



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3544/1
MDK:eev:jm

2013 ASSEMBLY BILL 496

November 8, 2013 – Introduced by Representatives KAUFERT and THIESFELDT, cosponsored by Senator LASEE. Referred to Committee on Energy and Utilities.

1 **AN ACT** *to amend* 196.137 (2) (intro.); and *to create* 196.137 (2) (ap), 196.137 (4)
2 and 227.01 (13) (zv) of the statutes; **relating to:** releases of customer
3 information by municipal utilities.

Analysis by the Legislative Reference Bureau

Under current law, a municipal utility is generally prohibited from releasing “customer information,” which is defined as any information received from customers that serves to identify customers individually by usage or account status. The prohibition, however, has several exceptions, including the following: 1) a release made with the consent of a customer; 2) a release to a title agent, insurer, lender, mortgage broker, or attorney that is made in connection with the preparation of real estate closing documents; and 3) a release to a lender or prospective purchaser that is made in connection with real property foreclosures.

This bill requires the Public Service Commission (PSC) to specify a form for a municipal utility to obtain a customer’s consent to a release under the first exception described above. The bill allows the PSC to specify the form without promulgating rules. The bill also creates an exception allowing a municipal utility to release customer information in connection with real estate transactions and real property appraisals. Under the bill’s new exception, a municipal utility may release customer information under such circumstances to licensed real estate brokers and salespersons, as well as to certified or licensed appraisers.

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

ASSEMBLY BILL 496

1 **SECTION 1.** 196.137 (2) (intro.) of the statutes, as created by 2013 Wisconsin Act
2 25, is amended to read:

3 196.137 (2) PROHIBITION. (intro.) A municipal utility may not release customer
4 information to any person except with the consent of the customer obtained on a form
5 specified under sub. (4), or except to any of the following:

6 **SECTION 2.** 196.137 (2) (ap) of the statutes is created to read:

7 196.137 (2) (ap) In connection with a real estate transaction or appraisal of real
8 property, a real estate broker or salesperson licensed under ch. 452 or an appraiser
9 certified or licensed under ch. 458.

10 **SECTION 3.** 196.137 (4) of the statutes is created to read:

11 196.137 (4) CONSENT FORM. No later than the first day of the 2nd month
12 beginning after the effective date of this subsection [LRB inserts date], the
13 commission shall specify a form for a municipal utility to obtain a customer's consent
14 to the release of customer information.

15 **SECTION 4.** 227.01 (13) (zv) of the statutes is created to read:

16 227.01 (13) (zv) Specifies the form required under s. 196.137 (4).

17 **SECTION 5. Initial applicability.**

18 (1) The treatment of section 196.137 (2) (intro.) of the statutes first applies to
19 consent obtained on the effective date of this subsection.

20 **SECTION 6. Effective dates.** This act takes effect on the day after publication,
21 except as follows:

22 (1) The treatment of section 196.137 (2) (intro.) of the statutes and SECTION 5
23 (1) of this act take effect on the first day of the 2nd month beginning after publication.

24

(END)