

Introduced by

Industry, Business and Labor Committee

(At the request of the Insurance Commissioner)

1 A BILL for an Act to amend and reenact section 26.1-02-27 of the North Dakota Century Code,  
2 relating to disclosing nonpublic personal information.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 26.1-02-27 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **26.1-02-27. Disclosing nonpublic personal information.** An insurance company,  
7 nonprofit health service corporation, or health maintenance organization may not disclose  
8 nonpublic personal information contrary to the provisions of title V of the Gramm-Leach-Bliley  
9 Act [Pub. L. 106-102; 113 Stat. 1436]. The commissioner may adopt rules as may be  
10 necessary to carry out this section. The rules must be consistent with and not more restrictive  
11 than the model regulation adopted by the national association of insurance commissioners  
12 entitled "Privacy of Consumer Financial and Health Information Regulation". Notwithstanding  
13 the provisions of the previous sentence, the rules must, subject to the exceptions including the  
14 affiliate sharing exception provided for in the national association of insurance commissioner's  
15 model regulation, prohibit the disclosure of nonpublic personal health and financial information  
16 concerning an individual unless an authorization is obtained from the individual whose  
17 nonpublic personal health and financial information is sought to be disclosed. This section does  
18 not create a private right of action.