword court order" means a court order, including a search warrant,
46 that compels the disclosure of reverse-keyword information.

47 (3) (a) "Reverse-keyword information" means information that:

48 (i) identifies an unnamed person, by name or other unique identifier, who:

49 (A) electronically searched for a particular word, phrase, character string, or website;

50 or

51 (B) visited a particular website through a link generated by an electronic search for a
52 particular word, phrase, character string, or website; and

53 (ii) is or is not limited to a specific geographic area or time frame.

54 (b) "Reverse-keyword information" does not include keyword information concerning
55 a known person or a specified electronic device that may be obtained pursuant to Chapter 23c,
56 Electronic Information Privacy Act.

57 (4) "Reverse-keyword request" means a request by a law enforcement agency, in the
58 absence of a court order, that seeks the voluntary provision of reverse-keyword information.

59 Section 3. Section **77-23g-102** is enacted to read:

60 **77-23g-102. Prohibition on reverse-keyword court orders.**

61 (1) A law enforcement agency may not seek, from any court, a reverse-keyword court
62 order.

63 (2) A court subject to the laws of this state may not issue a reverse-keyword court
64 order.

65 (3) A law enforcement agency may not seek, secure, obtain, borrow, purchase, or
66 review any information obtained through a reverse-keyword court order.

67 Section 4. Section **77-23g-103** is enacted to read:

68 **77-23g-103. Prohibition on reverse-keyword requests.**

69 (1) A law enforcement agency may not make a reverse-keyword request.

70 (2) A law enforcement agency may not seek, secure, obtain, borrow, purchase, or
71 review any information obtained through a reverse-keyword request.

72 Section 5. Section **77-23g-104** is enacted to read:

73 **77-23g-104. Assistance prohibited.**

74 A law enforcement agency may not seek the assistance of another individual or entity to
75 obtain reverse-keyword information, including any information obtained from a
76 reverse-keyword court order or a reverse-keyword request.

77 Section 6. Section **77-23g-105** is enacted to read:

78 **77-23g-105. Exceptions to reverse-keyword prohibitions.**

79 (1) Nothing in this chapter:

80 (a) limits or affects the disclosure of public records under Title 63G, Chapter 2,
81 Government Records Access and Management Act;

82 (b) affects the rights of an employer under Subsection [34-48-202\(1\)\(e\)](#) or an
83 administrative rule adopted under Section [63A-16-205](#); or

84 (c) limits the ability of a law enforcement agency to receive or use information from
85 the National Center for Missing and Exploited Children under 18 U.S.C. Sec. 2258A.

86 Section 7. Section **77-23g-106** is enacted to read:

87 **77-23g-106. Exclusion of reverse-keyword information.**

88 Reverse-keyword information obtained in violation of the provisions of this chapter
89 shall be subject to the rules governing exclusion as if the information was obtained in violation

90 of the Fourth Amendment to the United States Constitution and Utah Constitution, Article I,
91 Section 14.

92 Section 8. **Effective date.**

93 This bill takes effect on May 1, 2024.