

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2191

Page 1, line 1, after "enact" insert "two new subsections to section 6-08.1-01," and after "6-08.1-02" insert ", a new section to chapter 10-04, and a new section to chapter 26.1-02"

Page 1, line 2, after "Code" insert "and to create and enact a new section to Senate Bill No. 2127, as approved by the fifty-seventh legislative assembly" and after "institutions" insert "and the effective date of section 1 of Senate Bill No. 2127"

Page 1, line 4, replace "definition of a customer and" with "definitions relating to disclosure of" and after "date" insert "; to provide an expiration date"

Page 1, line 10, remove ", with respect to a financial institution," and remove the overstrike over "person who has"

Page 1, remove the overstrike over line 11

Page 1, line 12, remove "individual or authorized representative of an individual to whom"

Page 1, line 13, remove the overstrike over "~~or for whom a financial institution has acted~~" and remove "provides a product or"

Page 1, line 14, remove "service for personal, family, or household use, including that of acting"

Page 1, line 15, remove the overstrike over "~~with respect to trust property~~"

Page 1, line 19, after "~~subsection~~" insert "any" and after "nonpublic" insert ", personally identifiable financial information of a customer which is obtained by the financial institution by any means, except for information that is otherwise publicly available"

Page 1, remove lines 20 and 21

Page 1, line 22, remove "customer of the financial institution and is identified with the customer"

Page 2, line 3, overstrike "means any of the following" and insert immediately thereafter "includes"

Page 2, overstrike lines 16 and 17

Page 2, after line 17, insert:

"SECTION 2. Two new subsections to section 6-08.1-01 of the 1999 Supplement to the North Dakota Century Code are created and enacted as follows:

"Affiliate" means any company that controls, is controlled by, or is under common control with another company.

"Nonaffiliated third party" means any entity that is not an affiliate of, or related by common ownership or affiliated by corporate control with, the financial institution. The term does not include a joint employee of such a financial institution."

Page 2, after line 23, insert:

"SECTION 4. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Disclosing customer information. Every dealer, agent, investment adviser, federal covered adviser, and investment adviser representative is a financial institution for purposes of chapter 6-08.1, relating to disclosure of customer information. The commissioner shall enforce compliance with this section.

SECTION 5. A new section to chapter 26.1-02 of the North Dakota Century Code is created and enacted as follows:

Disclosing customer information. Every insurance company, nonprofit health service corporation, and health maintenance organization is a financial institution for purposes of chapter 6-08.1, relating to disclosure of customer information. The commissioner shall enforce compliance with this section.

SECTION 6. A new section to Senate Bill No. 2127, as approved by the fifty-seventh legislative assembly, is created and enacted as follows:

SECTION 3. EFFECTIVE DATE. Section 1 of this Act becomes effective on August 1, 2003."

Page 2, line 24, after "**DATE**" insert "**- EXPIRATION DATE**", replace "This" with "Sections 1, 4, 5, 6, 7, and 8 of this", replace "becomes" with "become", after "2001" insert ", and sections 2 and 3 of this Act become effective on August 1, 2003", and after the period insert "Sections 4 and 5 of this Act are effective through July 31, 2003, and after that date are ineffective."

Renumber accordingly