

**2001 DRAFTING REQUEST**

**Bill**

Received: 12/13/2000

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Michael Powers (608) 266-1192**

By/Representing: **Vince Williams**

This file may be shown to any legislator: **NO**

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **State Government - miscellaneous**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Information gathering from state agency websites

**Instructions:**

See Attached.

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kuesejt 01/10/2001	wjackson 01/10/2001		_____			
/1			martykr 01/11/2001	_____	lrb_docadmin 01/11/2001	lrb_docadmin 02/16/2001	

FE Sent For:

<END>

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1/1	kuesejt 1/10	1 WLJ 1/10	Ronald	JF AM 1/11			

FE Sent For:

<END>

2

4. The Court shall decide the action within ten (10) days after commencement unless one of the parties requests an extension for good cause. In any event, the Court shall render a decision within thirty (30) days and if the Court does not decide the action within thirty (30) days the portions of the records requested shall be released.

✓ 2. Government agencies should adopt a policy that prohibits State Agency Websites from collecting personally identifiable information without the consent of the visitor to that website.

7 3. The policies and procedures of the Department of Health and Human Services provide an adequate focus on privacy and confidentiality. The effective collaborative effort of the Department with multiple segments of the private sector should continue as the health care delivery system continues its dramatic change. We find no reason to change the policies and procedures of the Department at this time.

4. Recommendations for changes in the Department of Health and Human Services are deferred at this time. A careful assessment must be made by the Department following the implementation of the HIPAA rules before any potential deficiencies may be identified with respect to the issue of privacy. The Department has given assurances that this assessment process will be followed in due course.

2001

Date (time)  
needed

SOON

LRB - 1478, 1

JFK: WJj

**BILL**

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the

statutes; relating to: *collection of personally identifiable information by certain state entities from internet sites*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

*Analysis by the Legislative Reference Bureau*

If titles are needed in the analysis, in the component bar:

For the main heading, execute: ..... create → anal: → title: → head

For the subheading, execute: ..... create → anal: → title: → sub

For the sub-subheading, execute: ..... create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: ..... create → anal: → text



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

SECTION #.

**2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1478/lrus2  
JTK.....

This bill provides that if a state officer, agency, authority, or governmentally related corporation maintains an internet site, the officer, agency, authority, or corporation may not use that site to obtain personally identifiable information from any person who visits that site without the consent of the person from whom the information is obtained. Under the bill, "personally identifiable information" means information that can be associated with a particular individual through one or more identifiers or other information or circumstances. Violators are subject to a forfeiture (civil penalty) of not more than \$500 for each violation.

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB 1478/lins  
JTK.....

SECTION 1. 19.68<sup>1</sup> of the statutes is created to read:

**19.68 Collection of personally identifiable information from internet users.** No state authority that maintains an internet site may use that site to obtain personally identifiable information from any person who visits that site without the consent of the person from whom the information is obtained.

(END)



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

January 11, 2001

### MEMORANDUM

To: Representative Powers

From: Jeffery T. Kuesel, Managing Attorney

Re: LRB-1478 Information gathering from state agency websites

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY  JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-6778 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.