



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2013 Wisconsin Act 73**  
[2013 Assembly Bill 373]

**Electronic Delivery of  
Insurance Documents**

2013 Wisconsin Act 73 relates to electronic delivery of notices and documents by insurers.

The Act allows insurers to deliver notices and documents electronically, with the consent of the consumer, and allows standard policy forms to be posted on the insurer's Internet site when notice of the forms' availability is given in, or with, the policy's declarations page. A policy that is posted on the insurer's Internet site must be retained as specifically prescribed by law or rule for the particular document, and must be made available to consumers for at least three years after the policy terminates.

The Act specifies that if an insurer receives notice that electronic delivery has failed, the insurer must deliver the document by 1<sup>st</sup> class mail or other specifically prescribed method of delivery for the particular notice or document. An insurer may charge a fee for a paper copy of a notice or document that is requested by a consumer who has consented to electronic delivery, if notice of the fee was given among the required notices prior to the consumer's consent for electronic delivery.

The Act specifies that the legal effectiveness, validity, or enforceability of an insurance policy may not be denied solely because a notice or document was delivered electronically when the consumer has given electronic consent demonstrating the consumer's ability to access notices or documents delivered electronically. A consumer may withdraw consent for electronic delivery, which is effective 30 days after receipt by the insurer of the withdrawal of consent.

**Effective date:** 2013 Wisconsin Act 73 took effect December 14, 2013. If an insurer has a consumer's consent on file prior to December 14, 2013, for electronic delivery of certain notices or documents, and the insurer intends to deliver additional notices and documents that were not previously delivered electronically, the insurer must notify the consumer that additional notices or documents may be delivered electronically, and notify the consumer of the right to withdraw consent for electronic delivery, before electronic delivery of any such additional notices or documents.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.