

1 HB54  
2 202705-1  
3 By Representative Hall  
4 RFD: State Government  
5 First Read: 04-FEB-20  
6 PFD: 01/23/2020

SYNOPSIS: Existing law does not prohibit any state agency that collects or maintains data containing personal information of an Alabama resident from selling the resident's personal information to a third party.

This bill would prohibit a state agency that collects or maintains data containing personal information of an Alabama resident from selling the personal information of an Alabama resident to a third party.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to privacy; to prohibit a state agency that collects or maintains data containing personal information of an Alabama resident from selling the personal information of an Alabama resident to a third party.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. (a) No state agency that collects or  
2 maintains data containing personal information of an Alabama  
3 resident shall give or sell the personal information of an  
4 Alabama resident to a third party.

5           (b) (1) For purposes of this section, personal  
6 information shall include all of the following:

7           a. An individual's first name or first initial and  
8 last name in combination with any one or more of the following  
9 data elements for that individual:

10           1. A Social Security number.

11           2. A driver's license or identification card number,  
12 passport number, military identification number, or other  
13 similar number issued on a government document used to verify  
14 identity.

15           3. A financial account number or credit or debit  
16 card number, in combination with any required security code,  
17 access code, or password that is necessary to permit access to  
18 an individual's financial account.

19           4. Any information regarding an individual's medical  
20 history, mental or physical condition, or medical treatment or  
21 diagnosis by a health care professional.

22           5. An individual's health insurance policy number or  
23 subscriber identification number and any unique identifier  
24 used by a health insurer to identify the individual.

25           b. A user name or e-mail address, in combination  
26 with a password or security question and answer, that would  
27 permit access to an online account.

1 (2) The term does not include any of the following:

2 a. Information about an individual which has been  
3 made publicly available by a federal, state, or local  
4 governmental entity.

5 b. Information that is encrypted, secured, or  
6 modified by any other method or technology that removes  
7 elements that personally identify an individual or that  
8 otherwise renders the information unusable.

9 c. Information that includes only the last four  
10 digits of an individual's Social Security number.

11 Section 2. This act shall become effective on the  
12 first day of the third month following its passage and  
13 approval by the Governor, or its otherwise becoming law.