

# State Data Breach Notification Laws



Please note that state data breach notification laws change frequently. The recommended actions an entity should take if it experiences a security event, incident or breach vary depending on the specific facts and circumstances. This Chart is merely a summary of some basic notification requirements that are applicable to persons or entities who "own" or "license" data. For example, this Chart does not cover:

- Requirements for entities that maintain data rather than "own" or "license" data. (Note: entities that maintain data are generally required to notify the owner/licensor.)
- Exceptions to the law (e.g., sometimes health care providers, data brokers, financial institutions, insurers, etc. are partially or fully excluded).
- Exceptions to the law regarding good faith acquisition of personal information by an employee or agent of an entity for a legitimate purpose of the entity if the employee or agent does not use the personal information for a purpose unrelated to a legitimate purpose of the entity and does not make further unauthorized disclosure of the personal information.
- The laws that apply in U.S. Territories.
- The manner in which an entity provides notification (e.g., via e-mail, U.S. Mail, etc.).
- The specifics regarding what constitutes public, encrypted, redacted, unreadable, or unusable data.

This Chart is current as of **February 1, 2016**.

For more information about state data breach notification laws, or other data security matters, please contact your Quarles & Brady Attorney, or either of the following attorneys:

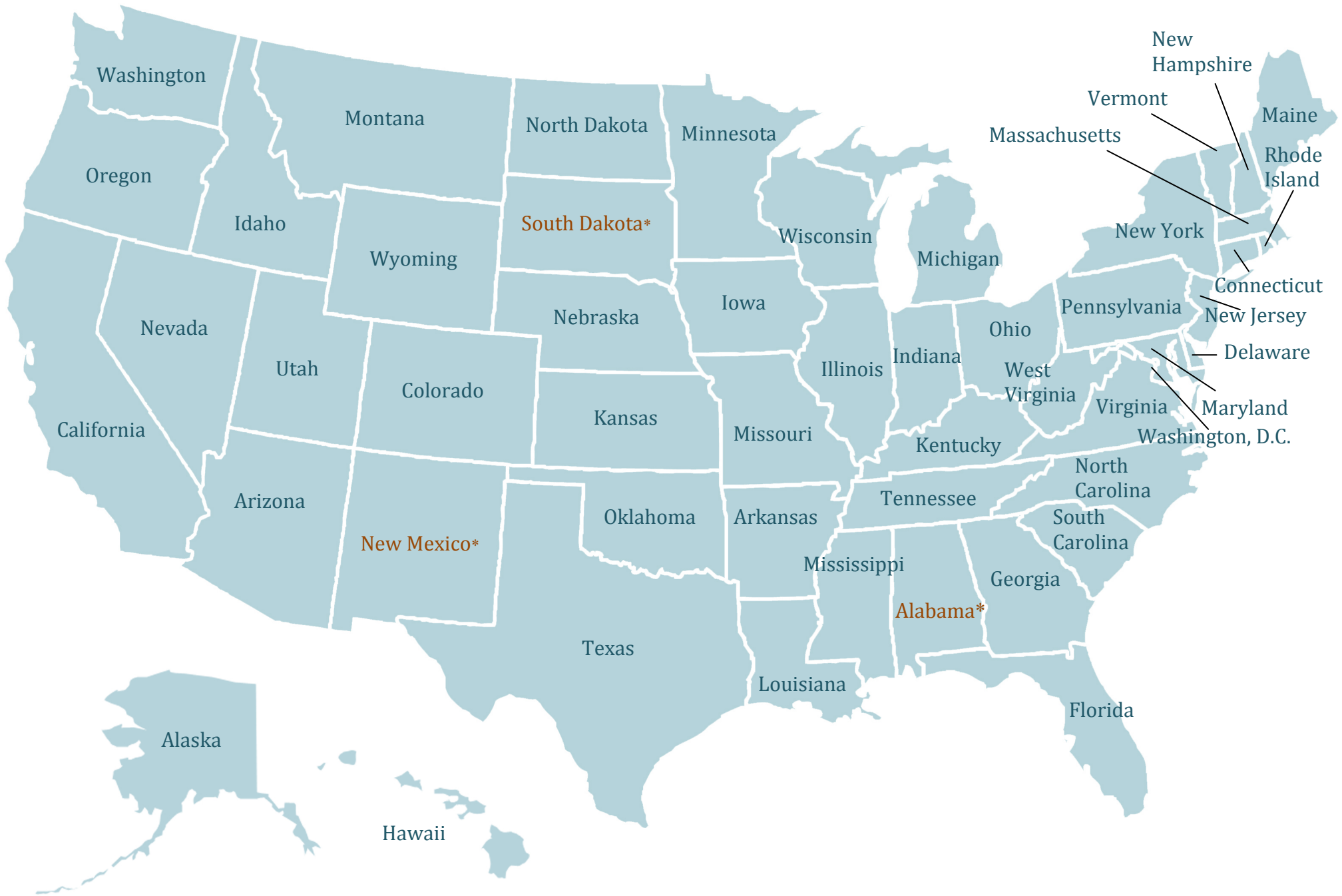
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**Receipt and/or review of this Chart does not create an attorney-client relationship.**

**Updates:** We intend to continue updating this Chart at no charge. If you would like to receive updates, please send an email to **Jennifer Rathburn** ([jennifer.rathburn@quarles.com](mailto:jennifer.rathburn@quarles.com)).

