

HOUSE BILL 1219

I3, I1

3lr2422

By: **Delegates Cullison, Braveboy, Hubbard, Hucker, Love, McHale, McMillan,
S. Robinson, M. Washington, and Zucker**

Introduced and read first time: February 8, 2013

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Required Notice by Financial Institutions –**
3 **Nonpublic Personal Information**

4 FOR the purpose of requiring certain financial institutions that disclose to certain
5 affiliates and nonaffiliated third parties certain nonpublic personal information
6 to include a certain notice in certain statements; establishing certain content,
7 placement, and font size requirements for the notice; defining certain terms;
8 declaring the intent of the General Assembly; and generally relating to
9 consumer protection and notice requirements for financial institutions.

10 BY adding to

11 Article – Commercial Law

12 Section 14–1324

13 Annotated Code of Maryland

14 (2005 Replacement Volume and 2012 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Commercial Law**

18 **14–1324.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
20 **MEANINGS INDICATED.**

21 **(2) “AFFILIATE” HAS THE MEANING STATED IN § 6809 OF THE**
22 **FEDERAL GRAMM–LEACH–BLILEY ACT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “CONSUMER” HAS THE MEANING STATED IN § 6809 OF THE**
2 **FEDERAL GRAMM–LEACH–BLILEY ACT.**

3 **(4) “FINANCIAL INSTITUTION” HAS THE MEANING STATED IN §**
4 **6809 OF THE FEDERAL GRAMM–LEACH–BLILEY ACT.**

5 **(5) “NONAFFILIATED THIRD PARTY” HAS THE MEANING STATED**
6 **IN § 6809 OF THE FEDERAL GRAMM–LEACH–BLILEY ACT.**

7 **(6) “NONPUBLIC PERSONAL INFORMATION” HAS THE MEANING**
8 **STATED IN § 6809 OF THE FEDERAL GRAMM–LEACH–BLILEY ACT.**

9 **(B) IN ADDITION TO THE REQUIREMENTS OF THE FEDERAL**
10 **GRAMM–LEACH–BLILEY ACT, A FINANCIAL INSTITUTION THAT DISCLOSES TO**
11 **AN AFFILIATE OR A NONAFFILIATED THIRD PARTY THE NONPUBLIC PERSONAL**
12 **INFORMATION OF A CONSUMER SHALL INCLUDE, IN EACH BILLING STATEMENT**
13 **OR STATEMENT OF ACCOUNT ACTIVITY THAT IS SENT TO THE CONSUMER,**
14 **NOTICE:**

15 **(1) THAT NONPUBLIC PERSONAL INFORMATION MAY BE**
16 **DISCLOSED TO AN AFFILIATE OR A NONAFFILIATED THIRD PARTY;**

17 **(2) THAT THE CONSUMER MAY DIRECT THE FINANCIAL**
18 **INSTITUTION NOT TO DISCLOSE THE NONPUBLIC PERSONAL INFORMATION TO**
19 **AN AFFILIATE OR A NONAFFILIATED THIRD PARTY; AND**

20 **(3) OF HOW THE CONSUMER CAN FIND THE FINANCIAL**
21 **INSTITUTION’S PRIVACY POLICY FOR NONPUBLIC PERSONAL INFORMATION,**
22 **INCLUDING DIRECTIONS ON HOW THE CONSUMER CAN DIRECT THE FINANCIAL**
23 **INSTITUTION NOT TO DISCLOSE THE NONPUBLIC PERSONAL INFORMATION TO**
24 **AN AFFILIATE OR A NONAFFILIATED THIRD PARTY.**

25 **(C) THE NOTICE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION**
26 **SHALL:**

27 **(1) BE CLEAR AND CONSPICUOUSLY PLACED NEAR THE TOP OF**
28 **EACH BILLING STATEMENT OR STATEMENT OF ACCOUNT ACTIVITY; AND**

29 **(2) BE IN AT LEAST 12 POINT FONT.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
31 General Assembly that this Act further the purposes of protecting nonpublic personal
32 information as provided for in § 6807 of the federal Gramm–Leach–Bliley Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2013.