

STATE DATA SECURITY / BREACH NOTIFICATION LAWS (As of January 2009)

State	Legislative Reference	Statute	Description	Effective Date	Definition of Personal Information (PI)	Definition of Covered Entity	Key Provisions	GLBA Exception
Alabama	N/A	N/A	No data security/breach notification law.	N/A	N/A	N/A	N/A	N/A
Alaska	HB 65 http://www.legis.state.ak.us/PDF/25/Bills/HB0065Z.PDF	Alaska Stat. §45.48.010	Relating to breaches of security involving personal information.	7/1/09	Similar to AZ. Excludes info that is encrypted or redacted and the encryption key has not been accessed or acquired. Includes passwords, personal ID #s, or other access codes for financial accts.	Any person doing business, governmental entity, or person with 10 or more employees that owns, licenses, or maintains PI of residents of AK.	Disclosure not required if it is determined that there is not a reasonable likelihood that harm has resulted or will result from the breach. Must notify the AG regardless of type of breach. The determination must be documented in writing and maintained for five years. Allows substitute notice if affect more than 300,000 people, or would cost more than \$150,000. Requires notice to CRA if more than 1,000 people get notice.	Yes.

<p>Arizona</p>	<p>SB 1338</p>	<p>Ariz. Rev. Stat. §44-7501</p>	<p>Requires businesses to provide consumer notification of data breaches.</p>	<p>12/31/06</p>	<p>First name or initial and last name in combination with any one of the following: SSN, driver's license or state ID card #, financial account #, credit or debit card # in combination with any required security or access code that would permit access to an individual's financial account. Excludes data that is redacted or secured by other methods rendering data unreadable or unusable from notification obligations.</p>	<p>Any person that conducts business in AZ and owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Notice required if after reasonable investigation, determine that security has been breached. This statute is to be repealed one year after the effective date of federal personal data privacy and security act. As of January 20, 2009, no federal law had been passed and this condition had not been met.</p>	<p>Yes</p>
<p>http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/44/07501.htm&Title=44&DocType=ARS</p>								
<p>Arkansas</p>	<p>SB 1167</p>	<p>Ark. Code Ann. §§4-110-101 to 108</p>	<p>Encourage those that acquire, own, or license PI to provide reasonable security for the info.</p>	<p>3/31/05</p>	<p>Same as AZ, but also includes medical information.</p>	<p>Any person or business that acquires, owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Includes data destruction and security procedure requirements. Only allows action by AG.</p>	<p>No, but provides exception</p>
<p>www.arkleg.state.ar.us/SearchCenter/pages/arkansascode.aspx</p>								
	<p>AB 700 (applies to agencies) SB 1386 (applies to person or business)</p>	<p>Cal. Civ. Code §§1798.29 and 82</p>	<p>Protect against unauthorized access of computerized data that compromises the security, confidentiality, or integrity of PI maintained by the person, business, or state agency.</p>	<p>7/1/03</p>	<p>When not encrypted, a person's first name or initial and last name combined with: SSN; driver's license or state ID #; acct #, credit or debit card #, combined with any required info that allows access to account; or medical information and health insurance information.</p>	<p>Any person or business that conducts business in CA and owns or licenses computerized data that includes PI or maintains such data. Any agency that owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Requires notification of breach if determine PI has been or will be misused. Notification may be delayed if notification will impede law enforcement investigation. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000.</p>	<p>None.</p>
<p>www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=01001-02000&file=1798.80-1798.84</p>								

<p>California</p>	<p>AB 2886</p>	<p>Cal. Penal Code §§530.5 and 530.55</p>	<p>Increases penalties for identity theft crimes.</p>	<p>1/1/07</p>	<p>Name; address; phone, health insurance, taxpayer id, or school identification #; state or federal driver's license, or id #; SSN; place of employment; employee id, professional or occupational #; mother's maiden name; bank acct #; PIN or password; alien registration or government passport #; DOB; unique biometric data; unique electronic data; address or routing code; telecommunication identifying info or access device; info contained in a birth or death certificate; CC# of an individual person; or an equivalent form of identification.</p>	<p>N/A</p>	<p>Increases penalties for repeat ID theft and those who possess the PI of more than 10 people for the purposes of trafficking in stolen IDs. Those who traffic in multiple ID profiles for the purpose can be charged with a felony. Increases fines and prison sentences that could be imposed on those who are convicted. Makes mail theft a misdemeanor at the state level, in addition to the federal laws that apply to mail theft.</p>	<p>None.</p>
<p>http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=528-539</p>								
<p>Colorado</p>	<p>HB 1119</p>	<p>Col. Rev. Stat. §6-1-716</p>	<p>Requires businesses to provide consumer notification of data breaches.</p>	<p>9/1/06</p>	<p>Is limited to <i>Colorado residents only</i> and applies to first name or first initial and last name in combination with any one or more of the following: SSN; driver's license # or ID card #; account or credit or debit card #, in combination with any required security code, access code, or password that would permit access to a resident's financial account when not encrypted, redacted, or secured by any other method rendering the name or the element unreadable or unusable.</p>	<p>Any individual or commercial entity that conducts business in CO and owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Requires notification of consumer reporting agencies (CRA) if notice provided to more than 1,000 people. Notification may be delayed if notification will impede law enforcement investigation. Action may be brought by AG.</p>	<p>Yes</p>
<p>www.michie.com/colorado/lpext.dll?f=templates&fn=main-h.htm</p>								

