



## 1997 ASSEMBLY BILL 370

May 22, 1997 – Introduced by Representatives SCHNEIDER, BOYLE, LORGE, MUSSER, R. YOUNG, HASENOHRL, ALBERS, POWERS, RILEY, GRONEMUS, SYKORA, NOTESTEIN, MURAT, F. LASEE and GUNDERSON, cosponsored by Senator DRZEWIECKI. Referred to Committee on Small Business and Economic Development.

1     **AN ACT to create** 134.44 of the statutes; **relating to:** regulating the sale, lease  
2             or rental by a business of records that contain certain personal information.

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### *Analysis by the Legislative Reference Bureau*

Under current law, no authority (defined, generally, to include a state or local office, elected official, agency, board, commission, council, department or other public body) may sell or rent a record (defined, generally, to include any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded) that contains an individual's name or address unless the release of such information is specifically authorized by state law.

Under this bill, no business enterprise may sell, lease or rent a record containing personally identifiable information about an individual without first obtaining written permission to do so from that individual. A person who violates these provisions is subject to a forfeiture not to exceed \$200.

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

3             **SECTION 1.** 134.44 of the statutes is created to read:  
4             **134.44 Personally identifiable information.** (1) **DEFINITIONS.** In this  
5             section:

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1 (a) "Business" means any person engaged in a business enterprise for profit in  
2 this state.

3 (b) "Personally identifiable information" has the meaning given in s. 19.62 (5).

4 (c) "Record" means any material on which written, drawn, printed, spoken,  
5 visual or electromagnetic information is recorded or preserved, regardless of  
6 physical form or characteristics, which has been created or is being kept by a  
7 business.

8 (2) PROHIBITED ACTIVITIES. No business may sell, lease or rent to any person a  
9 record that contains personally identifiable information without first obtaining  
10 written permission to do so from the individual to whom the information relates.

11 (END)