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State of Misconsin 2005 - 2006 LEGISLATURE

LRB-0080/1 RAC:wlj&cmh:pg

2005 SENATE BILL 316

September 7, 2005 – Introduced by Senators REYNOLDS, GROTHMAN and ROESSLER. Referred to Joint Survey Committee on Retirement Systems.

1 AN ACT *to amend* 40.07 (1) and 40.07 (2); and *to create* 40.07 (2m) of the 2 statutes; **relating to:** disclosure of certain records of elective state public 3 officials under the Wisconsin Retirement System.

Analysis by the Legislative Reference Bureau

With certain exceptions, under current law, individual personal information in the records of the Department of Employee Trust Funds (DETF) may not be disclosed.

This bill provides that DETF must make available for public inspection and copying records of DETF containing the name of a participant who holds or held an elective state public office, together with the amount of any retirement annuity that is paid, payable, or projected by DETF to become payable to the participant, and if the annuity is paid or being paid, the method used by DETF to calculate the amount of the annuity.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.07 (1) of the statutes is amended to read:

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1	40.07 (1) (intro.) Notwithstanding any other statutory provision, except as
2	provided in subs. (2) and (2m), individual personal information in the records of the
3	department is not a public record and shall not be disclosed, unless:
4	SECTION 2. 40.07 (2) of the statutes is amended to read:
5	40.07 (2) Notwithstanding sub. (1), medical Medical records may be disclosed
6	only when a disability application denial is appealed or under a court order duly
7	obtained upon a showing to the court that the information is relevant to a pending
8	court action but medical information gathered for any one of the benefit plans
9	established under this chapter may be used by any other benefit plan established
10	under this chapter.
11	SECTION 3. 40.07 (2m) of the statutes is created to read:
12	40.07 (2m) The department shall make available for public inspection and
13	copying under s. 19.35 (1) records of the department containing the name of a
14	participant who holds or held an elective state public office together with the amount
15	of any retirement annuity that is paid, payable, or projected by the department to
16	become payable to that participant, and if the annuity is paid or being paid, the
17	method used by the department to calculate the amount of the annuity.
18	(END)

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