Connecticut	S.B. 650	Conn. Gen. Stat. §36a-701b (Public Act No. 05-14)	A business must disclose security breach involving PI to affected consumers, without unreasonable delay.	1/1/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or <i>widely distributed media</i> .	Any person that conducts business in CT and owns or licenses computerized data that includes PI or maintains such data.	Notification may be delayed if notification will impede law enforcement investigation. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Only allows action by AG. Notice not required if after appropriate investigation and consultation with law enforcement, reasonably determine that breach will not likely result in harm.	Yes
	www.cga.ct.gov/2007/pub/Chap669.htm#Sec36a-701.htm							
	HB 5658	Public Act No. 08-167	Protects against intentional failure to safeguard PI.	10/1/08	Info capable of being associated with a particular individual through one or more identifiers	Any person in possession of PI of another.	Requires protection of data, computer files and documents with PI from misuse by third parties, and destruction, erasure or rendering unreadable such data, computer files and documents prior to disposal. It is not a violation if disclosure was unintentional.	N/A
www.cga.ct.gov/2008/ACT/PA/2008PA-00167-R00HB-05658-PA.htm								

<p>Delaware</p>	<p>HB 116</p>	<p>Del. Code Ann. tit. 6, §§12B-101 to 104</p>	<p>Protects PI by encouraging data brokers to provide reasonable security for PI.</p>	<p>6/28/05</p>	<p>Limited to DE residents' info. Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Any individual or commercial entity that conducts business in DE and owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Notification may be delayed if notification will impede law enforcement investigation. Allows substitute notice if affect more than 100,000 people, or would cost more than \$75,000. Action may be brought by AG. Notice only required if, after a good faith reasonable investigation, it is determined that the misuse of info has occurred or is reasonably likely to occur</p>	<p>No, but provides exception</p>
<p>http://delcode.delaware.gov/title6/c012b/index.shtml</p>								
<p>Florida</p>	<p>HB 481</p>	<p>Fla. Stat. ch. 817.5681</p>	<p>Businesses maintaining computerized data including PI must provide notice of security system breach in certain circumstances</p>	<p>7/1/05</p>	<p>Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or <i>widely distributed media</i>.</p>	<p>Any person that conducts business in FL and owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Requires different notification time periods based on data ownership. Requires notice to CRA if more than 1,000 people get notice. Notification may be delayed if notification will impede law enforcement investigation. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000 or if the person does not have sufficient contact info. Notification not required under certain circumstances.</p>	<p>No, but provides exception</p>
<p>http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0817/SEC5681.HTM&Title=817.5681</p>								

<p>Georgia</p>	<p>SB 230</p>	<p>Ga. Code Ann. §§10-1-910 to 915</p>	<p>Requires expeditious notification of unauthorized acquisition and possible misuse of PI.</p>	<p>5/5/05</p>	<p>An individual's first name or initial and last name with any one, or more, of the following: SSN; driver's license # or state ID card #; or acct, credit or debit card #, if circumstances exist wherein such a # could be used without additional identifying info, access codes, or passwords; account passwords or PINs or other access codes; or, any of the previous items when not in connection with the individual's first name or first initial and last name, if the info compromised would be sufficient to perform or attempt to perform ID theft. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Applies to info Brokers that own or license computerized data that includes PI or a person or business who maintains such data on behalf of Info Broker.</p>	<p>No penalties specified for noncompliance. Includes a "security freeze" by which consumers may freeze credit report. Allows substitute notice if affect more than 100,000 people, or would cost more than \$50,000. CRA notified if more than 10,000 people get notice.</p>	<p>No</p>
<p>Hawaii</p>	<p>SB 2290</p>	<p>Haw. Rev. Stat. § 487N-1 to 487N-7</p>	<p>Alleviate identity theft by requiring businesses to notify an individual, whenever the individual's PI has been compromised by unauthorized disclosure</p>	<p>HRS § 487N-1 and 487N-5 to 7 effective 7/1/08; HRS § 487N-2 effective 4/17/08; HRS § 487N-3 and 4 effective 1/1/07</p>	<p>Same as AZ.</p>	<p>Any business that owns or licenses PI of residents of HI or conducts business in HI and owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Notices must include descriptions of the security breach. Notification may be delayed if notification will impede law enforcement investigation or jeopardize national security. Allows substitute notice if affect more than 200,000 people, or would cost more than \$100,000. CRA notified if more than 1,000 people get notice.</p>	<p>No, but provides exception</p>

