

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO.

Data privacy-government entities.

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

A BILL

for

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

6

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

8

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

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12

ARTICLE 2

## 1 DATA PRIVACY-GOVERNMENT ENTITIES

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3 **9-21-201. Definitions.**

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5 (a) As used in this article:

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

15

16 (ii) "Government entity" means the state and all  
17 its political subdivisions, agencies, instrumentalities and  
18 institutions and any local government entity. "Government  
19 entity" shall not include the judicial branch of government  
20 or any law enforcement agency in Wyoming;

21

22 (iii) "Identified or identifiable natural  
23 person" means a natural person who can be readily

1 identified, directly or indirectly, by reference to an  
2 identifier such as a name, an identification number,  
3 specific geolocation data or an online identifier;

4

5 (iv) "Law enforcement agency" means a county,  
6 municipal, college or university police force, Wyoming  
7 highway patrol, the division of criminal investigation, the  
8 department of corrections or any state or local agency or  
9 political subdivision or part of an agency or political  
10 subdivision to the extent that the primary purpose of the  
11 agency or political subdivision, or part thereof, is the  
12 prevention or investigation of crime and the enforcement of  
13 penal, traffic, regulatory or criminal laws. "Law  
14 enforcement agency" shall not include the office of any  
15 city, county or district attorney or other division of the  
16 attorney general;

17

18 (v) "Personal data" means information that is  
19 linked or reasonably linkable to an identified or  
20 identifiable natural person or personal digital identity  
21 and does not include deidentified data;

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1           (vi) "Personal digital identity" means as  
2 defined in W.S. 8-1-102(a)(xviii).

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4           **9-21-202. Limitations on personal data by government**  
5 **entities; conflict of laws.**

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7           (a) No government entity shall purchase, sell, trade  
8 or transfer personal data without the express written  
9 consent of the natural person except as otherwise expressly  
10 provided by law and except that:

11

12           (i) A government entity may transfer personal  
13 data to another government entity provided that the other  
14 government entity complies with this article;

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16           (ii) A government entity may petition the  
17 governor for an exception to this subsection on a case by  
18 case basis. The governor, in his discretion, may publicly  
19 approve in writing an exception to this subsection not to  
20 exceed a term of two (2) years per petition; and

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22           (iii) Nothing in this subsection shall be  
23 construed to prohibit the transfer of data that is

1 otherwise compliant with the Health Insurance Portability  
2 and Accountability Act or the Family Education Rights and  
3 Privacy Act.

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5 (b) Any Wyoming resident may request a copy of their  
6 personal data from any government entity maintaining it.  
7 The government entity may charge a fee for production of  
8 the requested personal data consistent with fees authorized  
9 to be charged under the Public Records Act.

10

11 (c) A Wyoming resident who objects to the accuracy,  
12 completeness, pertinence, timeliness, relevance, retention,  
13 dissemination or denial of access to the resident's own  
14 personal data that is maintained by a government entity  
15 may, individually or through a duly authorized  
16 representative, file an objection with the government  
17 entity that maintains the data. The government entity  
18 maintaining the personal data shall, within thirty (30)  
19 days of the receipt of an objection:

20

21 (i) Investigate the validity of the objection;

22

1           (ii) If the objection is found to be meritorious  
2 after investigation, alter the contents of, or the methods  
3 for holding, or the dissemination or use of the personal  
4 data, or delete or grant access to it;

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6           (iii) If the objection is found to lack merit  
7 after investigation, provide the resident the opportunity  
8 to have a statement reflecting the resident's views  
9 maintained and disseminated with the data in question;

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

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14           (d) To the extent that a provision of this article  
15 conflicts with another provision of state or federal law,  
16 the other provision shall control.

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18           **Section 2.** W.S. 9-21-203 is created to read:

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20           **9-21-203. Personal data collection and retention by**  
21 **government entities.**

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1           (a) In addition to the policies required under W.S.  
2 9-21-101, if applicable, each government entity that  
3 collects or retains personal data shall adopt, enforce and  
4 maintain a policy regarding the collection, access,  
5 retention, security and use of personal data consistent  
6 with all applicable federal and state laws, including this  
7 article.

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9           (b) No government entity shall collect or maintain  
10 more personal data than is reasonably necessary for the  
11 performance of the government entity's lawful functions.  
12 All personal data collected and maintained by government  
13 entities shall be necessary for a specific pre-defined  
14 purpose.

15

16           (c) No government entity shall maintain personal data  
17 for longer than three (3) years without an express written  
18 policy identifying the extended retention period and  
19 providing a reasonable justification for the extended  
20 retention period. Statutory retention requirements provided  
21 for in W.S. 9-2-405 through 9-2-413 constitute a reasonable  
22 justification.

23

1           **Section 3.** Not later than January 1, 2026, the state  
2 chief information officer shall develop sample policies for  
3 use by state agencies, counties, cities, towns and other  
4 political subdivisions consistent with the requirements of  
5 this act.

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7           **Section 4.** Not later than July 1, 2026 each state  
8 agency shall adopt any necessary policies and procedures to  
9 meet the requirements of this act.

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11           **Section 5.** Not later than July 1, 2027 each county,  
12 city or town shall adopt any necessary policies and  
13 procedures to meet the requirements of this act.

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15           **Section 6.** Not later than July 1, 2028 each political  
16 subdivision of the state other than state agencies,  
17 counties, cities or towns, shall adopt any necessary  
18 policies and procedures to meet the requirements of this  
19 act.

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