

Secretary of the State File Number

6279

Regulation of the

Insurance Department

Concerning

Privacy of Consumer Financial Information

Regulations adopted after July 1, 2013, become effective upon posting to the Connecticut eRegulations System, or at a later date if specified within the regulation.

Posted to the Connecticut eRegulations System on **October 5, 2018**

EFFECTIVE DATE

October 5, 2018

Approved by the Attorney General on

August 2, 2018

Approved by the Legislation Regulation Review Committee on

September 25, 2018

Electronic copy with agency head certification statement electronically submitted to and received by the Office of the Secretary of the State on

October 3, 2018

Form ICM-ECOPY (NEW 6/2015)
State of Connecticut
Secretary of the State



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
This form should be used only for regulations first noticed *on and after March 23, 2015*.

Electronic Copy Certification Statement

(Submitted in accordance with the provisions of section 4-172 of the Connecticut General Statutes)

Regulation of the
Insurance Department
Concerning
Privacy of Consumer Financial Information

Approved by the Legislative Regulation Review Committee: **September 25, 2018**

eRegulations System Tracking Number: **PR 2017-053**

I hereby certify that the electronic copy of the above-referenced regulation submitted herewith to the Secretary of the State is a true and accurate copy of the regulation approved in accordance with sections 4-169 and 4-170 of the *Connecticut General Statutes*.

And I further certify that in accordance with the approval of Legislative Regulation Review Committee, all required technical corrections, page substitutions and deletions, if any, have been incorporated into said regulation.

In testimony whereof, I have hereunto
set my hand on **September 26, 2018**.

Katharine L. Wade
Commissioner
Insurance Department

**State of Connecticut
Regulation of
Insurance Department
Concerning
Privacy of Consumer Financial Information**

Section 1. Section 38a-8-108 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-8-108. Annual privacy notice to customers required

(a) A licensee shall provide a clear and conspicuous notice to customers that accurately reflects its privacy policies and practices not less than annually during the continuation of the customer relationship. Annually means at least once in any period of twelve consecutive months during which that customer relationship exists. A licensee may define the twelve-consecutive-month period, but the licensee shall apply it to the customer on a consistent basis. A licensee provides a notice annually if it defines the twelve-consecutive-month period as a calendar year and provides the annual notice to the customer once in each calendar year following the calendar year in which the licensee provided the initial notice.

(b) Notwithstanding the provisions of subsection (a) of this section, a licensee that (1) provides nonpublic personal financial information to nonaffiliated third parties only in accordance with section 38a-8-116, 38a-8-117 or 38a-8-118 of the Regulations of Connecticut State Agencies, and (2) has not changed its policies and practices with regard to disclosing nonpublic personal financial information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this section or section 38a-8-107 of the Regulations of Connecticut State Agencies shall not be required to provide an annual disclosure under this section until such time as the licensee fails to comply with any provision of subdivision (1) or (2) of this subsection.

~~[(b)](c)~~ A licensee is not required to provide an annual notice to a former customer.

~~[(c)](d)~~ When a licensee is required by this section to deliver an annual privacy notice, the licensee shall deliver it according to section 38a-8-112 of the Regulations of Connecticut State Agencies.

R-39 Rev. 02/2012

Statement of Purpose:

To reduce confusion among consumers by clarifying that annual privacy notices are only required to be given when a licensee of the Insurance Department changes its disclosure policies after the relationship with its customer begins and to the extent a licensee shares personal financial information with third parties for marketing purposes. This amendment to the regulation eliminates a duplicative and costly notification requirement for Insurance Department licensees. Licensees continue to be required to provide initial privacy notices as required under current law.

IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES

This form is to be used for proposed permanent and technical amendment regulations only and must be completed in full.

