

## 1999 ASSEMBLY BILL 26

January 14, 1999 – Introduced by Representatives SCHNEIDER, MUSSER, BOYLE and RYBA. Referred to Committee on Judiciary and Personal Privacy.

1 **AN ACT to create** 628.385 of the statutes; **relating to:** disclosure by insurers and  
2 intermediaries of identifying information.

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*Analysis by the Legislative Reference Bureau*

This bill requires an insurance agent to disclose to any person who applies for insurance, both orally and in writing, any information identifying the person that the agent has provided to or received from a national or statewide data base. The bill also requires an insurer to disclose to each insured under each policy issued by the insurer, in writing annually or at renewal if renewal is on an annual basis or more often, any information identifying the insured that the insurer has provided to or received from a national or statewide data base.

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

3 **SECTION 1.** 628.385 of the statutes is created to read:

4 **628.385 Disclosure of identifying information required. (1)** In this  
5 section:

6 (a) “Computer system” has the meaning given in s. 943.70 (1) (e).

7 (b) “Data” has the meaning given in s. 943.70 (1) (f).

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1 (c) “Data base” means a collection of data stored in a computer system in a  
2 common format.

3 (d) “National or statewide data base” means a data base from which multiple  
4 insurers or multiple intermediaries may receive personally identifiable information  
5 about individuals in one or more states.

6 (e) “Personally identifiable information” has the meaning given in s. 19.62 (5).

7 **(2)** An intermediary shall disclose to an applicant for insurance any personally  
8 identifiable information about the applicant that the intermediary has provided to  
9 or received from a national or statewide data base. The disclosure required under  
10 this subsection shall be provided both orally and in writing at the time of application,  
11 regardless of whether insurance coverage is provided or denied to the applicant.

12 **(3)** An insurer shall disclose to each insured under each insurance policy  
13 written by the insurer any personally identifiable information about the insured that  
14 the insurer has provided to or received from a national or statewide data base since  
15 the last time disclosure was provided to the insured under this section. The  
16 disclosure required under this subsection shall be provided in writing annually, or  
17 at renewal if the policy period is one year or less.

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(END)