<http://www.lexis-nexis.com/hottopics/gacode/>

www.capitol.hawaii.gov/hrscurrent/Vol11_Ch0476-0490/HRS048

Idaho	SB 1374	Idaho Code §§28-51-104 to 107	To provide for disclosure of breach of security of computerized PI by an agency, individual or a commercial entity.	7/1/06	Limited to Idaho residents' info. Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or <i>widely distributed media</i> .	Any agency, individual, or commercial entity that conducts business in ID and owns or licenses computerized data that includes PI or maintains such data of PI of residents of ID.	Allows substitute notice if affect more than 50,000 people, or would cost more than \$25,000. Requires notification of breach if data of resident whose PI was or reasonably believed to have been acquired. Notification may be delayed if notification will impede law enforcement investigation.	No, but provides exception
http://www3.state.id.us/idstat/TOC/28051KTOC.htm								
Illinois	HB 1633	815 Ill. Comp. Stat. §§530/1 to 530/30	Data collector must provide notification of security breach after discovery, even if data has not been accessed by unauthorized person.	1/1/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	All data collectors that own or license PI or maintains computerized data that includes PI.	Violation constitutes unlawful practice under Consumer Fraud and Deceptive Business Practices Act. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. State agency must notify CRA if more than 1,000 people get notice.	No
http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2702&ChapAct=815%26nbsp%3BILCS%26nbsp%3B530%2F&ChapterID=67&ChapterName=BUSINESS+TRANSACTIONS&ActName=Personal+information+Protection+Act%2E								
Indiana	HB 1101	Ind. Code §24-4.9	Requires disclosure of data breach if data base owner knows, should know, or should have known the breach resulted in or could result in ID deception, etc.	7/1/06	Applies to Indiana residents only. Same as AZ, except it excludes redacted info from notification obligations. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Data base owner, which is a person that owns or licenses computerized data that includes PI. Person includes individual, corporation, or any other legal entity. "Doing business in Indiana" is defined as "owning or using the personal information of an Indiana resident for commercial purposes."	CRA notified if more than 1,000 people get notice. Doesn't include unauthorized access to portable device if protected by undisclosed password. Allows substitute notice on website and by statewide news media if affect more than 500,00 people, or would cost more than \$250,000. Action may be brought by AG.	Yes

	http://www.in.gov/legislative/ic/code/title24/ar4.9/							
	HB 1197	Ind. Code §24-4.9-2-2	N/A	7/1/08	N/A	N/A	Revised def. of security breach so that breach occurs if encryption key has been compromised.	N/A
	http://www.in.gov/legislative/ic/code/title24/ar4.9/ch2.html							
Iowa	SF 2308	Iowa Code §§715C.1 et al.	A bill for an act relating to ID theft by providing for the notification of a security breach of PI; requesting the establishment of an interim study committee relating to disclosure of PI; and providing penalties.	7/1/08	First name or initial and last name with any of the following if any of the data elements are not encrypted, redacted, or otherwise altered in such a manner that the elements are unreadable: SSN; driver's license # or other unique ID #; financial acct, CC, or debit card # with any required code or password; unique electronic identifier or routing code, with any required code or password; unique biometric data.	Any person who owns, licenses or maintains computerized data that includes a consumer's PI that is used in the course of the person's business, vocation, occupation, or volunteer activities.	Does not exempt PI that is encrypted or redacted from the types of computerized data requiring notice, though PI does not include such data. Notice not required if after investigation, determine that no reasonable likelihood of financial harm to consumers whose PI has been acquired has resulted or will result from the breach.	Yes.
	http://coolice.legis.state.ia.us/Cool-							
Kansas	SB 196	Kan. St. Ann. §50-7a01 to 4	Requires businesses to provide consumer notification of data breaches.	7/1/06	Same as AZ, except it excludes encrypted and redacted info from notification obligations. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person that conducts business in KS and owns or licenses computerized data that includes PI or maintains such data.	Notice required if after reasonable investigation, determine that security breach has occurred or is likely to occur. CRA notified if more than 1,000 people to receive notice. Allows Substitute notice allowed if demonstrated that cost of providing notice would be \$100,000+ or affected class notified would be 5,000+. Notification may be delayed if notification will impede law enforcement investigation. Action may be brought by AG.	No, but provides exception

www.kslegislature.org/legsvr-

Kentucky	HB 54 www.lrc.ky.gov/KRS/367-00/CHAPTER.HTM	Ky. Rev. Stat. Ann. §367.363 to 370	No data security/breach notification law, but statutes allow for security freeze.	7/1/06	N/A	N/A	Allows placement of security freezes on credit report.	N/A
Louisiana	SB 205 http://www.legis.state.la.us/lss/lss.asp?doc=322027	La. Rev. Stat. Ann. §§3071 to 3077	Requires rapid notification of possible misuse of a PI to help minimize and counter costs of ID theft.	1/1/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person that conducts business in LA or owns or licenses computerized data that includes PI, or any person or agency that maintains such data.	Notification not required if a reasonable investigation shows that there is no reasonable likelihood of harm to customers. Notification may be delayed if notification will impede law enforcement investigation. Allows substitute notice on website and by statewide news media if affect more than 500,00 people, or would cost more than \$250,000. Allows civil action.	No, but provides exception
Maine	LD 1671 (LD 2017 revises 1671) http://janus.state.me.us/legis/statutes/10/title10ch210-Bsec0.html	Me. Rev. Stat. Ann. tit. 10, §§1346 to 1349	A business that owns or licenses electronic data containing PI, must inform those affected by breach following the discovery of the breach.	1/31/06 (with revisions effective 1/31/07)	Same as AZ, except includes passwords or other access codes. In addition, if any element of PI can be used for ID theft, even absent person's name, then considered PI. It also excludes redacted info from notification obligations. Does not include info from 3rd-party claims databases maintained by property and casualty insurers or publicly available info that is lawfully made available to the general public from federal, state or local government records or	Any information broker or person that maintains computerized data that includes PI.	CRA notified if 1,000+ people get notice. Allows substitute notice if demonstrated that cost of providing notice would be \$5,000+ or affected class notified would be 1,000+. Notification may be delayed if notification will impede law enforcement investigation.	No

