



1997 ASSEMBLY BILL 228

March 27, 1997 - Introduced by Representatives SCHNEIDER, R. YOUNG, NOTESTEIN, ZIEGELBAUER, RYBA, GRONEMUS, KREUSER, BOYLE, SERATTI and R. POTTER. Referred to Joint committee on Information Policy.

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

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 that identifies 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 that identifies the insured that the insurer has provided to or received from a national or statewide data base.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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).

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1 (b) "Data" has the meaning given in s. 943.70 (1) (f).

2 (c) "Data base" means a collection of data stored in a computer system in a
3 common format.

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

7 (e) "Personally identifiable information" has the meaning given in s. 19.62 (5).

8 **(1m)** An intermediary shall disclose to an applicant for insurance any
9 personally identifiable information about the applicant that the intermediary has
10 provided to or received from a national or statewide data base. The disclosure
11 required under this subsection shall be provided both orally and in writing at the
12 time of application, regardless of whether insurance coverage is provided or denied
13 to the applicant.

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

20 (END)