

By Mr. McIntyre of New Bedford, petition of L. Scott Harshbarger and Joseph B. McIntyre for legislation to further regulate fair information practices in order to facilitate representation by the Attorney General for the Commonwealth, agencies, officials and employees. The Judiciary.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT FURTHER REGULATING FAIR INFORMATION PRACTICES IN ORDER TO FACILITATE THE ATTORNEY GENERAL'S REPRESENTATION OF THE COMMONWEALTH AND ITS AGENCIES, OFFICIALS, AND EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 2 of Chapter 66A of the General Laws, as appearing in  
2 the 1992 Official Edition, is hereby amended in subsection (c) by  
3 striking out the word "fee:", on line 30, and inserting in place  
4 thereof the following:— fee. Where a data subject has threatened  
5 or instituted a suit, claim, or other proceeding against any holder  
6 or person for whom the attorney general is authorized to appear,  
7 the holder that is or employs a party to such threatened or pending  
8 suit, claim, or proceeding shall, notwithstanding any general or  
9 special law to the contrary, furnish to the attorney any personal  
10 data concerning the data subject that the attorney general deems  
11 relevant to the such suit, claim, or proceeding. Such data shall be  
12 furnished only in response to a request from the attorney general  
13 that describes the data and indicates the purpose for which it is  
14 requested. The attorney general may further disclose such data to  
15 the extent the attorney general deems necessary for purposes of  
16 resolving the suit, claim, or proceeding. A holder possessing per-  
17 sonal data indicating that a violation of law may have occurred  
18 may, notwithstanding any general or special law to the contrary,  
19 furnish the data to the attorney general, who may further disclose  
20 the data to the extent the attorney general deems necessary for  
21 purposes of an investigation or proceeding relating to the data  
22 subject;."

