



An Act Concerning A Consumer's Right To Privacy.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (NEW) (a) As used in this section:

2 (1) "Retailer" means any person who sells goods used primarily for
3 personal, family or household purposes to a person who is not in the
4 business of reselling such goods;

5 (2) "Discount card or device" means any card or device issued by a
6 retailer to a consumer, that the consumer may use to obtain a discount
7 when making purchases from the retailer, including, but not limited
8 to, a scanner card;

9 (3) "Consumer" means an individual who is an actual or prospective
10 purchaser of goods used primarily for personal, family or household
11 purposes;

12 (4) "Consumer information" means information that identifies a
13 consumer and that is obtained by a retailer from the consumer's use of
14 a discount card or device issued by the retailer in the course of the
15 retailer's business, but does not mean financial information; and

16 (5) "Financial information" means information identifying a
17 consumer's checking or savings account number, credit card account
18 number, debit card account number or the names of the institutions

19 with which the consumer holds such accounts.

20 (b) No retailer who issues, or has issued, a discount card or device
21 in this state to a consumer may sell, lease or relinquish to any other
22 person, firm or corporation any consumer information, unless (1) the
23 retailer provides reasonable prior written notice to the consumer, (2)
24 the retailer provides the consumer with the option, at the time the
25 consumer applies for the discount card or device or at the time the
26 consumer receives an unsolicited discount card or device, of
27 preventing the retailer from selling, leasing or relinquishing such
28 information, and (3) the consumer does not exercise such option to
29 prevent the retailer from selling, leasing or relinquishing such
30 information.

31 (c) Such notice shall (1) state that information identifying the
32 consumer may be sold, leased or relinquished to other persons, firms
33 or corporations, (2) describe the purposes for which such information
34 would be used, and (3) include a form the consumer may use to
35 prevent the retailer from selling, leasing or relinquishing such
36 information.

37 (d) No retailer who issues, or has issued, a discount card or device
38 in this state to a consumer may sell, lease or relinquish to any other
39 person, firm or corporation any financial information.

40 (e) The provisions of this section do not apply to the sale, lease or
41 relinquishing of consumer information by a retailer to another person,
42 firm or corporation that directly or through one or more
43 intermediaries, controls, or is controlled by, or is under common
44 control with, such retailer.

45 (f) Notwithstanding the provisions of subsections (b) and (d) of this
46 section, a retailer may relinquish consumer information and financial
47 information to a person, firm or corporation for the purpose of (1)
48 making a credit report, as defined in section 36a-695 of the general
49 statutes, provided such information may be relinquished only if the
50 discount card or device also functions as a credit card, as defined in

51 section 53a-128a of the general statutes, or (2) performing or providing
52 services used for the delivery of such retailer's billing statements.

53 (g) Notwithstanding the provisions of subsection (b) of this section,
54 a retailer may relinquish consumer information to a person, firm or
55 corporation for the purpose of performing or providing services used
56 for the delivery of such retailer's promotional offers.

57 (h) Any violation of any provision of this section shall be deemed an
58 unfair or deceptive trade practice under subsection (a) of section 42-
59 110b of the general statutes.

GL Committee Vote: Yea 14 Nay 0 JFS