*This Chart is current as of February 1, 2016.*



*\*States without data breach notification laws.*

State of Residence	Analysis of Risk of Harm/ Identity Theft/ Materiality	Protected Information	Definition of "Breach"	Timing of Individual Notice Requirements	Notice Requirements to Officials/Agencies <sup>1</sup>	Penalties/ Enforcement	Statute
Alabama	NONE	NONE	NONE	NONE	NONE	NONE	NONE
Alaska	Disclosure is not required if, after an appropriate investigation and after written notification to the attorney general of this state, the covered person determines that there is not a reasonable likelihood that harm to the consumers whose personal information has been acquired has resulted or will result from the breach. The determination shall be documented in writing, and the documentation shall be maintained for five years. The notification required by this subsection may not be considered a public record open to inspection by the public.	Information in any form on an individual that is not encrypted or redacted, or is encrypted and the encryption key has been accessed or acquired, and that consists of a combination of:  (A) an individual's name; in this subparagraph, "individual's name" means a combination of an individual's (1) first name or first initial; and (2) last name;  and  (B) one or more of the following information elements: (1) the individual's social security number; (2) the individual's driver's license number or state identification card number; (3) the individual's account number, credit card number, or debit card number; (4) if an account can only be accessed with a personal code, the individual's account number, credit card number, or debit card number and the personal	Unauthorized acquisition, or reasonable belief of unauthorized acquisition, of personal information that compromises the security, confidentiality, or integrity of the personal information maintained by the information collector.  Acquisition includes acquisition by: (1) photocopying, facsimile, or other paper-based method; (2) a device, including a computer, that can read, write, or store information that is represented in numerical form; or (3) a method not identified, above.	An information collector shall make the disclosure required in the most expeditious time possible and without unreasonable delay, except as provided below and as necessary to determine the scope of the breach and restore the reasonable integrity of the information system.  An information collector may delay disclosing the breach if an appropriate law enforcement agency determines that disclosing the breach will interfere with a criminal investigation. However, the information collector shall disclose the breach to the state resident in the most expeditious time possible and without	If an information collector is required to notify more than 1,000 state residents of a breach, the information collector shall also notify without unreasonable delay all consumer credit reporting agencies that compile and maintain files on consumers on a nationwide basis and provide the agencies with the timing, distribution, and content of the notices to state residents.	The violation is an unfair or deceptive act or practice. Civil penalty payable to state of up to \$500 for each state resident who was not notified, except that the total civil penalty may not exceed \$50,000. When private action, limited to actual economic damages.  The violation is an unfair or deceptive act or practice under AS 45.50.471--45.50.561. However, (1) the information collector is not subject to the civil penalties imposed under AS 45.50.551 but is liable to the state for a civil penalty of up to \$500 for each state resident who was not notified, except that the total civil penalty may not exceed \$50,000; and (2) damages that may be awarded against the information collector under: (a) AS 45.50.531 are limited to actual economic damages that do not	Alaska Stat. § 45.48.010 <i>et seq.</i>

<sup>1</sup> See also Analysis of Risk of Harm/Identity Theft/Materiality Column.

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		code; (5) passwords, personal identification numbers, or other access codes for financial accounts.  "Personal code" means a security code, an access code, a personal identification number, or a password.		unreasonable delay after the law enforcement agency informs the information collector in writing that disclosure of the breach will no longer interfere with the investigation.		exceed \$500; and  (b) AS 45.50.537 are limited to actual economic damages.	
Arizona	The person shall conduct a reasonable investigation to promptly determine if there has been a breach of the security system. If the investigation results in a determination that there has been a breach in the security system, the person shall notify the individuals affected. A person is not required to disclose a breach of the security of the system if the person or a law enforcement agency, after a reasonable investigation, determines that a breach of the security of the system has not occurred or is not reasonably likely to	An individual's first name or first initial and last name in combination with any one or more of the following data elements, when the data element is not encrypted, redacted or secured by any other method rendering the element unreadable or unusable: (1) The individual's social security number; (2) The individual's number on a driver license issued pursuant to § 28-3166 or number on a nonoperating identification license issued pursuant to § 28-3165; (3) The individual's financial account number or credit or debit card number in combination with any required security code, access code or password that would permit access to the individual's financial account.	An unauthorized acquisition of and access to unencrypted or unredacted computerized data that materially compromises the security or confidentiality of personal information and that causes or is reasonably likely to cause substantial economic loss to an individual.	The notice shall be made in the most expedient manner possible and without unreasonable delay subject to the needs of law enforcement and any measures necessary to determine the nature and scope of the breach, to identify the individuals affected or to restore the reasonable integrity of the data system.  The notification may be delayed if a law enforcement agency advises the person that the notification will impede a criminal investigation. The person shall make the notification after the law enforcement agency determines that it will not	NONE	This law may only be enforced by the attorney general. The attorney general may bring an action to obtain actual damages for a willful and knowing violation of this section and a civil penalty not to exceed \$10,000 per breach of the security of the system or series of breaches of a similar nature that are discovered in a single investigation.	Ariz. Rev. Stat. § 44-7501

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	occur.			compromise the investigation.			
Arkansas	Notification is not required if, after a reasonable investigation, the person or business determines that there is no reasonable likelihood of harm to customers.	An individual's first name or first initial and his or her last name in combination with any one or more of the following data elements when either the name or the data element is not encrypted or redacted: (1) Social security number; (2) Driver's license number or Arkansas identification card number; (3) Account number, credit card number, or debit card number in combination with any required security code, access code, or password that would permit access to an individual's financial account; and (4) Medical information (in electronic or physical form).	Unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of personal information maintained by a person or business.	The disclosure shall be made in the most expedient time and manner possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the data system.  The notification required by this section may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation. The notification required shall be made after the law enforcement agency determines that it will not compromise the investigation.	NONE	Any violation of this chapter is punishable by action of the Attorney General under the provisions of § 4-88-101 <i>et seq.</i> (deceptive trade practice).	Ark. Code § 4-110-101 <i>et seq.</i>
California	NONE	(A) An individual's first name or first initial and his or her last name in combination with any one or more of the following data elements, when either the name or	Unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of personal	The disclosure shall be made in the most expedient time possible and without unreasonable delay, consistent with the	A person or business that is required to issue a security breach notification pursuant to this section to more than 500 California residents as a result of	Any customer injured by a violation of this title may institute a civil action to recover damages. Any business that violates, proposes to violate, or	Cal. Civ. Code § 1798.80 <i>et seq.</i>

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		<p>the data elements are not encrypted: (1) Social security number; (2) Driver's license number or California identification card number; (3) Account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account; (4) Medical information; (5) Health insurance information; (6) Information or data collected through the use or operation of an automated license plate recognition system, as defined in Section 1798.90.5.</p> <p>(B) A user name or email address, in combination with a password or security question and answer that would permit access to an online account.</p>	information maintained by the person or business.	<p>legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.</p> <p>The notification required by this section may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation. The notification required by this section shall be made promptly after the law enforcement agency determines that it will not compromise the investigation.</p>	a single breach of the security system shall electronically submit a single sample copy of that security breach notification, excluding any personally identifiable information, to the Attorney General. A single sample copy of a security breach notification shall not be deemed to be within subdivision (f) of Section 6254 of the Government Code.	has violated this title may be enjoined.	
Colorado	An individual or a commercial entity shall, when it becomes aware of a breach of the security of the system, conduct in good faith a prompt investigation to determine the	A Colorado resident's first name or first initial and last name in combination with any one or more of the following data elements that relate to the resident, when the data elements are not encrypted, redacted, or secured by	Unauthorized acquisition of unencrypted computerized data that compromises the security, confidentiality, or integrity of personal information maintained by an	Notice shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement and consistent with	If an individual or commercial entity is required to notify more than 1,000 Colorado residents of a breach of the security of the system, the individual or commercial entity shall also notify,	The attorney general may bring an action in law or equity to address violations of this section and for other relief that may be appropriate to ensure compliance with this section or to recover direct	Colo. Rev. Stat. § 6-1-716

