

Lincoln Fillmore proposes the following substitute bill:

**Online Marketplace Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor: Doug Fiefia

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**LONG TITLE**

**General Description:**

This bill addresses municipal or county regulation of an online marketplace.

**Highlighted Provisions:**

This bill:

- defines terms;
- except under certain circumstances, prohibits a municipality or county from regulating an online marketplace; and
- addresses municipal or county requests to an online marketplace for information or assistance.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**11-72-101**, Utah Code Annotated 1953

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

Section 1. Section **11-72-101** is enacted to read:

**11-72-101 . Online marketplaces.**

(1) As used in this section:

(a) "Online marketplace" means a website or digital platform that:

- (i) provides, for consideration, regardless of whether the consideration is deducted as a fee from a transaction, an online application, platform, program, software, system, website, or other medium through which a good or service is advertised in this state or is offered to the public as available in this state; and

- 30 (ii) provides, directly or indirectly, a system that:
- 31 (A) facilitates a transaction between two persons;
- 32 (B) transmits or otherwise communicates the offer or acceptance of a transaction
- 33 between two persons; or
- 34 (C) allows two or more persons to communicate or connect with each other.

35 (b) "Personal data" means information that is linked or can be reasonably linked to an  
 36 identified person or an identifiable person.

37 (2) Except as provided in Subsection (3), a municipality or county may not:

- 38 (a) regulate the operation of an online marketplace; or
- 39 (b) require an online marketplace to provide the personal data of the online  
 40 marketplace's ~~§~~ website or digital platform ~~§~~ users without an administrative  
 40a subpoena or court order.

41 (3) Subsection (2) does not limit or prohibit a municipality or county from:

- 42 (a) regulating a person who participates in a transaction facilitated by an online  
 43 marketplace;
- 44 (b) adopting or enforcing a short-term rental ordinance:
  - 45 (i) for a municipality, in accordance with Section 10-8-85.4; or
  - 46 (ii) for a county, in accordance with Section 17-50-338; ~~§~~ [-or] ~~§~~
- 47 (c) seeking cooperation from or submitting voluntary requests to an online marketplace ~~§~~ [;] ;
- 47a (d) **enforcing Title 76, Utah Criminal Code; or**
- 47b (e) **bringing a civil action to protect the municipality's or county's intellectual**  
 47c **property. ~~§~~**

48 Section 2. **Effective Date.**

49 This bill takes effect on May 6, 2026.