Fifty-seventh
Legislative Assembly   SENATE BILL NO. 2127
of North Dakota

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.

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

6   **SECTION 1.** A new section to chapter 26.1-02 of the North Dakota Century Code is

7   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.

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.