

**RULES AND REGULATIONS OF
THE COMMISSIONER OF INSURANCE**

CHAPTER 120-2-87

**REGULATIONS GOVERNING THE COLLECTION, USE, AND DISCLOSURE OF
INFORMATION GATHERED IN CONNECTION WITH INSURANCE TRANSACTIONS**

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120-2-87-.01 Purpose.

The purpose of this regulation is to implement the provisions of Chapter 39 of Title 33 of the Official Code of Georgia Annotated and to provide an interpretive ruling to carry out the responsibilities of the Office of the Commissioner concerning the collection, use, and disclosure of personal information in connection with insurance transactions in Georgia pursuant to Title V of the Gramm-Leach-Bliley Act (15 USC 6801 et seq.).

Authority - O.C.G.A. § 33-2-9, 15 U.S.C. §6805

120-2-87-.02 Applicability.

This regulation applies to all insurance institutions, agents, insurance support organizations, producers, unauthorized insurers who place business through a licensed excess line broker in this state pursuant to Chapter 5 of Title 33, and other persons or entities licensed or required to be licensed, authorized or required to be authorized, registered or required to be registered pursuant to the Georgia Insurance Code.

Authority - O.C.G.A. § 33-2-9, 15 U.S.C. §6805

120-2-87-.03 Authority.

This regulation is issued pursuant to the authority vested in the Commissioner of Insurance under O.C.G.A. § 33-2-9 to implement Chapter 39 of Title 33 and to provide an interpretive ruling to carry out the responsibilities of his office under Sections 505 and 507 of Subtitle A of Title V of the Gramm-Leach-Bliley Act. Section 505 of the Gramm-Leach-Bliley Act specifically reserves functional regulation of all insurance

activities to the States and directs State insurance authorities to enforce Title V privacy standards, and Section 507 permits the enforcement of any State provisions that offer greater protections and standards than may be set forth in Title V of the Gramm-Leach-Bliley Act.

Authority - O.C.G.A. § 33-2-9, 15 U.S.C. §§6805 and 6807

120-2-87-.04 Requirements.

Any person or entity subject to this regulation shall comply with Chapter 39 of Title 33 and all other applicable Georgia laws; and shall further comply with Title V of the Gramm-Leach-Bliley Act (15 USC 6801 et seq.) and other applicable federal laws to the extent said federal laws set forth standards that are either in addition to, or stricter than, the consumer protections in Georgia law.

Authority - O.C.G.A. § 33-2-9, 15 U.S.C. §§6805 and 6807

120-2-87-.05 Enforcement.

The Commissioner of Insurance has the authority to enforce Title V of the Gramm-Leach-Bliley Act (15 U.S.C. § 6801 et seq.) and has all of the enforcement powers otherwise available to the Commissioner under Chapter 39 of Title 33 and all other applicable Georgia laws.

Authority - O.C.G.A. § 33-2-9, 15 U.S.C. §6805

120-2-87-.06 Severability.

If any regulation or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the regulations herein and the applicability of such provisions to other circumstances shall not be affected thereby.

Authority - O.C.G.A. § 33-2-9