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	likelihood that personal information has been or will be misused. The individual or the commercial entity shall give notice as soon as possible to the affected Colorado resident unless the investigation determines that the misuse of information about a Colorado resident has not occurred and is not reasonably likely to occur.	any other method rendering the name or the element unreadable or unusable: (1) Social security number; (2) Driver's license number or identification card number; (3) Account number or credit or debit card number, in combination with any required security code, access code, or password that would permit access to a resident's financial account.	individual or a commercial entity.	any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the computerized data system.  Notice required by this section may be delayed if a law enforcement agency determines that the notice will impede a criminal investigation and the law enforcement agency has notified the individual or commercial entity that conducts business in Colorado not to send notice required by this section. Notice required by this section shall be made in good faith, without unreasonable delay, and as soon as possible after the law enforcement agency determines that notification will no longer impede the investigation and has notified the individual or commercial entity that conducts business in	without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined by 15 U.S.C. sec. 1681a(p), of the anticipated date of the notification to the residents and the approximate number of residents who are to be notified. Nothing in this section shall be construed to require the individual or commercial entity to provide to the consumer reporting agency the names or other personal information of breach notice recipients.	economic damages resulting from a violation, or both. These provisions are not exclusive and do not relieve an individual or a commercial entity subject to this section from compliance with all other applicable provisions of law.	

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				Colorado that it is appropriate to send the notice required by this section.			
Connecticut	Notification shall not be required if, after an appropriate investigation and consultation with relevant federal, state and local agencies responsible for law enforcement, the person reasonably determines that the breach will not likely result in harm to the individuals whose personal information has been acquired and accessed.	An individual's first name or first initial and last name in combination with any one, or more, of the following data: (1) Social security number; (2) driver's license number or state identification card number; or (3) account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.	Unauthorized access to or unauthorized acquisition of electronic files, media, databases or computerized data, containing personal information when access to the personal information has not been secured by encryption or by any other method or technology that renders the personal information unreadable or unusable.	<p>Notice shall be made without unreasonable delay but not later than ninety days after the discovery of such breach, unless a shorter time is required under federal law, subject to delay by law enforcement and the completion of an investigation by such person to determine the nature and scope of the incident, to identify the individuals affected, or to restore the reasonable integrity of the data system.</p> <p>Any notification shall be delayed for a reasonable period of time if a law enforcement agency determines that the notification will impede a criminal investigation and such law enforcement agency has made a request that the notification be delayed. Any</p>	The person shall, not later than the time when notice is provided to the resident, also provide notice of the breach of security to the Attorney General.	Failure to comply with the requirements of this section shall constitute an unfair trade practice for purposes of section 42-110b and shall be enforced by the Attorney General.	Conn. Gen. Stat. § 36a-701b



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				such delayed notification shall be made after such law enforcement agency determines that notification will not compromise the criminal investigation and so notifies the person of such determination.			
Delaware	An individual or a commercial entity shall, when it becomes aware of a breach of the security of the system, conduct in good faith a reasonable and prompt investigation to determine the likelihood that personal information has been or will be misused. If the investigation determines that the misuse of information about a Delaware resident has occurred or is reasonably likely to occur, the individual or the commercial entity shall give notice as soon as possible to the affected Delaware resident.	A Delaware resident's first name or first initial and last name in combination with any one or more of the following data elements that relate to the resident, when either the name or the data elements are not encrypted: (1) Social security number; (2) Driver's license number or Delaware Identification Card number; or (3) Account number, or credit or debit card number, in combination with any required security code, access code, or password that would permit access to a resident's financial account.	Unauthorized acquisition of unencrypted computerized data that compromises the security, confidentiality, or integrity of personal information maintained by an individual or a commercial entity.	Notice must be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement and consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the computerized data system.  Notice required by this chapter may be delayed if a law-enforcement agency determines that the notice will impede a criminal investigation.  Notice required by this chapter must be made in good faith, without	NONE	Pursuant to the enforcement duties and powers of the Consumer Protection Division of the Department of Justice under Chapter 25 of Title 29, the Attorney General may bring an action in law or equity to address the violations of this chapter and for other relief that may be appropriate to ensure proper compliance with this chapter or to recover direct economic damages resulting from a violation, or both. The provisions of this chapter are not exclusive and do not relieve an individual or a commercial entity subject to this chapter from compliance with all other applicable provisions of law.	Del. Code Ann. tit. 6 § 12B-101 <i>et seq.</i>

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				unreasonable delay and as soon as possible after the law-enforcement agency determines that notification will no longer impede the investigation.			
District of Columbia	NONE	<p>(A) An individual's first name or first initial and last name, or phone number, or address, and any one or more of the following data elements: (1) Social security number; (2) Driver's license number or District of Columbia Identification Card number; or (3) Credit card number or debit card number;</p> <p>or</p> <p>(B) Any other number or code or combination of numbers or codes, such as account number, security code, access code, or password, that allows access to or use of an individual's financial or credit account.</p>	Unauthorized acquisition of computerized or other electronic data, or any equipment or device storing such data, that compromises the security, confidentiality, or integrity of personal information maintained by the person or business.	<p>The notification shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement and with any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.</p> <p>The notification required by this section may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation but shall be made as soon as possible after the law enforcement agency determines that the notification will not compromise the investigation.</p>	If any person or entity is required to notify more than 1,000 persons of a breach of security, the person shall also notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined by section 603(p) of the Fair Credit Reporting Act, approved October 26, 1970 (84 Stat. 1128; 15 U.S.C. § 1681a(p)), of the timing, distribution and content of the notices. Nothing in this subsection shall be construed to require the person to provide to the consumer reporting agency the names or other personal identifying information of breach notice recipients.	<p>Any District of Columbia resident injured by a violation of this subchapter may institute a civil action to recover actual damages, the costs of the action, and reasonable attorney's fees. Actual damages shall not include dignitary damages, including pain and suffering.</p> <p>The Attorney General may petition the Superior Court of the District of Columbia for temporary or permanent injunctive relief and for an award of restitution for property lost or damages suffered by District of Columbia residents as a consequence of the violation of this subchapter. In an action under this subsection, the Attorney General may recover a civil penalty</p>	D.C. Code § 28-3851 <i>et seq.</i>

