**Section 4002.120 Limits on Sharing Account Number Information for Marketing Purposes**

a) General prohibition on disclosure of account numbers. A licensee shall not, directly or through an affiliate, disclose, other than to a consumer reporting agency, a policy number or similar form of access number or access code for a consumer's policy or transaction account to any nonaffiliated third party for use in telemarketing, direct mail marketing or other marketing through electronic mail to the consumer except as provided in subsection (b) of this Section. For the purposes of this Section, a policy or transaction account is an account other than a deposit account or a credit card account and does not include an account to which third parties cannot initiate charges.

b) Subsection (a) of this Section does not apply if a licensee discloses a policy number or similar form of access number or access code:

1) To the licensee's service provider solely in order to perform marketing for the licensee's own products or services, as long as the service provider is not authorized to directly initiate charges to the account;

2) To a licensee who is an insurance producer solely in order to perform marketing for the licensee's own products or services; or

3) To a participant in an affinity or similar program where the participants in the program are identified to the customer when the customer enters into the program.

c) For the purposes of this Section a policy number, or similar form of access number or access code, does not include a number or code in an encrypted form, as long as the licensee does not provide the recipient with a means to decode the number or code.