

NetChoice *Promoting Convenience, Choice, and Commerce on The Net*

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April 25, 2013

Rep. Garey Bies
Wisconsin State Assembly
Madison, Wisconsin

RE: LRB 1551-2, *Access to employee personal Internet accounts*

Dear Rep. Bies:

We understand you are gathering co-sponsors for legislation to restrict employer and university access to personal Internet accounts of employees, applicants, and students.

We reviewed your draft legislation and wanted to point out a critical flaw in the definition of "Access Information" that would create unintended liability for appropriate behavior. We're referring here to the first definition in Section 995.55 of the draft:

"Access information" means a user name, password, login information, or any other security information that protects access to a personal Internet account.

This definition would bar asking for a "user name" alone. The problem is that the "user name" for a personal email account *is* the email address used to contact a Wisconsin resident.

As written, it would be a violation of the law to ask for an applicant's email address in order to follow-up on an interview. We're almost certain this is not what you intended when drafting this legislation.

To correct this problem while maintaining the integrity of the bill, we suggest that you simply add the word "and," thus making it illegal for an employer to request a "user name *and* password." As in:

"Access information" means a user name **and** password, login information, or any other security information that protects access to a personal Internet account.

Thank you for your work on this bill and for considering our views. Please let me know if I can provide further information.

Sincerely,

A handwritten signature in black ink that reads 'Steve DelBianco'.

Steve DelBianco
Executive Director, NetChoice

NetChoice is a trade association of online content and e-Commerce businesses promoting and protecting convenience, choice and commerce on the Net. Learn more about NetChoice at www.netchoice.org