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						<p>not to exceed \$100 for each violation, the costs of the action, and reasonable attorney's fees. Each failure to provide a District of Columbia resident with notification in accordance with this section shall constitute a separate violation.</p> <p>The rights and remedies available under this section are cumulative to each other and to any other rights and remedies available under law.</p>	
Florida	<p>Notice is not required if, after an appropriate investigation and consultation with relevant federal, state, or local law enforcement agencies, the covered entity reasonably determines that the breach has not and will not likely result in identity theft or any other financial harm to the individuals whose personal information has been accessed. Such a determination must</p>	<p>(A) An individual's first name or first initial and last name in combination with any one or more of the following data elements for that individual: (1) A social security number; (2) A driver license or identification card number, passport number, military identification number, or other similar number issued on a government document used to verify identity; (3) A financial account number, credit card number or debit card number with any required security code, access code or password that would permit access</p>	<p>Unauthorized access of data in electronic form containing personal information.</p>	<p>Notice to individuals shall be made as expeditiously as practicable and without unreasonable delay, taking into account the time necessary to allow the covered entity to determine the scope of the breach of security, to identify individuals affected by the breach, and to restore the reasonable integrity of the data system that was breached, but no later than 30 days after the determination of a</p>	<p>Notice to Department of Legal Affairs required for notification to more than 500 individuals. Must be provided as expeditiously as practicable, but no later than 30 days after the determination of the breach or reason to believe a breach occurred. May receive 15 additional days if good cause is provided in writing to the department within 30 days after determination of the breach or reason to believe the breach occurred.</p> <p>A covered entity may</p>	<p>A violation of this section shall be treated as an unfair or deceptive trade practice in any action brought by the department under s. 501.207 against a covered entity or third-party agent.</p> <p>In addition to the remedies provided for above, a covered entity that violates the notice requirements shall be liable for a civil penalty not to exceed \$500,000, as follows:</p> <p>(1) In the amount of \$1,000 for each day up to the first 30 days</p>	<p>Fla. Stat. § 501.171</p>

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	<p>be documented in writing and maintained for at least five years. The covered entity shall provide the written determination to the Department of Legal Affairs within 30 days after the determination.</p>	<p>to an individual's financial account;            (4) Any information regarding an individual's medical history, mental or physical condition, or medical treatment or diagnosis by a health care professional; or            (5) An individual's health insurance policy number or subscriber identification number and any unique identifier used by a health insurer to identify the individual.</p> <p>or</p> <p>(B) A user name or email address, in combination with a password or security question and answer that would permit access to an online account.</p> <p>The term does not include information that is encrypted, secured, or modified by any other method or technology that removes elements that personally identify an individual or that otherwise renders the information unusable.</p>		<p>breach or reason to believe a breach occurred unless subject to a delay.</p> <p>May receive 15 additional days if good cause is provided in writing to the Department of Legal Affairs within 30 days after determination of the breach or reason to believe the breach occurred.</p> <p>If a federal, state, or local law enforcement agency determines that notice to individuals would interfere with a criminal investigation, the notice shall be delayed upon the written request of the law enforcement agency for a specified period that the law enforcement agency determines is reasonably necessary. A law enforcement agency may, by a subsequent written request, revoke such delay as of a specified date or extend the period</p>	<p>provide the Department of Legal Affairs with supplemental information regarding a breach at any time.</p> <p>If a covered entity discovers circumstances requiring notice of more than 1,000 individuals at a single time, the covered entity shall also notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined in the Fair Credit Reporting Act, 15 U.S.C. s. 1681a(p), of the timing, distribution, and content of the notices.</p>	<p>following any violation and, thereafter, \$50,000 for each subsequent 30-day period or portion thereof for up to 180 days.</p> <p>(2) If the violation continues for more than 180 days, in an amount not to exceed \$500,000.</p> <p>The civil penalties for failure to notify provided in this paragraph apply per breach and not per individual affected by the breach.</p> <p>All penalties collected pursuant to this subsection shall be deposited into the General Revenue Fund.</p> <p>This section does not establish a private cause of action.</p>	

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				set forth in the original request made under this paragraph to a specified date if further delay is necessary.			

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Georgia	NONE	(A) An individual's first name or first initial and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted or redacted: (1) Social security number; (2) Driver's license number or state identification card number; (3) Account number, credit card number, or debit card number, if circumstances exist wherein such a number could be used without additional identifying information, access codes, or passwords; (4) Account passwords or personal identification numbers or other access codes;  or  (B) Any of the above items when not in connection with the individual's first name or first initial and last name, if the information compromised would be sufficient to perform or attempt to perform identity theft against the person whose information was compromised.	Unauthorized acquisition of an individual's electronic data that compromises the security, confidentiality, or integrity of personal information of such individual maintained by an information broker or data collector.	The notice shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or with any measures necessary to determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.  The notification may be delayed if a law enforcement agency determines that the notification will compromise a criminal investigation. The notification shall be made after the law enforcement agency determines that it will not compromise the investigation.	In the event that an information broker or data collector discovers circumstances requiring notification of more than 10,000 residents of this state at one time, the information broker or data collector shall also notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nation-wide basis, as defined by 15 U.S.C. Section 1681a, of the timing, distribution, and content of the notices.	NONE	Ga. Code § 10-1-910 <i>et seq.</i>
Hawaii	If the definition of "breach" is not met,	An individual's first name or first initial and	Unauthorized access to and acquisition of	The disclosure notification shall be	In the event an entity provides notice to	Any business that violates any provision	Haw. Rev. Stat.