<p>Maryland</p>	<p>SB 194.</p>	<p>Md. Code Ann., Commercial Law §§14-3501 to 3508</p>	<p>To require businesses that own, license, or maintain computerized data that includes PI to conduct an investigation and notify persons of a breach of the security of a system.</p>	<p>1/1/08</p>	<p>Same as AZ, except it excludes encrypted, redacted, or otherwise protected info from notification obligations and includes TINs. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Any business that owns or licenses data of a MD resident, or maintains or stores such data. Person includes business and agencies include government entities.</p>	<p>Only have to notify if after a good faith and reasonable investigation, determine that PI has been or will be misused, or that misuse is reasonably likely to occur, as a result of the breach. CRA notified if 1,000+ people get notice. Allows substitute notice if demonstrate cost of providing notice would be \$100,000+ or affected class notified would be 175,000+. Notification may be delayed if notification will impede law enforcement investigation.</p>	<p>Yes</p>
<p>Massachusetts</p>	<p>HB 4144</p>	<p>Mass. Gen. Laws ch. 93H, §1 to 6</p>	<p>To safeguard the PI of residents and provide safeguards for protection of PI consistent with federal regulations. Requires disclosure of data breach if data base owner knows or has reason to know of a Security Breach.</p>	<p>10/31/07</p>	<p>Same as AZ. Does not include info that is lawfully obtained. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Any person or agency that owns or licenses data, or any person or agency that maintains or stores such data. Person includes business and agencies include government entities.</p>	<p>New legislation also includes credit freeze provision. Unlike most recent laws, does not have a risk of harm trigger. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Also notify AG and director of consumer affairs and business regulation. Notification may be delayed if notification will impede law enforcement investigation.</p>	<p>No</p>

www.michie.com/maryland/lpext.dll?f=templates&fn=main-

<http://www.mass.gov/legis/laws/mgl/gl-93h-toc.htm>

Michigan	SB 309	Mich. Comp. Laws, §445.61 to 445.77	To prohibit certain acts and practices concerning ID theft; to require notification of a security breach of a database that contains certain PI.	6/29/07	Applies to Michigan residents only. Same as AZ.	Any person or agency that owns or licenses data, or any person or business that maintains such data. Person includes business and agencies include government entities.	Don't need to report if determines that the security breach has not or is not likely to cause substantial loss or injury. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Don't need to notify CRA's if 1,000 or fewer residents are affected. Notification may be delayed if notification will impede law enforcement investigation or jeopardize national security.	Yes.
http://www.legislature.mi.gov/(S(oxlqbd55p4l0tw2dp01iqvrg))/mileg.aspx?page=getObject&objectName=mcl-Act-452-of-2004								
Minnesota	HF 2121	Minn. Stat. §325E.61	Requires business possessing PI to notify those whose PI has been disclosed to unauthorized persons.	1/1/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person or business that conducts business in MN and owns or licenses data that includes PI, or any person or business that maintains such data.	Requires notification of CRA if notice is provided to more than 500 people. AG enforcement for remedies. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notification may be delayed if notification will impede law enforcement investigation.	Yes.
https://www.revisor.leg.state.mn.us/statutes/?id=325E.61								
Mississippi	N/A	N/A	No data security/breach notification law.	N/A	N/A	N/A	N/A	N/A
Missouri	N/A	N/A	No data security/breach notification law.	N/A	N/A	N/A	N/A	N/A

<p>Montana</p>	<p>HB 732</p>	<p>Mont. Code Ann. §30-14-1704</p>	<p>Purpose is to enhance the protection of individual privacy and to impede identity theft.</p>	<p>3/1/06</p>	<p>Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Any person or business that conducts business in MT and owns or licenses computerized data that includes PI, or any person or business that maintains such data.</p>	<p>Privacy protection for CC solicitations, CC renewals, and telephone accounts. CRA must block or expunge info on a report that is the result of ID theft. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notification may be delayed if notification will impede law enforcement investigation.</p>	<p>No</p>
<p>http://data.opi.state.mt.us/bills/mca/30/14/30-14-1704.htm</p>								
<p>Nebraska</p>	<p>LB 876</p>	<p>Neb. Rev. Stat. §§87-801 to 807</p>	<p>Enhance the protection of individual privacy and to impede identity theft</p>	<p>7/14/06</p>	<p>Same as CA, but only applies to Nebraska citizens. It also excludes redacted info or info otherwise unreadable or unusable from notification obligations. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Any individual or commercial entity that conducts business in NE and owns or licenses computerized data that includes PI, or any person or business that maintains such data.</p>	<p>Substitute notice for small businesses with 10 employees or less that show the cost of providing notice would exceed \$10,000. Substitute notice when cost of providing notice would exceed \$75,000 or affected class of individuals to be notified exceeds 100,000. Action may be brought by AG.</p>	<p>No, but does provide exception</p>
<p>http://uniweb.legislature.ne.gov/laws/browse-chapters.php?chapter=87</p>								

