GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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SENATE BILL 774

Rules and Operations of the Senate Committee Substitute Adopted 4/24/01 House Committee Substitute Favorable 5/29/01

Short Title:	Public Enterprise Customer Billing Privacy.	(Public)
Sponsors:		
Referred to:		

April 2, 2001

1 A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE PRIVACY OF BILLING INFORMATION OF CUSTOMERS OF PUBLIC ENTERPRISES.

4 The General Assembly of North Carolina enacts:

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SECTION 1. G.S. 132-1.1 reads as rewritten:

"§ 132-1.1. Confidential communications by legal counsel to public board or agency; State tax information.information; public enterprise billing information.

- Confidential Communications. Public records, as defined in G.S. 132-1, (a) shall not include written communications (and copies thereof) to any public board, council, commission or other governmental body of the State or of any county, municipality or other political subdivision or unit of government, made within the scope of the attorney-client relationship by any attorney-at-law serving any such governmental body, concerning any claim against or on behalf of the governmental body or the governmental entity for which such body acts, or concerning the prosecution, defense, settlement or litigation of any judicial action, or any administrative or other type of proceeding to which the governmental body is a party or by which it is or may be directly affected. Such written communication and copies thereof shall not be open to public inspection, examination or copying unless specifically made public by the governmental body receiving such written communications; provided, however, that such written communications and copies thereof shall become public records as defined in G.S. 132-1 three years from the date such communication was received by such public board, council, commission or other governmental body.
- (b) State and Local Tax Information. Tax information may not be disclosed except as provided in G.S. 105-259. As used in this subsection, "tax information" has the same meaning as in G.S. 105-259. Local tax records that contain information about a taxpayer's income or receipts may not be disclosed except as provided in G.S. 153A-148.1 and G.S. 160A-208.1.

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(c) Public Enterprise Billing Information. — Billing information compiled and maintained by a city or county in connection with the ownership or operation of a public enterprise is not a public record as defined in G.S. 132-1. Nothing contained herein shall limit disclosure by a city or county of billing information. As used herein, "billing information" means any record or information, in whatever form, compiled or maintained with respect to individual customers by any owner or operator of a public enterprise, as defined in G.S. 160A-311 and G.S. 153A-274, relating to services it provides or will provide to the customer."

SECTION 2. This act is effective when it becomes law.