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	then notice is not required.	last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted: (1) Social security number; (2) Driver's license number or Hawaii identification card number; or (3) Account number, credit or debit card number, access code, or password that would permit access to an individual's financial account.	<p>unencrypted or unredacted records or data containing personal information, through use of a key or otherwise, where illegal use of the personal information has occurred, or is reasonably likely to occur and that creates a risk of harm to a person. Any incident of unauthorized access to and acquisition of encrypted records or data containing personal information along with the confidential process of key constitutes a security breach.</p> <p>*Note: "records" means any material on which written, drawn, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics.</p>	<p>made without unreasonable delay, consistent with the legitimate needs of law enforcement and consistent with any measures necessary to determine sufficient contact information, determine the scope of the breach, and restore the reasonable integrity, security, and confidentiality of the data system.</p> <p>The notice shall be delayed if a law enforcement agency informs the entity that notification may impede a criminal investigation or jeopardize national security and requests a delay; provided that such request is made in writing, or the entity documents the request contemporaneously in writing, including the name of the law enforcement officer making the request and the officer's law enforcement agency engaged in the investigation. The</p>	more than 1,000 persons at one time pursuant to this section, the business shall notify in writing, without unreasonable delay, the State of Hawaii's office of consumer protection and all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined in 15 U.S.C. section 1681a(p), of the timing, distribution, and content of the notice.	<p>of this chapter shall be subject to penalties of not more than \$2,500 for each violation. The attorney general or the executive director of the office of consumer protection may bring an action pursuant to this section.</p> <p>In addition to any penalty provided for above, any business that violates any provision of this chapter shall be liable to the injured party in an amount equal to the sum of any actual damages sustained by the injured party as a result of the violation. The court in any action brought under this section may award reasonable attorneys' fees to the prevailing party.</p> <p>The penalties provided in this section shall be cumulative to the remedies or penalties available under all other laws of this State.</p>	§ 487N-1 <i>et seq.</i>

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				notice shall be provided without unreasonable delay after the law enforcement agency communicates to the entity its determination that notice will no longer impede the investigation or jeopardize national security.			
Idaho	A city, county or state agency, individual or a commercial entity shall, when it becomes aware of a breach of the security of the system, conduct in good faith a reasonable and prompt investigation to determine the likelihood that personal information has been or will be misused. If the investigation determines that the misuse of information about an Idaho resident has occurred or is reasonably likely to occur, the agency, individual or the commercial entity shall give notice as soon as possible to	An Idaho resident's first name or first initial and last name in combination with any one or more of the following data elements that relate to the resident, when either the name or the data elements are not encrypted: (1) Social security number; (2) Driver's license number or Idaho identification card number; or (3) Account number, or credit or debit card number, in combination with any required security code, access code, or password that would permit access to a resident's financial account.	Illegal acquisition of unencrypted computerized data that materially compromises the security, confidentiality, or integrity of personal information for one or more persons maintained by an agency, individual or a commercial entity.	Notice must be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement and consistent with any measures necessary to determine the scope of the breach, to identify the individuals affected, and to restore the reasonable integrity of the computerized data system.  Notice may be delayed if a law enforcement agency advises the agency, individual or commercial entity that the notice will impede a criminal	NONE	In any case in which an agency's, commercial entity's or individual's primary regulator has reason to believe that an agency, individual or commercial entity subject to that primary regulator's jurisdiction under section 28-51-104(6), Idaho Code, has violated section 28-51-105, Idaho Code, by failing to give notice in accordance with that section, the primary regulator may bring a civil action to enforce compliance with that section and enjoin that agency, individual or commercial entity from further violations. Any agency, individual or commercial entity that intentionally fails to give notice in	Idaho Code § 28-51-104 <i>et seq.</i>



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	<p>the affected Idaho resident.</p> <p>Also, if the definition of "breach" is not met, then notice is not required.</p>			<p>investigation. Notice must be made in good faith, without unreasonable delay and as soon as possible after the law enforcement agency advises the agency, individual or commercial entity that notification will no longer impede the investigation.</p>		<p>accordance with section 28-51-105, Idaho Code, shall be subject to a fine of not more than \$25,000 per breach of the security of the system.</p>	
Illinois	NONE	<p>An individual's first name or first initial and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted or redacted: (1) Social security number; (2) Driver's license number or State identification card number; (3) Account number or credit or debit card number, or an account number or credit card number in combination with any required security code, access code, or password that would permit access to an individual's financial account.</p>	<p>Unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of personal information maintained by the data collector.</p>	<p>The disclosure notification shall be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.</p> <p>The notification to an Illinois resident may be delayed if an appropriate law enforcement agency determines that notification will interfere with a criminal investigation and provides the data</p>	NONE	<p>A violation of this Act constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act.</p>	815 Ill. Comp. Stat. 530/5 <i>et. seq.</i>

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				collector with a written request for the delay. However, the data collector must notify the Illinois resident as soon as notification will no longer interfere with the investigation.			
Indiana	<p>After discovering or being notified of a breach of the security of data, the data base owner shall disclose the breach to an Indiana resident whose: (1) unencrypted personal information was or may have been acquired by an unauthorized person; or (2) encrypted personal information was or may have been acquired by an unauthorized person with access to the encryption key;</p> <p>if the data base owner knows, should know, or should have known that the unauthorized acquisition constituting the breach has resulted in or could result in</p>	<p>(A) A Social security number that is not encrypted or redacted; or</p> <p>(B) An individual's first and last names, or first initial and last name, and one or more of the following data elements that are not encrypted or redacted: (1) A driver's license number; (2) A state identification card number; (3) A credit card number; (4) A financial account number or debit card number in combination with a security code, password, or access code that would permit access to the person's account.</p>	<p>Unauthorized acquisition of computerized data that compromises the security, confidentiality or integrity of personal information maintained by an entity. The term includes the unauthorized acquisition of computerized data that has been transferred to another medium, including paper, microfilm, or a similar medium, even if the transferred data are no longer in a computerized format.</p> <p>The term does not include unauthorized acquisition of a portable electronic device on which personal information is stored, if all personal information on the device is protected by</p>	<p>A person required to make a disclosure or notification under this chapter shall make the disclosure or notification without unreasonable delay. For purposes of this section, a delay is reasonable if the delay is: (1) necessary to restore the integrity of the computer system; (2) necessary to discover the scope of the breach; or (3) in response to a request from the attorney general or a law enforcement agency to delay disclosure because disclosure will: (a) impede a criminal or civil investigation; or (b) jeopardize national security.</p> <p>A person required</p>	<p>A data base owner required to make a disclosure to more than 1,000 consumers shall also disclose to each consumer reporting agency (as defined in 15 U.S.C. 1681a(p)) information necessary to assist the consumer reporting agency in preventing fraud, including personal information of an Indiana resident affected by the breach of the security of a system.</p> <p>If a data base owner makes a disclosure to individuals, the data base owner shall also disclose the breach to the attorney general.</p>	<p>A person that is required to make a disclosure or notification and that fails to comply with any provision of this article commits a deceptive act that is actionable only by the attorney general under this chapter. A failure to make a required disclosure or notification in connection with a related series of breaches of the security of data constitutes one deceptive act.</p> <p>The attorney general may bring an action under this chapter to obtain any or all of the following: (1) An injunction to enjoin future violations; (2) A civil penalty of not more than \$150,000 per deceptive act; (3) The attorney general's reasonable costs in:</p>	Ind. Code § 24-4.9-1-1 <i>et. seq.</i>