<p>Nevada</p>	<p>SB 347</p>	<p>Nev. Rev. Stat. §§205.461 to 4657 and §§603A.010 to 920</p>	<p>Requires data collectors to provide notification concerning any breach of security involving system data and protects personal identifying information.</p>	<p>10/1/05, 1/1/06, or 1/1/08, depending on provision</p>	<p>Same as AZ, but does not include the last four digits of a social security number or publicly available information that is lawfully made available to the general public.</p>	<p>Applies to data collector that owns or licenses computerized data that includes PI or maintains such data that it does not own.</p>	<p>Requires notification of CRA if notice provided to more than 1,000 people. Credit card issuers must disclose policies regarding ID theft. Business must encrypt all transmissions other than faxes outside of the secure system of the business. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notification may be delayed if it will impede law enforcement investigation. Allows civil action.</p>	<p>Yes.</p>
<p>New Hampshire</p>	<p>HB 1660</p>	<p>N.H. Rev. Stat. Ann. §359-C:19 to 21</p>	<p>Requires a person engaged in business in NH to notify consumers of any security breach that compromises the confidentiality of PI</p>	<p>1/1/07</p>	<p>Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Any person that conducts business in NH and owns or licenses computerized data that includes PI or maintains such computerized data.</p>	<p>If engaged in trade or commerce, notify the regulator which has authority over such trade or commerce. All others notify AG. Notification may be delayed if it will impede law enforcement investigation. Substitute notice allowed when cost of providing notice would exceed \$5,000 or affected class of individuals to be notified exceeds 1,000. Requires notification of CRA if notice provided to more than 1,000 people.</p>	<p>Yes.</p>

<http://www.leg.state.nv.us/NRS/NRS-603A.html>

<http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXXI-359-C.htm>

<p>New Jersey</p>	<p>A 4001</p>	<p>N.J. Stat. Ann. §§56:8-161 to 163</p>	<p>Business or public entity compiling/maintaining computerized data with PI must disclose security breach if PI was/is reasonably believed to be acquired by unauthorized person.</p>	<p>1/1/06 except for police reports, then effective 9/22/05</p>	<p>Same as AZ, except also states "dissociated data that, if linked, would constitute personal information if the means to link the dissociated data were accessed in connection with access to the dissociated data." Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records or <i>widely distributed media</i>.</p>	<p>Any business that conducts business in New Jersey, or any public entity that compiles or maintains computerized records that includes PI or any business or public entity that compiles or maintains such records.</p>	<p>Specifically address collection, use and disclosure of SSNs. CRA must be notified is 1,000 or more customers affected. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notification may be delayed if it will impede law enforcement investigation. Notification not required if the business establishes that misuse of the info is not reasonably possible.</p>	<p>No</p>
<p>New Mexico</p>	<p>N/A</p>	<p>N/A</p>	<p>No data security/breach notification law.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>

[http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=22441509&Depth=4&TD=WRAP&advquery=%2256%3a8-161%22&headingswithhits=on&infobase=statutes.nfo&rank=&record=\(17B92\)&softpage=Doc_Frame_Pg42&wordsaroundhits=2&x=31&y=11&zz=](http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=22441509&Depth=4&TD=WRAP&advquery=%2256%3a8-161%22&headingswithhits=on&infobase=statutes.nfo&rank=&record=(17B92)&softpage=Doc_Frame_Pg42&wordsaroundhits=2&x=31&y=11&zz=)

<p>New York</p>	<p>AB 4254</p>	<p>N.Y. St. Tech. Law §208 (apply to state agencies) and N.Y. Gen. Bus. Law, §899-aa (apply to business)</p>	<p>Guarantees persons the right to know what info was exposed during a breach, so that they can take the necessary steps to both prevent and repair any damage incurred.</p>	<p>12/7/05</p>	<p>Includes combination of "personal info" and "private info." Personal info means any info concerning a natural person which, because of name, number, personal mark, or other identifier, can be used to id such person. Private info means personal info, combined with SSN; driver's license or non-driver ID #; or acct #, credit or debit card #, combined with any info required that allows access to account. Does not include publicly available info which is lawfully made available to the general public from federal, state, or local government records.</p>	<p>Any person or business that conducts business in NY and owns or licenses computerized data that includes PI, or any person or business that maintains such data.</p>	<p>Electronic notification allowed only if express consent to its receipt and logs are kept. The AG, Consumer Protection Board, and Cyber Security and Critical Infrastructure Coordination Office must be notified if any NY residents to be notified. If 5,000+ persons to be notified at one time, CRA must also be notified. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notification may be delayed if notification will impede law enforcement investigation.</p>	<p>No</p>
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<http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>

North Carolina	SB 1048	N.C. Gen. Stat. §14-113.20 and §75-60 to 66	Enacts protections against ID theft, including consumer report security freezes, security breach notifications, and protections for Social Security numbers.	12/1/05	Only applies to NC citizens. SSN, employers taxpayer ID #, drivers license, state ID card, or passport #, checking or savings account #, credit or debit card #, PIN code, electronic ID #, electronic mail names or addresses, internet account #, internet ID names, digital signatures, any other numbers or info that can be used to access a person's financial resources, biometric data, fingerprints, passwords, and parent's legal surname prior to marriage.	Any business that maintains or otherwise possesses PI or any business that conducts business in North Carolina that maintains or otherwise possesses PI of consumers in any form.	Applies to all info, whether computerized or not. A business shall not be required to disclose a technical security breach that does not seem reasonably likely to subject consumers to a risk of criminal activity. Substitute notice allowed when cost of providing notice would exceed \$250,000 or affected class of individuals to be notified exceeds 500,000. If more than 1,000 persons must be notified at one time, CRA and Consumer Protection Division must also be notified. Notification may be delayed if notification will impede law enforcement investigation or jeopardize national security.	No
	http://www.ncleg.net/gascripts/Statutes/StatutesTOC.pl?Chapter=0075	HB 1248	N.C. Gen. Stat. §132-1.10	HB 1248 expands the security breach provisions to government agencies.	8/1/2006	PI, named identifying information in this bill, is same as listed in SB 1048, but does not include electronic identification numbers, electronic mail names or addresses, Internet account numbers, Internet identification names, parent's legal surname prior to marriage, or drivers license numbers appearing on law enforcement records.	Makes the security breach provisions applicable to agency of the State or its political subdivisions, or any agent or employee of a government agency.	Includes a "risk of harm" provision that is triggered where illegal use of the personal information has occurred or is reasonably likely to occur or that creates a material risk of harm to a consumer.

