Fifty-seventh Legislative Assembly of North Dakota

## SENATE BILL NO. 2127

Introduced by

Industry, Business and Labor Committee

(At the request of the Insurance Commissioner)

- 1 A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota
- 2 Century Code, relating to prohibiting disclosure by an insurer of nonpublic personal information;
- 3 and to amend and reenact section 26.1-03-11.3 of the North Dakota Century Code, relating to
- 4 the insurance commissioner sharing confidential information with other state agencies.

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- SECTION 1. A new section to chapter 26.1-02 of the North Dakota Century Code is created and enacted as follows:
- 8 **Disclosing nonpublic personal information.** An insurance company, nonprofit health
- 9 service corporation, or health maintenance organization may not disclose nonpublic personal
- 10 information contrary to the provisions of title V of the Gramm-Leach-Bliley Act [Pub. L. 106-102;
- 11 113 Stat. 1436]. The commissioner may adopt rules as may be necessary to carry out this
- 12 section.

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- 13 **SECTION 2. AMENDMENT.** Section 26.1-03-11.3 of the North Dakota Century Code
- 14 is amended and reenacted as follows:
- 15 **26.1-03-11.3. Confidentiality.** The commissioner shall maintain, as confidential, any
- 16 confidential documents or information received from the national association of insurance
- 17 commissioners or state or federal regulatory or law enforcement officials of this state and other
- 18 states or jurisdictions. The information may not be disclosed by the department and is exempt
- 19 from section 44-04-18. The commissioner may share information that is confidential under the
- 20 laws of this state with the national association of insurance commissioners and with state or
- 21 federal regulatory or law enforcement officials from this state and other states or jurisdictions
- 22 providing that the officials are required, under their law, to maintain its confidentiality.