

§10111. Records and databases related to licenses, permits, registrations, harvest records and applications

1. Definitions. For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Commercial record" means any paper or electronic record the department holds that is intended for business operations or that allows a person or entity to charge a fee for a product or service. [PL 2025, c. 692, §2 (NEW).]

B. "Data" means information existing in a paper or electronic medium that may be contained within a records database. [PL 2025, c. 692, §2 (NEW).]

C. "Noncommercial record" means any paper or electronic record the department holds, including, but not limited to, a license, permit, registration, harvest record and any application for these records, that is not intended for business operations and that does not allow a person or entity to charge a fee for a product or service. [PL 2025, c. 692, §2 (NEW).]

D. "Personally identifiable information" means:

- (1) A person's social security number;
- (2) A person's telephone number;
- (3) A person's e-mail address;
- (4) A person's physical address;
- (5) A person's identification number in the department's online electronic system for people who hunt, fish or trap;
- (6) A person's date of birth;
- (7) A person's driver's license number; and
- (8) A person's taxpayer identification number.

With respect to a commercial record, "personally identifiable information" does not include a person's telephone number, e-mail address or physical address. [PL 2025, c. 692, §2 (NEW).]
[PL 2025, c. 692, §2 (NEW).]

2. Individual records requests; confidentiality of personally identifiable information in records. Any personally identifiable information included in any data, commercial record or noncommercial record, whether contained in a records database or in individual or multiple records, is confidential, except that the department may disclose personally identifiable information:

A. For law enforcement purposes in accordance with section 13106-E and Title 16, section 805-A; [PL 2025, c. 692, §2 (NEW).]

B. For the purposes described in section 13106-E, subsection 2 or section 13157-D, subsection 2; [PL 2025, c. 692, §2 (NEW).]

C. For fish and wildlife management purposes; [PL 2025, c. 692, §2 (NEW).]

D. To other state and federal government entities; or [PL 2025, c. 692, §2 (NEW).]

E. To the person who is the subject of the record or to that person's agent. [PL 2025, c. 692, §2 (NEW).]

[PL 2025, c. 692, §2 (NEW).]

3. Disclosure of data not personally identifiable. The department may publicly disseminate data that is not personally identifiable information and may provide to persons, businesses and other entities copies of individual records and data that do not contain personally identifiable information.

Notwithstanding subsection 1, paragraph D, subparagraph (4), information disseminated by the department pursuant to this subsection may include the names and mailing addresses contained within any license, permit or registration the department holds.

[PL 2025, c. 692, §2 (NEW).]

4. Reasonable fees. The department may charge reasonable fees for requests of both individual records and whole or partial databases of records at the expense of the person making the request. The cost of furnishing a copy of the record or records is not subject to the limitations of Title 1, section 408-A.

[PL 2025, c. 692, §2 (NEW).]

5. Exception to archive laws. Notwithstanding Title 5, section 95-C, subsection 1, paragraph C, personally identifiable information made confidential under this section must remain confidential until the relevant records have been in existence for 100 years.

[PL 2025, c. 692, §2 (NEW).]

SECTION HISTORY

PL 2025, c. 692, §2 (NEW).

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