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_132/GS_132-132.html

<p>North Dakota</p>	<p>SB 2251</p>	<p>N.D. Cent. Code §§51-30-01 to 07 and 51-33-01 to 14</p>	<p>Requires disclosure to consumers of security breach by businesses maintaining PI in electronic form.</p>	<p>6/1/05</p>	<p>Same as AZ and includes operator's license number assigned by the DOT, DOB, mother's maiden name, ID # assigned by employer, and digitized or other electronic signature. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Any person that conducts business in ND and owns or licenses computerized data that includes PI or maintains such computerized data.</p>	<p>Includes criminal penalties for ID theft. AG enforcement, with no express right of private action. Notification may be delayed if notification will impede law enforcement investigation. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Allows security freeze.</p>	<p>No, but provides exception</p>
<p>http://www.legis.nd.gov/cencode/t51c30.pdf</p>								
<p>Ohio</p>	<p>HB 104</p>	<p>Ohio Rev. Code Ann. §1349.19</p>	<p>Business, person, or state agency must contact individuals if PI in computerized data is acquired by unauthorized persons and causes/reasonably believed to cause a material risk of ID or other fraud.</p>	<p>2/17/06</p>	<p>Same as AZ, but excludes info redacted or altered by any method or technology in such a manner that the data elements are unreadable. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or <i>widely distributed media</i>.</p>	<p>Any person that owns or licenses computerized data that includes PI or maintains such computerized data.</p>	<p>Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000 or if person required to disclose does not posses info sufficient to provide written, electronic, or telephone notice. If more than 1,000 persons must be notified at one time, CRA must also be notified.</p>	<p>No, but provides exception</p>
<p>http://codes.ohio.gov/orc/1349.19</p>								
	<p>HSB 126</p>	<p>Ohio Rev. Code Ann. §1349.19</p>		<p>3/30/2007</p>			<p>Exempts entities that are covered under the data security and breach notice provisions of HIPAA.</p>	
<p>http://codes.ohio.gov/orc/1349.19</p>								

Oklahoma	HB 2357	Okla. Stat. tit. 74, §3113.1	Only applies to state agencies	6/8/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any state agency, board, commission or other unit or subdivision of state government that owns or licenses computerized data that includes PI or maintains such data.	Substitute notice allowed when cost of providing notice would exceed \$250,000, affected class to be notified exceeds 500,000, or if do not have sufficient contact info.	No, but provides exception
	http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=447784							
Oklahoma	HB 2245	Okla. Stat. tit. 24, §162 et seq.	Provides guidelines for notice requirements.	11/1/2008	Same as CA, but does not include data elements when they are encrypted or redacted.	Any individual or entity that owns or licenses computerized data that includes PI or maintains such data.	If encrypted info is breached in an unencrypted form or if the breach involves a person with access to the encryption key, then must provide notice. In cases of breach, must only provide notice if breach causes, has caused or will cause identity theft to any resident.	No.
	http://webserver1.lsb.state.ok.us/Webapplication1/webform1.aspx							
Oregon	SB 583	Or. Rev. Stat. §646A.600 et seq.	Consumer identity theft protection act.	10/1/07	Same as AZ, but includes Passport #. Applies when the data has not been rendered unusable through encryption, redaction or other methods, or when the data elements are encrypted and the encryption key has also been acquired.	Any person that owns, maintains or otherwise possesses data that includes PI that is used in the course of the person's business, vocation, occupation or volunteer activities.	If determine that no reasonable likelihood of harm has resulted or will result from the breach, then no notice is required. If more than 1,000 persons must be notified at one time, CRA must also be notified.	Yes.
http://www.leg.state.or.us/ors/646a.html								

<p>Pennsylvania</p>	<p>SB 712</p>	<p>73 Pa. Stat. Ann. §2301-2329</p>	<p>Provides for the notification for those whose PI data was or may have been disclosed due to a security system breach.</p>	<p>6/20/06</p>	<p>Same as AZ, but excludes redacted info from notification obligations. An entity must provide notice of the breach if encrypted info is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of the security of the encryption or if the security breach involves a person with access to the encryption key. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.</p>	<p>An entity that maintains, stores or manages computerized data that includes PI or a vendor that maintains, such data.</p>	<p>Only applies if unauthorized acquisition of computerized data materially compromises the security of a system. Allows telephonic notice of breach. Substitute notice allowed when cost of providing notice would exceed \$100,000, affected class of individuals to be notified exceeds 175,000, or if the entity does not have sufficient contact info. Notification may be delayed if notification will impede law enforcement investigation. If more than 1,000 persons must be notified at one time, CRA must also be notified.</p>	<p>No, but provides exception</p>
<p>http://www.legis.state.pa.us/page_redirect.cfm?link=http://government.westlaw.com/linkedslice/default.asp?SP=pac-1000&display=Unofficial%20Purdon%27s%20Pennsylvania%20Statutes%20from%20West</p>								
<p>Rhode Island</p>	<p>HB 6191</p>	<p>R.I. Gen. Laws §§11-49.2-1 to 7</p>	<p>Ensures that PI is protected by requiring businesses that own or license PI to provide reasonable security for that info.</p>	<p>3/1/06</p>	<p>Same as AZ.</p>	<p>Any state agency or person that owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Notification of a breach is not required if breach has not and will not likely result in a significant risk of id theft. Notification may be delayed if notification will impede law enforcement investigation. Substitute notice allowed when cost of providing notice would exceed \$25,000 or affected class of individuals to be notified exceeds 50,000.</p>	<p>Yes.</p>
<p>http://www.rilin.state.ri.us/Statutes/TITLE11/11-49.2/INDEX.HTM</p>								

