

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Data privacy-state.

Sponsored by: Select Committee on Blockchain, Financial
Technology and Digital Innovation Technology

A BILL

for

1 AN ACT relating to administration of government; requiring
2 government entities to adopt policies for the collection,
3 access, security and use of personal data as specified;
4 requiring specific personal data policies; providing
5 definitions; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 *****
10 *****
11 STAFF COMMENT
12 This draft has not been through review at LSO and may need
13 significant changes, including conforming amendments.
14 *****
15 *****

1 **Section 1.** W.S. 9-21-201 through 9-21-202 are created
2 to read:

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4 **9-21-201. Definitions.**

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6 (a) As used in this article:

7

8 (i) "De-identified data" means data that cannot
9 reasonably be used to infer information about, or otherwise
10 be linked to, an identified or identifiable natural person
11 or personal digital identity, or a device linked to a
12 natural person or personal digital identity, if the
13 government entity who possesses the data takes reasonable
14 measures to ensure the data cannot be associated with a
15 natural person or personal digital identity;

16

17 (ii) "Identified or identifiable natural person"
18 means a natural person who can be readily identified,
19 directly or indirectly, in particular by reference to an
20 identifier such as a name, an identification number,
21 specific geolocation data or an online identifier;

22

1 (iii) "Personal data" means information that is
2 linked or reasonably linkable to an identified or
3 identifiable natural person or personal digital identity
4 and does not include de-identified data or publicly
5 available information. As used in this paragraph, "publicly
6 available information" means information that is lawfully
7 made available from federal, state, or local government
8 records;

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10 (iv) "Personal digital identity" means as defined
11 in W.S. 8-1-102(a)(xviii);

12

13 (v) "Government entity" means the state and all
14 its political subdivisions, agencies, instrumentalities and
15 institutions and any local government entity. "Government
16 entity" shall not include the judiciary or any law
17 enforcement agency;

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19 **9-21-202. Personal data collection and retention by**
20 **government entities.**

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22 (a) Every government entity that collects or retains
23 personal data shall adopt, enforce and maintain a policy

1 regarding the collection, access, retention, security and
2 use of personal data consistent with all applicable federal
3 and state laws, including this article.

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5 (b) No government entity shall collect or maintain
6 more personal data than is reasonably necessary for the
7 performance of its functions. All personal data collected
8 and maintained shall be necessary for a specific pre-
9 defined purpose.

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11 (c) No government entity shall purchase, sell, trade
12 or transfer personal data without the express written
13 consent of the natural person except as otherwise expressly
14 provided by statute or executive order.

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16 (d) No government entity shall maintain personal data
17 for longer than three (3) years without an express written
18 policy identifying the retention period and providing a
19 reasonable justification for the retention period.

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21 (e) Any Wyoming resident may request a copy of their
22 personal data from any government entity maintaining it.

1 The government entity may charge a fee consistent with fees
2 charged under the Public Records Act.

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4 (f) A Wyoming resident who objects to the accuracy,
5 completeness, pertinence, timeliness, relevance, retention,
6 dissemination, or denial of access to the resident's own
7 personal data that is maintained by a government entity,
8 may, individually or through a duly authorized
9 representative, file an objection with the government
10 entity responsible for the personal data system in
11 question. The government entity responsible for the
12 personal data system shall, within thirty (30) days of the
13 receipt of an objection:

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15 (i) Investigate the validity of the objection;

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17 (ii) If the objection is found to be meritorious
18 after investigation, alter the contents of, or the methods
19 for holding, or the dissemination or use of the personal
20 data, or grant access to it;

21

22 (iii) If the objection is found to lack merit
23 after investigation, provide the resident the opportunity

1 to have a statement reflecting the resident's views
2 maintained and disseminated with the data in question;

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4 (iv) Notify the resident in writing of any
5 decision regarding the resident's objection.

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7 (g) To the extent that a provision of this article
8 conflicts with another provision of state or federal law,
9 the other provision shall control.

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11 **Section 2.** Any government entity that collects or
12 retains personal data shall adopt any necessary policies
13 and procedures to meet the requirements of this act not
14 later than October 1, 2024.

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16 **Section 3.** This act is effective July 1, 2024.

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(END)