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	identity deception (as defined in IC 35-43-5-3.5), identity theft, or fraud affecting the Indiana resident.		encryption and the encryption key: (1) has not been compromised or disclosed; and (2) is not in the possession of or known to the person who, without authorization, acquired or has access to the portable electronic device.	to make a disclosure or notification under this chapter shall make the disclosure or notification as soon as possible after: (1) delay is no longer necessary to restore the integrity of the computer system or to discover the scope of the breach; or (2) the attorney general or a law enforcement agency notifies the person that delay will no longer impede a criminal or civil investigation or jeopardize national security.		(a) the investigation of the deceptive act; and (b) maintaining the action.	
Iowa	Notification is not required if, after an appropriate investigation or after consultation with the relevant federal, state, or local agencies responsible for law enforcement, the person determined that no reasonable likelihood of financial harm to the consumers whose personal information has been acquired has resulted or will	An individual's first name or first initial and last name in combination with any one or more of the following data elements that relate to the individual if any of the data elements are not encrypted, redacted, or otherwise altered by any method or technology in such a manner that the name or data elements are unreadable or are encrypted, redacted, or otherwise altered by any method or technology but the keys to unencrypt, unredact, or	Unauthorized acquisition of personal information maintained in computerized form by a person that compromises the security, confidentiality, or integrity of the personal information. "Breach of security" also means unauthorized acquisition of personal information maintained by a person in any	The consumer notification shall be made in the most expeditious manner possible and without unreasonable delay, consistent with the legitimate needs of law enforcement and consistent with any measures necessary to sufficiently determine contact information for the affected consumers, determine the scope of the breach, and	Any person who owns or licenses computerized data that includes a consumer's personal information that is used in the course of the person's business, vocation, occupation, or volunteer activities and that was subject to a breach of security requiring notification to more than 500 residents of this state shall give written notice of the breach of security following discovery of such	A violation of this chapter is an unlawful practice pursuant to section 714.16 and, in addition to the remedies provided to the attorney general pursuant to section 714.16, subsection 7, the attorney general may seek and obtain an order that a party held to violate this section pay damages to the attorney general on behalf of a person injured by the violation.	Iowa Code § 715C.1 <i>et seq.</i>

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	result from the breach. Such a determination must be documented in writing and the documentation must be maintained for five years.	otherwise read the data elements have been obtained through the breach of security: (1) Social security number; (2) Driver's license number or other unique identification number created or collected by a government body; (3) Financial account number, credit card number, or debit card number in combination with any required expiration date, security code, access code, or password that would permit access to an individual's financial account; (4) Unique electronic identifier or routing code, in combination with any required security code, access code, or password that would permit access to an individual's financial account; (5) Unique biometric data, such as a fingerprint, retina or iris image, or other unique physical representation or digital representation of biometric data.	medium, including on paper, that was transferred by the person to that medium from computerized form and that compromises the security, confidentiality, or integrity of the personal information.	restore the reasonable integrity, security, and confidentiality of the data.  The consumer notification requirements may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation and the agency has made a written request that the notification be delayed. The notification required by this section shall be made after the law enforcement agency determines that the notification will not compromise the investigation and notifies the person required to give notice in writing.	breach of security, or receipt of notification by any person who maintains personal information on behalf of another person, to the director of the consumer protection division of the office of the attorney general within five business days after giving notice of the breach of security to any consumer pursuant to this section.	The rights and remedies available under this section are cumulative to each other and to any other rights and remedies available under the law.	
Kansas	A person that conducts business in this state, or a government, governmental subdivision or agency that owns or	A consumer's first name or first initial and last name linked to any one or more of the following data elements that relate to the consumer, when the data elements are	Unauthorized access and acquisition of unencrypted or unredacted computerized data that compromises the security,	Notice must be made in the most expedient time possible and without unreasonable delay, consistent with the	In the event that a person discovers circumstances requiring notification pursuant to this section of more than 1,000 consumers at	Entity other than insurance company: the attorney general is empowered to bring an action in law or equity to address violations of this	Kan. Stat. § 50-7a01 <i>et seq.</i>

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	<p>licenses computerized data that includes personal information shall, when it becomes aware of any breach of the security of the system, conduct in good faith a reasonable and prompt investigation to determine the likelihood that personal information has been or will be misused. If the investigation determines that the misuse of information has occurred or is reasonably likely to occur, the person or government, governmental subdivision or agency shall give notice as soon as possible to the affected Kansas resident.</p> <p>Also, if the definition of "breach" is not met, then notice is not required.</p>	<p>neither encrypted nor redacted: (1) Social security number; (2) Driver's license number or state identification card number; or (3) Financial account number, or credit or debit card number, alone or in combination with any required security code, access code or password that would permit access to a consumer's financial account.</p>	<p>confidentiality or integrity of personal information maintained by an individual or a commercial entity and that causes, or such individual or entity reasonably believes has caused or will cause, identity theft to any consumer.</p>	<p>legitimate needs of law enforcement and consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the computerized data system.</p> <p>Notice may be delayed if a law enforcement agency determines that the notice will impede a criminal investigation. Notice shall be made in good faith, without unreasonable delay and as soon as possible after the law enforcement agency determines that notification will no longer impede the investigation.</p>	<p>one time, the person shall also notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined by 15 U.S.C. § 1681a(p), of the timing, distribution and content of the notices.</p>	<p>section and for other relief that may be appropriate. The provisions of this section are not exclusive and do not relieve an individual or a commercial entity subject to this section from compliance with all other applicable provisions of law.</p> <p>Insurance companies: the insurance commissioner shall have the sole authority to enforce the provisions of this section.</p>	
Kentucky	<p>If the definition of "breach" is not met, then notice is not required.</p>	<p>An individual's first name or first initial and last name in combination with any one or more of</p>	<p>Unauthorized acquisition of unencrypted and unredacted</p>	<p>The disclosure shall be made in the most expedient time possible and</p>	<p>If a person discovers circumstances requiring notification pursuant to this</p>	<p>NONE</p>	<p>Ky. Rev. Stat. § 365.732</p>