<p>South Carolina</p>	<p>S 453</p>	<p>S.C. Code Ann. §37-20-110 et seq.</p>	<p>Provide protection to consumers in the event of identity theft.</p>	<p>7/1/09.</p>	<p>SS#; driver's license #; checking/savings acct #; credit/debit card #; PI#; electronic ID #; digital signatures; other #s or info that may be used to access financial resources; or documentation that defines a person other than the person presenting the document, including, passport, driver's license, birth certificate, immigration document, and state-issued id cards. Does not mean information about vehicular accidents, driving violations, and driver's status.</p>	<p>Any person that conducts business in SC and owns or licenses computerized data or other data that includes PI or maintains such data.</p>	<p>Only report if PI acquired or reasonably believed to be acquired when the illegal use of the info occurred or is reasonably likely to occur or use of the info creates a material risk of harm. Breach defined as unauthorized access to and acquisition of computerized data that was not rendered unusable through encryption, redaction, or other methods.</p>	<p>Yes</p>
<p>South Dakota</p>	<p>N/A</p>	<p>N/A</p>	<p>No data security/breach notification law.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
<p>Tennessee</p>	<p>SB 2220</p>	<p>Tenn. Code Ann. §§47-18-2101 to 2107</p>	<p>Requires persons, businesses or agencies that discover a breach of info security resulting in disclosure of unencrypted PI about persons to unauthorized third parties to provide notice of such disclosure.</p>	<p>7/1/05</p>	<p>Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Any info holder or info holder that maintains computerized data that includes PI.</p>	<p>If more than 1,000 persons must be notified at one time, CRA must also be notified. Substitute notice allowed when cost of providing notice would exceed \$250,000 or affected class of individuals to be notified exceeds 500,000. Notification may be delayed if notification will impede law enforcement investigation. Allows security freeze.</p>	<p>No</p>

<http://www.scstatehouse.gov/code/t37c020.htm>

<http://www.michie.com/tennessee/lpext.dll?f=templates&fn=main-h.htm&cp=tncode>

Texas	SB 122	<p>Tex. Bus. & Com. Code Ann. §§48.001 to 203.</p> <p>Note: §48.001 to 203 will be repealed 4/1/09, and replaced by Tex. Bus. & Com. Code §§521.001 to 523.003</p>	Purpose is to prevent and punish those who commit ID theft and protect the rights of victims of ID theft.	9/1/05	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from the federal government or a state or local government.	Any person that conducts business in TX and owns or licenses computerized data that includes sensitive PI or maintains such computerized data.	Requires that reasonable measures be taken to protect sensitive PI. Requires CRA to be notified if more than 10,000 persons affected. Allows substitute notice when cost of providing notice would exceed \$250,000 or affected class of individuals to be notified exceeds 500,000.	No.
	http://tlo2.tlc.state.tx.us/statutes/bc.toc.htm							
	HB 1262	<p>Tex. Bus. & Com. Code §§521.001 to 523.003</p>	Replaces previous Identity Theft Statutes	4/1/2009	Same as previous statute.	Same as previous statute.	Same as previous statute.	No.
http://www.legis.state.tx.us/tlodocs/80R/billtext/html/HB02278F.HTM								
Utah	SB 69	<p>Utah Code Ann. §§13-44-101 to 301</p>	Purpose is to address the integrity of consumer credit databases	1/1/07	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or <i>widely distributed media</i> .	Any person that conducts business in UT and maintains PI.	In addition to regular notification methods, allows notification via public newspapers. Only notify if after investigation determine PI was not or will not be misused. Contains data destruction reqs. Notification may be delayed if notification will impede law enforcement investigation.	No, but provides exception.
www.le.state.ut.us/Documents/code_const.htm								

<p>Vermont</p>	<p>SB 284</p>	<p>Vt. Stat. Ann. tit. 9 §§2430 to 2445</p>	<p>Purpose is to prevent and punish those who commit ID theft and protect the rights of victims of ID theft.</p>	<p>1/1/07</p>	<p>Same as AZ. Also includes acct #'s on their own and passwords, pin #'s on their own. Excludes info redacted or protected by another method that renders the data unreadable or unusable.</p>	<p>Any data collector that owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Notice only required if misuse is not reasonably possible and provides notice that misuse is not possible. Allows telephonic notice of breach. Allows substitute notice when cost of providing notice would exceed \$5,000, affected class of individuals to be notified exceeds 5,000, or when entity does not have sufficient contact info. If more than 1,000 persons must be notified at one time, CRA must also be notified. Notification may be delayed upon request of law enforcement agency. Action may be brought by AG, no civil actions permitted.</p>	<p>No, but provides exception</p>
<p>http://www.leg.state.vt.us/statutes/sections.cfm?Title=09&Chapter=062</p>								
<p>Virginia</p>	<p>HB 1469/ SB 307</p>	<p>Va. Code Ann. §18.2-186.6</p>	<p>Purpose is identity theft prevention and creation of notice of breach of information system.</p>	<p>7/1/08</p>	<p>The first name or first initial and last name with any of the following, when neither encrypted nor redacted: SS#; Driver's lic. or ID card #; or financial acct, or CC or debit card #, with code. Does not include info that is lawfully obtained.</p>	<p>An individual or entity that owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Must disclose breach if encrypted info is accessed in an unencrypted form, or if breach involves access to the encryption key and there is reason to believe that such breach has caused or will cause ID theft to a VA resident. Requires AG and CRA to be notified if more than 1,000 persons affected.</p>	<p>Yes</p>
<p>http://leg1.state.va.us/cgi-bin/legp504.exe?081+ful+SB307ER</p>								

