



2013 SENATE BILL 103

March 22, 2013 - Introduced by Senators FARROW, SHILLING, COWLES, T. CULLEN, GROTHMAN, HANSEN, LEHMAN, OLSEN, SCHULTZ and L. TAYLOR, cosponsored by Representatives HONADEL, KAHL, BERCEAU, BIES, BROOKS, ENDSLEY, KESTELL, T. LARSON, MARKLEIN, OHNSTAD, A. OTT, RINGHAND, RIPP, SMITH, STEINEKE, STONE, TAUCHEN, THIESFELDT, TITTL, WRIGHT and MURSAU. Referred to Committee on Government Operations, Public Works, and Telecommunications.

1 **AN ACT to create** 196.137 of the statutes; **relating to:** municipal utility customer
2 information.

Analysis by the Legislative Reference Bureau

This bill imposes restrictions on a municipal utility's release of "customer information," which the bill defines as any information received from customers which serves to identify customers individually by usage or account status. The bill prohibits a municipal utility from releasing customer information without the customer's consent. However, the prohibition does not apply to releases of customer information to certain persons who perform services or functions for municipal utilities or to certain transmission and distribution utilities and operators. The prohibition also does not apply to releases to the Public Service Commission (PSC) or persons whom the PSC authorizes by order or rule to receive the customer information. In addition, the prohibition does not apply to releases to any person who is otherwise authorized by law to receive the customer information. The bill also provides that customer information is not subject to disclosure under the state's open records law.

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

3 **SECTION 1.** 196.137 of the statutes is created to read:

SENATE BILL 103

1 **196.137 Municipal utility customer information.** (1) DEFINITIONS. In this
2 section:

3 (a) "Customer information" means any information received from customers
4 which serves to identify customers individually by usage or account status.

5 (b) "Municipal utility" has the meaning given in s. 196.377 (2) (a) 3.

6 **(2) PROHIBITION.** A municipal utility may not release customer information to
7 any person except with the consent of the customer, and except to any of the
8 following:

9 (a) Agents, vendors, partners, or affiliates of the municipal utility that are
10 engaged to perform any services or functions for or on behalf of the municipal utility.

11 (b) Transmission and distribution utilities and operators within whose
12 geographic service territory the customer is located.

13 (c) The commission or any person whom the commission authorizes by order
14 or rule to receive the customer information.

15 (d) Any person who is otherwise authorized by law to receive the customer
16 information.

17 **(3) PUBLIC RECORD EXCEPTION.** Customer information is not subject to inspection
18 or copying under s. 19.35.

19 **(END)**