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		the following data elements, when the name or data element is not redacted: (1) Social security number; (2) Driver's license number; or (3) Account number or credit or debit card number, in combination with any required security code, access code, or password to permit access to an individual's financial account.	computerized data that compromises the security, confidentiality, or integrity of personally identifiable information maintained by the information holder as part of a database regarding multiple individuals that actually causes, or leads the information holder to reasonably believe has caused or will cause, identity theft or fraud against any resident.	without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.  The notification may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation. The notification shall be made promptly after the law enforcement agency determines that it will not compromise the investigation.	section of more than 1,000 persons at one time, the person shall also notify, without unreasonable delay, all consumer reporting agencies and credit bureaus that compile and maintain files on consumers on a nationwide basis, as defined by 15 U.S.C. sec. 1681a, of the timing, distribution, and content of the notices.		
Louisiana	Notification under this title is not required if after a reasonable investigation the person or business determines that there is no reasonable likelihood of harm to customers.	An individual's first name or first initial and last name in combination with any one or more of the following data elements, when the name or the data element is not encrypted or redacted: (1) Social security number; (2) Driver's license number; (3) Account number, credit or debit card number, in combination with any	The compromise of the security, confidentiality, or integrity of computerized data that results in, or there is a reasonable basis to conclude has resulted in, the unauthorized acquisition of and access to personal information maintained by an	The notification shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach, prevent further	When notice to residents is required, the person shall provide written notice detailing the breach of the security of the system to the Consumer Protection Section of the Attorney General's Office. Notice shall include the names of all residents affected by the breach. Notice	A civil action may be instituted to recover actual damages resulting from the failure to disclose in a timely manner to a person that there has been a breach of the security system resulting in the disclosure of a person's personal information.  Failure to provide	La. Rev. Stat. § 51:3071 <i>et seq.</i>  La. Admin. Code tit. 16, § 701

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		required security code, access code, or password that would permit access to an individual's financial account.	agency or person.	disclosures, and restore the reasonable integrity of the data system.  If a law enforcement agency determines that the notification would impede a criminal investigation, such notification may be delayed until such law enforcement agency determines that the notification will no longer compromise such investigation.	is timely if received within 10 days of distribution of notice to residents.	timely notice to the attorney general may be punishable by a fine not to exceed \$5,000 per violation. Each day notice is not received by the attorney general is a separate violation.	
Maine	If any person becomes aware of a breach of the security of the system, the person shall conduct in good faith a reasonable and prompt investigation to determine the likelihood that personal information has been or will be misused and shall give notice of a breach of the security of the system following discovery or notification of the security breach to a resident of this State if misuse of the	(A) An individual's first name or initial and last name in combination with any one or more of the following data elements, when either the name or data elements are not encrypted or redacted: (1) A social security number; (2) A driver's license number or state identification card number; (3) Account number, credit card number, or debit card number, if circumstances exist wherein such a number could be used without additional identifying information, access codes or passwords; or (4) Account passwords or personal identification	Unauthorized acquisition, release or use of an individual's computerized data that includes personal information that compromises the security, confidentiality or integrity of personal information of the individual maintained by a person.	The notices must be made as expeditiously as possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or with measures necessary to determine the scope of the security breach and restore the reasonable integrity, security and confidentiality of the data in the system.  If, after the completion of an investigation to determine the likelihood that	If a person discovers a breach of the security of the system that requires notification to more than 1,000 persons at a single time, the person shall also notify, without unreasonable delay, consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined in 15 United States Code, Section 1681a(p). Notification must include the date of the breach, an estimate of the number of persons affected by the breach, if known, and the actual or anticipated	The appropriate state regulators within the Department of Professional and Financial Regulation shall enforce this chapter for any person that is licensed or regulated by those regulators. The Attorney General shall enforce this chapter for all other persons.  A person that violates this chapter commits a civil violation and is subject to one or more of the following:  (1) A fine of not more than \$500 per violation, up to a maximum of \$2,500 for each day the	10 Me. Rev. Stat. § 1346 <i>et seq.</i>

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	personal information has occurred or if it is reasonably possible that misuse will occur.	numbers or other access codes; or (B) Any of the above data elements when not in connection with the individual's name, if the information, if compromised, would be sufficient to permit a person to fraudulently assume or attempt to assume the identity of the person whose information was compromised.		personal information has been or will be misused notification is required, the notification may be delayed for no longer than 7 business days after a law enforcement agency determines that the notification will not compromise a criminal investigation.	date that persons were or will be notified of the breach.  When notice of a breach of the security of the system is required, the person shall notify the appropriate state regulators within the Department of Professional and Financial Regulation, or if the person is not regulated by the department, the Attorney General.	person is in violation of this chapter, except that this paragraph does not apply to State Government, the University of Maine System, the Maine Community College System or Maine Maritime Academy;  (2) Equitable relief; or  (3) Enjoinment from further violations of this chapter.  The rights and remedies available under this section are cumulative and do not affect or prevent rights and remedies available under federal or state law.	
Maryland	A business, when it discovers or is notified of a breach of the security of a system, shall conduct in good faith a reasonable and prompt investigation to determine the likelihood that personal information of the individual has been or will be misused as a result of the breach. If, after the investigation is concluded, the	An individual's first name or first initial and last name in combination with any one or more of the following data elements, when the name or the data elements are not encrypted, redacted, or otherwise protected by another method that renders the information unreadable or unusable: (1) A social security number; (2) A driver's license number; (3) A financial account number, including a credit card number or debit card number, that	Unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of the personal information maintained by a business.	The notice shall be given as soon as reasonably practicable after the business conducts the investigation.  Notice may be delayed: (1) If a law enforcement agency determines that the notification will impede a criminal investigation or jeopardize homeland or national security; or (2) To determine the scope of the breach of the	Prior to giving the individual notification required under subsection and subject to law enforcement delay, a business shall provide notice of a breach of the security of a system to the Office of the Attorney General.  If a business is required to give notice of a breach of the security of a system to 1,000 or more individuals, the business also shall notify, without	A violation:  (1) Is an unfair or deceptive trade practice;  and  (2) Is subject to the enforcement and penalty provisions contained in the unfair or deceptive trade practice provisions, including: injunction, damages, attorney's fees, and civil penalties not to exceed \$1,000 per violation for first-time offenders and \$5,000 per	Md. Code Com. Law § 14-3501 <i>et seq.</i>