<p>Washington</p>	<p>SB 6043</p>	<p>Wash. Rev. Code §19.255.010</p>	<p>Any person or business that owns or licenses computerized data that includes PI must disclose security system breach to those whose unencrypted PI was/is reasonably believed to be acquired by an unauthorized person.</p>	<p>7/24/05</p>	<p>Same as AZ. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records.</p>	<p>Any person or business that conducts business in WA and owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Allows civil actions for damages and injunctive relief. Allows substitute notice when cost of providing notice would exceed \$250,000 or affected class of individuals to be notified exceeds 500,000. Notification may be delayed if notification will impede law enforcement investigation.</p>	<p>No</p>
<p>http://apps.leg.wa.gov/RCW/default.aspx?cite=19.255.010</p>								
<p>West Virginia</p>	<p>SB 339</p>	<p>W. Va. Code §46A-2A-101 through 104</p>	<p>Provides for the notification for those whose PI data was or may have been disclosed due to a security system breach.</p>	<p>6/8/08</p>	<p>Same as AZ. The term does not include info that is lawfully obtained from publicly available information, or from federal, state or local government records lawfully made available to the general public.</p>	<p>An individual or entity that owns or licenses computerized data that includes PI or maintains such data.</p>	<p>Allows substitute notice when cost of providing notice would exceed \$50,000 or affected class of individuals to be notified exceeds 100,000. Notification may be delayed if it will impede law enforcement investigation. Must disclose breach if unencrypted/unredacted PI was or is reasonably believed to have been accessed and acquired and that causes, or the individual or entity reasonably believes has caused or will cause, ID theft or other fraud. Requires CRA to be notified if 1,000+ affected. AG has the exclusive authority to bring action.</p>	<p>Yes</p>
<p>http://www.legis.state.wv.us/WVCODE/Code.cfm?chap=46a&art=2A#02A</p>								

<p>Wisconsin</p>	<p>SB 164</p>	<p>Wis. Stat. §134.98</p>	<p>Any entity that owns or licenses PI that knows PI has been wrongfully acquired must make reasonable effort to notify each subject of unauthorized access.</p>	<p>3/31/06</p>	<p>Same as AZ but includes DNA profile, biometric data and voice print. Also excludes info redacted or altered by any method or technology in a manner that the data elements are unreadable.</p>	<p>Any person, other than individual, that conducts business in WI and owns or licenses PI, maintains depository accounts for residents, or lends money to residents.</p>	<p>Requires CRA to be notified if more than 1,000 persons affected. Do not report if acquisition of PI does not create material risk of ID theft or fraud. Notification may be delayed if it will impede law enforcement investigation.</p>	<p>No, but provides exception</p>
<p>Wyoming</p>	<p>SF 53</p>	<p>Wyo. Stat. Ann. §40-12-501 to 509</p>	<p>Providing for notice to consumers affected by breaches of consumer information databases as specified.</p>	<p>7/1/07</p>	<p>Same as AZ, but includes tribal or federal id. Excludes redacted info.</p>	<p>An individual or commercial entity that conducts business in WY and that owns or licenses, or maintains computerized data that includes PI of resident of WY</p>	<p>Only need to report if determine that the misuse of PI has occurred or is likely to occur. May provide notice via email. Substitute notice allowed when cost of providing notice would exceed \$10,000 for WY residents or \$250,000 for all others, affected class of individuals to be notified exceeds 10,000 WY residents or 500,000 for all others, or when no sufficient contact info. Notification may be delayed if law enforcement states in writing that it will impede investigation. Allows security freeze. Action may be brought by AG.</p>	<p>Yes</p>

<http://www.legis.state.wi.us/statutes/Stat0134.pdf>

<http://legisweb.state.wy.us/statutes/compress/title40.doc>

<p>Washington, DC</p>	<p>B16-810</p>	<p>D.C. Code Ann. §28- 3851 to 3864</p>	<p>To ensure that consumers are notified when electronically-stored PI is compromised in a way that increases the risk of ID theft.</p>	<p>3/8/07</p>	<p>Same as AZ, but also includes phone # or address in combination with other elements. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records</p>	<p>Any person or business that conducts business in DC and owns or licenses computerized or other electronic data that includes PI or maintains such data.</p>	<p>Allows substitute notice when cost of providing notice would exceed \$50,000, affected class of individuals to be notified exceeds 100,000, or there is not sufficient contact info. Requires CRA to be notified if more than 1,000 persons affected. Allows for security freeze.</p>	<p>Yes</p>
<p>http://government.westlaw.com/linkedslice/default.asp?SP=DCC-1000</p>								