



General Assembly

January Session, 2001

**Raised Bill No. 1239**

LCO No. 4088

Referred to Committee on Energy and Technology

Introduced by:  
(ET)

**AN ACT CONCERNING INTERNET PRIVACY.**

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

1 Section 1. Subdivision (9) of section 4-190 of the general statutes is  
2 repealed and the following is substituted in lieu thereof:

3 (9) "Personal data" means any information about a person's  
4 education, finances, medical or emotional condition or history,  
5 employment or business history, family or personal relationships,  
6 political or religious beliefs, reputation or character which because of  
7 name, identifying number, mark or description can be readily  
8 associated with a particular person. "Personal data" shall not be  
9 construed to make available to a person any record described in  
10 subdivision (3) of subsection (b) of section 1-210.

11 Sec. 2. Section 4-193 of the general statutes is repealed and the  
12 following is substituted in lieu thereof:

13 Each agency shall:

14 [(a)] (1) Inform each of its employees who operates or maintains a  
15 personal data system or who has access to personal data, of the

16 provisions of [(1)] (A) this chapter, [(2)] (B) the agency's regulations  
17 adopted pursuant to section 4-196, [(3)] (C) the Freedom of Information  
18 Act, as defined in section 1-200, and [(4)] (D) any other state or federal  
19 statute or regulation concerning maintenance or disclosure of personal  
20 data kept by the agency;

21 [(b)] (2) Take reasonable precautions to protect personal data from  
22 the dangers of fire, theft, flood, natural disaster or other physical  
23 threats;

24 [(c)] (3) Keep a complete record, concerning each person, of every  
25 individual, agency or organization who has obtained access to or to  
26 whom disclosure has been made of personal data and the reason for  
27 each such disclosure or access; and maintain such record for not less  
28 than five years from the date of obtaining such access or disclosure or  
29 maintain such record for the life of the record, whichever is longer;

30 [(d)] (4) Make available to a person, upon written request, the record  
31 kept under [subsection (c)] subdivision (3) of this section;

32 [(e)] (5) Maintain only that information about a person which is  
33 relevant and necessary to accomplish the lawful purposes of the  
34 agency;

35 [(f)] (6) Inform an individual in writing, upon written request,  
36 whether the agency maintains personal data concerning [him] the  
37 individual;

38 [(g)] (7) Except as otherwise provided in section 4-194, disclose to a  
39 person, upon written request, on a form understandable to such  
40 person, all personal data concerning [him] the person which is  
41 maintained by the agency. If disclosure of personal data is made under  
42 this subsection, the agency shall not disclose any personal data  
43 concerning persons other than the requesting person;

44 [(h)] (8) Establish procedures which:

45 [(1)] (A) Allow a person to contest the accuracy, completeness or  
46 relevancy of [his] the person's personal data;

47 [(2)] (B) Allow personal data to be corrected upon request of a  
48 person when the agency concurs in the proposed correction;

49 [(3)] (C) Allow a person who believes that the agency maintains  
50 inaccurate or incomplete personal data concerning [him] the person to  
51 add a statement to the record setting forth what [he] the person  
52 believes to be an accurate or complete version of that personal data.  
53 Such a statement shall become a permanent part of the agency's  
54 personal data system, and shall be disclosed to any individual, agency  
55 or organization to which the disputed personal data is disclosed;

56 (9) Collect personal data to the greatest extent feasible from the  
57 person directly;

58 (10) Maintain personal data in the system with accuracy,  
59 completeness, timeliness and pertinence as necessary to assure fairness  
60 in determinations relating to the person;

61 (11) Make no dissemination of personal data to another agency  
62 without (A) specifying requirements for security and usage including  
63 limitations on access to the personal data, and (B) receiving reasonable  
64 assurances that those requirements and limitations will be observed,  
65 except that this subdivision does not apply to a dissemination made by  
66 an agency to an agency in another state, district or territory of the  
67 United States if the personal data is requested by the agency of such  
68 other state, district or territory in connection with the application of the  
69 data subject for a service, privilege or right under the laws of such  
70 state, district, or territory;

71 (12) Establish appropriate safeguards to secure the system in which  
72 personal data is maintained from any reasonably foreseeable threat to  
73 its security.

74 Sec. 2. (NEW) (a) No later than December 31, 2001, each agency, as

75 defined in section 14-19 of the general statutes, that has an Internet  
76 web site associated with such agency shall develop an Internet privacy  
77 policy. The policy shall be consistent with the requirements of sections  
78 4-190 to 4-197, inclusive, of the general statutes, as amended by this  
79 act. No later than December 21, 2002, such policy shall be made  
80 available, in a conspicuous manner, on the agency's web site.

81 (b) The Commissioner of Administrative Services shall develop  
82 guidelines for developing the policy and the statement. Such  
83 guidelines shall not be considered "regulations", as defined in section  
84 4-166 of the general statutes.

85 (c) Each agency shall tailor the policy to reflect the data collection  
86 and maintenance practices of the individual agency. The policy and the  
87 statement shall include, but not be limited to, (1) identifying the  
88 personal data, including personally identifiable data, that will be  
89 collected, if any; (2) whether the agency will post any personal data on  
90 the web site and, if so, what personal data; (3) whether the web site  
91 automatically places a coded computer file on the Internet user's  
92 computer that identifies the user during subsequent visits to the  
93 agency's web site, and, if so, for what purpose; and (4) how the  
94 collected data is being used or will be used.

95 Sec. 3. This act shall take effect July 1, 2001.

***Statement of Purpose:***

To require state agencies to follow certain procedures in maintaining and disseminating personal data and to require state agencies to develop an Internet privacy policy.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*