

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB496)

Received: 11/12/2013 Received By: mkunkel
Wanted: As time permits Same as LRB:
For: Legislative Council - IND By/Representing: Larry Konopacki
May Contact: Rep. Kuglitsch Drafter: mkunkel
Subject: Public Util. - misc. Addl. Drafters:
Extra Copies: EVM

Submit via email: YES
Requester's email: larry.konopacki@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Billing statements issued by municipal utilities

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>
/?	mkunkel 11/12/2013			_____			
/1		evinz 11/12/2013	jmurphy 11/12/2013	_____	mbarman 11/12/2013	mbarman 11/12/2013	

FE Sent For:

<END>

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1/?	mkunkel	1 eev 11/12/13	1 eev 11/12/13	_____	_____	_____	_____
FE Sent For:							

<END>

Kunkel, Mark

From: Lorence, John - PSC <John.Lorence@wisconsin.gov>
Sent: Tuesday, November 12, 2013 11:10 AM
To: Kunkel, Mark
Subject: FW: UPDATE: AB 496- Muni Records Bill Trailer (to the trailer)
Attachments: doc01062020131112120453.pdf

I left a phone message, but here's what happened this morning.

From: Nelson, Elise - PSC
Sent: Tuesday, November 12, 2013 11:07 AM
To:
Cc:
Subject: UPDATE: AB 496- Muni Records Bill Trailer (to the trailer)

AB 496, requiring the PSC to create a form for muni utilities to obtain customer consent in order to release of customer information passed unanimously out of committee this morning and will be on the Assembly floor Thursday.

IMPORTANT NOTE:

Committee Amendment 1 was added to the bill which will clarify that municipal utilities using postcard billing are not in violation of the prohibition on the release of customer information. Please see committee amendment attached.

also received from

Larry Konopacki (Leg. Council)

add amendment to the bill: 196.137(4) of the statutes is created to read:

196.137(4) Customer Postcards. A municipal utility that sends a billing statement to a customer on a postcard does not violate the prohibition under sub. (2)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa1217/1

MDK:.....

Leev

ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 496

Today

1 At the locations indicated, amend the bill as follows:
2 1. Page 2, line 14: after that line insert:
3 "SECTION 3m. 196.137 (5) of the statutes is created to read:
4 196.137 (5) CUSTOMER POSTCARDS. A municipal utility that sends a billing
5 statement to a customer on a postcard does not violate the prohibition under sub.
6 (2)."

7 (END)



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)