

**2003 DRAFTING REQUEST**

**Assembly Amendment (AA-AA1-AB288)**

Received: **04/30/2003**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**

By/Representing: **Adrienne**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Privacy  
Trade Regulation - other**

Extra Copies: **rlr  
rpn**

Submit via email: **YES**

Requester's email: **Rep.Staskunas@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Notice regarding unauthorized use of personal information

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**Instructions:**

See Attached

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**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>
/?	mdsida 05/01/2003	wjackson 05/01/2003		_____			
/1			rschluet 05/01/2003	_____	mbarman 05/01/2003	mbarman 05/01/2003	
/2	mdsida	wjackson	jfrantze	_____	amentkow	amentkow	

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	05/05/2003	05/05/2003	05/05/2003 _____		05/05/2003	05/05/2003	

FE Sent For:

<END>

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/1		1/2 Wlj 5/5	rschluet 05/01/2003		mbarman 05/01/2003	mbarman 05/01/2003	
			J 5/5	Self 5/5			

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/?	mdsida	1 WJ 5/11		 5-1-3			

FE Sent For:

<END>

**Dsida, Michael**

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**From:** Staskunas, Tony  
**Sent:** Wednesday, April 30, 2003 4:03 PM  
**To:** Dsida, Michael  
**Subject:** FW: Fax received (1p) from:'608 267 0761' on ID:2823615



12D2A000.tif

Mike -

Thank you for all your efforts today. We received the attached language from a group of financial industry folks. Tony was wondering if you could draft an amendment to his LBRa-0461/2 incorporating this wording. There are no changes to sections 1 and 3, slight changes to section 2 and section 4 could be completely eliminated.

He was hoping we could have the language by noon tomorrow.

Thanks again,

Adrienne

*P/c to Adrienne -  
Ok to use "media" language*

11:45am - Steve Ratte & Jodi Bloch

4/30/03 Draft

**895.507 Notice of unauthorized use of personal identifying information. (1) Definitions. In this section:**

- (a) "Entity" means a person other than an individual that in the ordinary course of business maintains personal identifying information.
- (b) "Personal identifying information" has the meaning given in s. 943.201(1)(b); however, "personal identifying information" does not include publicly available information.
- (c) "Publicly available information" means any information that an entity has a reasonable basis to believe is lawfully made available to the general public from:
  - (1) Federal, state or local government records;
  - (2) Widely distributed media; or
  - (3) Disclosures to the general public that are required to be made by federal, state or local law.

(2) **REQUIRED NOTICE.** An entity that knows of the unauthorized use of unencrypted personal identifying information that was obtained while in the custody of the entity shall make reasonable efforts to notify the individuals who are the subject of the information unless such individuals are already aware of this unauthorized use. The notice shall indicate that the entity knows of the unauthorized use of personal identifying information. Notice shall be given in a manner and time frame that is reasonable, taking into consideration the number of notices to be given and methods of communication available to the entity. The notice shall be issued not more than 30 days after the entity gained knowledge of the unauthorized use of the personal identifying information, except that notice may be deferred upon request of or advice from law enforcement officials.



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBa0494R

MGD:./:....

WLj

1

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,  
TO ASSEMBLY AMENDMENT 1,  
TO 2003 ASSEMBLY BILL 288

Now

1 At the locations indicated, amend the amendment as follows:

2 <sup>√</sup> 1. Page 1, line 13: delete "reasonably believes" and substitute "has a  
3 reasonable basis to believe".

4 2. Page 2, line 5: delete lines 5 to 21 and substitute:

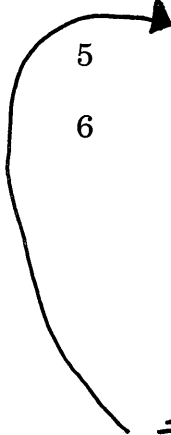
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2 shall be issued no<sup>+</sup>more than 30 days after the entity gained knowledge of the  
3 unauthorized use of the personal identifying information, except that notice may be  
4 deferred upon request of or advice from law enforcement officials.”.

5 **3.** Page 3, line 1: delete lines 1 to 4.

6 (END)



# Page 2, line 24: delete "law." and substitute "law.". ”.



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBa0494/D  
MGD:wlj:rs

2

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SOON

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