AGENCY CERTIFICATION**Insurance Department**

Proposed Regulation Concerning

Privacy of Consumer Financial InformationeRegulations System Tracking Number **PR2017-053****I hereby certify the following:**

(1) The above-referenced **regulation** is proposed pursuant to the following statutory authority or authorities: **CGS section 38a-8a.**

For technical amendment regulations proposed without a comment period, complete #2 below, then skip to #8.

(2) As permitted by Section 4-168(h) of the *Connecticut General Statutes*, the agency elected to proceed without prior notice or hearing and posted the text of the proposed technical amendment regulation on eRegulations System website on **<<select and enter the date of posting>>**.

For all other non-emergency proposed regulations, complete #3 - #7 below, then complete #8)

(3) The agency posted notice of intent with a specified comment period of not less than 30 days to the eRegulations System website on **June 25, 2018.**

(4) *(Complete one)* No public hearing held or was required to be held. **OR** One or more public hearings were held on: **<<select and enter dates>>**.

(5) The agency posted notice of decision to move forward with the proposed regulation to the eRegulations System website on **July 30, 2018.**

(6) *(Complete one)* No comments were received. **OR** Comments were received and the agency posted the statements specified in subdivisions (1) and (2) of CGS Section 4-168(e) to the eRegulations System website on **<<select and enter date>>**.

(7) The final wording of the proposed regulation was posted to the eRegulations System website on **July 30, 2018.**

(8) Subsequent to approval for legal sufficiency by the Attorney General and approval by the Legislative Regulation Review Committee, **the final regulation shall be effective**

(Check one and complete as applicable)

When posted to the eRegulations System website by the Secretary of the State.

OR On _____

(Date must be a specific calendar date not less than 11 days after submission to the Secretary of the State)

Katharine L. Wade

SIGNED

*(Head of Board, Agency or Commission,
or duly authorized deputy)*

Commissioner

OFFICIAL TITLE

July 30, 2018

DATE

**OFFICE OF THE ATTORNEY GENERAL
REGULATION CERTIFICATION**

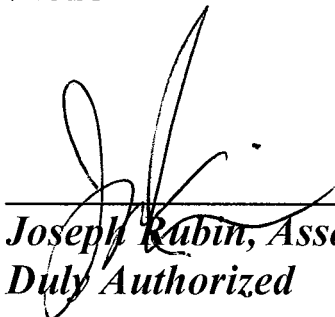
Agency: Connecticut Insurance Department

REGULATION NUMBER PR2017-053

This Regulation is hereby APPROVED by the Attorney General as to legal sufficiency in accordance with Connecticut General Statutes Section 4-169.

DATE: 8/2/2018

Signed:



Joseph Rubin, Associate Attorney General
Duly Authorized

The Connecticut General Assembly

Legislative Regulation Review Committee

Senator Paul Doyle
Senate Chair



Representative Christie Carpino
House Chair

Official Record of Committee Action

September 25, 2018

Agency: Insurance Department
Description: Privacy of Consumer Financial Information
LRRC Regulation Number: 2018-016
eRegulation Tracking Number: PR2017-053

The above-referenced regulation has been

Approved with Technical Corrections

by the Legislative Regulation Review Committee in accordance
with CGS Section 4-170.

Kirstin L. Breiner
Committee Administrator



State of Connecticut
Office of the Secretary of the State

Confirmation of Electronic Submission

Re: Regulation of the Insurance Department concerning Privacy of Consumer
Financial Information
eRegulations System Tracking Number PR2017-053
Legislative Regulation Review Committee Docket Number 2018-016

The above-referenced regulation was electronically submitted to the Office of the Secretary of the State in accordance with Connecticut General Statutes Section 4-172 on October 3, 2018.

Said regulation is assigned Secretary of the State File Number 6279.

The effective date of this regulation is October 5, 2018.

A handwritten signature in black ink that reads "Denise W. Merrill".

Denise W. Merrill
Secretary of the State
October 5, 2018

By:

/s/ Kristin M. Karr

Kristin M. Karr
Administrative Law
Information Systems Manager