

**Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017**

SENATE BILL NO. 2105
(Industry, Business and Labor Committee)
(At the request of the Insurance Commissioner)

AN ACT to create and enact a new section to chapter 10-04 and a new section to chapter 26.1-26 of the North Dakota Century Code, relating to exemption of agent or investment adviser representative records and insurance producer records; and to amend and reenact subsection 2 of section 26.1-02-30 of the North Dakota Century Code, relating to exemption of personal, financial, or health records.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Agent or investment adviser representative records - Exempt record.

The home address of an agent or investment adviser representative received by the commissioner is an exempt record as defined in section 44-04-17.1.

SECTION 2. AMENDMENT. Subsection 2 of section 26.1-02-30 of the North Dakota Century Code is amended and reenacted as follows:

2. As used in this section, "personal, financial, or health information" means information ~~collected from or on behalf of an individual requesting consumer assistance which~~that would reveal:
 - a. ~~The~~An individual's personal health condition, disease, or injury;
 - b. The existence, nature, source, or amount of ~~the~~an individual's personal income;
 - c. The existence, nature, source, or amount of ~~the~~an individual's personal expenses;
 - d. Records of or relating to ~~the~~an individual's personal financial transactions of any kind;
 - e. The existence, identification, nature, or value of ~~the~~an individual's personal assets, liabilities, or net worth;
 - f. A history of ~~the~~an individual's personal medical diagnosis or treatment;
 - g. The existence, identification, nature, value, or content of ~~the~~an individual's coverage or status under any insurance policy;
 - h. ~~The~~An individual's personal contractual rights or obligations; or
 - i. Any social security number, date of birth, file number, bank account number, or other number used for identification of ~~the~~an individual or any account in which ~~the~~an individual has a personal financial interest.

SECTION 3. A new section to chapter 26.1-26 of the North Dakota Century Code is created and enacted as follows:

Insurance producer records - Exempt record.

The home address of any licensed insurance producer or insurance consultant received by the commissioner is an exempt record as defined in section 44-04-17.1.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2105.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 89 Nays 0 Absent 5

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2017.

Approved at _____ M. on _____, 2017.

Governor

Filed in this office this _____ day of _____, 2017,

at _____ o'clock _____ M.

Secretary of State