

House Bill 184

By: Representatives Rogers of the 20th, Jamieson of the 22nd, Westmoreland of the 86th, Dean of the 49th and Hudson of the 95th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 1 of Chapter 1 of Title 7 of the Official Code of Georgia
2 Annotated, relating to purposes and preliminary matters applicable to the Department of
3 Banking and Finance and financial institutions generally, so as to require financial
4 institutions to obtain a consumer's consent before disclosing nonpublic personal information
5 to nonaffiliated third parties; to define certain terms; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 1 of Article 1 of Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating
10 to purposes and preliminary matters applicable to the Department of Banking and Finance
11 and financial institutions generally, is amended by adding after Code Section 7-1-11, relating
12 to registration of nonresident corporations, a new Code section to read as follows:

13 "7-1-12.

14 (a) As used in this Code section, the term:

15 (1) 'Consumer' means an individual who obtains from a financial institution financial
16 products or services which are to be used primarily for personal, family, or household
17 purposes, and also means the legal representative of such an individual.

18 (2) 'Nonaffiliated third party' means any entity that is not an affiliate of the financial
19 institution.

20 (3) 'Nonpublic personal information' means personally identifiable financial information:

21 (A) Provided by a consumer to a financial institution;

22 (B) Resulting from any transaction with the consumer or any service performed for
23 the consumer; or

24 (C) Otherwise obtained by the financial institution.

25 (b) A financial institution shall not disclose a consumer's nonpublic personal information
26 to a nonaffiliated third party unless the consumer has given consent that such information
27 may be disclosed to such third party."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with the Act are repealed.