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	<p>business determines that misuse of the individual's personal information has occurred or is reasonably likely to occur as a result of a breach of the security of a system, the business shall notify the individual of the breach.</p> <p>If notice is not required, the business shall maintain records that reflect its determination for three years after the determination is made.</p>	<p>in combination with any required security code, access code, or password, would permit access to an individual's financial account; or (4) An Individual Taxpayer Identification Number.</p>		<p>security of a system, identify the individuals affected, or restore the integrity of the system.</p> <p>If notification is delayed by law enforcement, notification shall be given as soon as reasonably practicable after the law enforcement agency determines that it will not impede a criminal investigation and will not jeopardize homeland or national security.</p>	<p>unreasonable delay, each consumer reporting agency that compiles and maintains files on consumers on a nationwide basis, as defined by 15 U.S.C. § 1681a(p), of the timing, distribution, and content of the notices. This does not require the inclusion of the names or other personal identifying information of recipients of notices of the breach of the security of a system.</p>	<p>violation for repeat offenders.</p>	
Massachusetts	<p>If the definition of "breach" is not met, then notice is not required.</p>	<p>A resident's first name and last name or first initial and last name in combination with any one or more of the following data elements that relate to such resident: (1) Social security number; (2) Driver's license number or state-issued identification card number; or (3) Financial account number, or credit or debit card number, with or without any required security code, access code, personal identification number or password, that would permit access to a</p>	<p>Unauthorized acquisition or unauthorized use of unencrypted data or, encrypted electronic data and the confidential process or key that is capable of compromising the security, confidentiality, or integrity of personal information, maintained by a person or agency that creates a substantial risk of identity theft or fraud against a resident.</p> <p>*Note: "Data" means any material upon</p>	<p>A person or agency shall provide notice, as soon as practicable and without unreasonable delay, when such person or agency (1) knows or has reason to know of a breach of security or (2) when the person or agency knows or has reason to know that the personal information of such resident was acquired or used by an unauthorized person or used for an unauthorized</p>	<p>A person or agency shall provide notice, as soon as practicable and without unreasonable delay, when such person or agency (1) knows or has reason to know of a breach of security or (2) when the person or agency knows or has reason to know that the personal information of such resident was acquired or used by an unauthorized person or used for an unauthorized purpose, to the attorney general and the director of</p>	<p>The attorney general may bring an action pursuant to section 4 of chapter 93A (unfair trade practice) against a person or otherwise to remedy violations of this chapter and for other relief that may be appropriate.</p>	<p>Mass. Gen. Laws 93H § 1 <i>et seq.</i></p>

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		resident's financial account.	which written, drawn, spoken, visual, or electromagnetic information or images are recorded or preserved, regardless of physical form or characteristics.	purpose to such resident.  Notice may be delayed if a law enforcement agency determines that provision of such notice may impede a criminal investigation and has notified the attorney general, in writing, thereof and informs the person or agency of such determination. If notice is delayed due to such determination and as soon as the law enforcement agency determines and informs the person or agency that notification no longer poses a risk of impeding an investigation, notice shall be provided, as soon as practicable and without unreasonable delay. The person or agency shall cooperate with law enforcement in its investigation of any breach of security or unauthorized acquisition or use, which shall include the sharing of	consumer affairs and business regulation.  Upon receipt of this notice, the director shall identify any relevant consumer reporting agency or state agency, as deemed appropriate by said director, and forward the names of the identified consumer reporting agencies and state agencies to the notifying person or agency. Such person or agency shall, as soon as practicable and without unreasonable delay, also provide notice to the consumer reporting agencies and state agencies identified by the director.		

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				information relevant to the incident; provided however, that such disclosure shall not require the disclosure of confidential business information or trade secrets.			
Michigan	Unless the person or agency determines that the security breach has not or is not likely to cause substantial loss or injury to, or result in identity theft with respect to, one or more residents of this state, a person or agency that discovers a security breach, or receives notice of a security breach by an entity that maintains information on behalf of another entity, shall provide a notice of the security breach to each resident of this state who meets one or more of the following: (1) That resident's unencrypted and unredacted personal information was accessed and acquired by an	The first name or first initial and last name linked to one or more of the following data elements of a resident of this state: (1) Social security number; (2) Driver license number or state personal identification card number; (3) Demand deposit or other financial account number, or credit card or debit card number, in combination with any required security code, access code, or password that would permit access to any of the resident's financial accounts.	Unauthorized access and acquisition of data that compromises the security or confidentiality of personal information maintained by a person or agency as part of a database of personal information regarding multiple individuals.	A person or agency shall provide any notice required under this section without unreasonable delay. A person or agency may delay providing notice without violating this subsection if either of the following is met:  (1) A delay is necessary in order for the person or agency to take any measures necessary to determine the scope of the security breach and restore the reasonable integrity of the database. However, the agency or person shall provide the notice required under this subsection without unreasonable delay	After a person or agency provides a notice under this section, the person or agency shall notify each consumer reporting agency that compiles and maintains files on consumers on a nationwide basis, as defined in 15 USC 1681a(p), of the security breach without unreasonable delay. A notification shall include the number of notices that the person or agency provided to residents of this state and the timing of those notices.  This does not apply if the following is met:  The person or agency is required under this section to provide notice of a security breach to 1,000 or fewer residents of this	A person that knowingly fails to provide any notice of a security breach required under this section may be ordered to pay a civil fine of not more than \$250.00 for each failure to provide notice. The attorney general or a prosecuting attorney may bring an action to recover a civil fine under this section.  The aggregate liability of a person for civil fines for multiple violations that arise from the same security breach shall not exceed \$750,000.  This does not affect the availability of any civil remedy for a violation of state or federal law.	Mich. Comp. Laws §§ 445.63, .72

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	<p>unauthorized person; (2) That resident's personal information was accessed and acquired in encrypted form by a person with unauthorized access to the encryption key.</p> <p>In determining whether a security breach is not likely to cause substantial loss or injury to, or result in identity theft with respect to, one or more residents of this state, a person or agency shall act with the care an ordinarily prudent person or agency in like position would exercise under similar circumstances.</p>			<p>after the person or agency completes the measures necessary to determine the scope of the security breach and restore the reasonable integrity of the database.</p> <p>(2) A law enforcement agency determines and advises the agency or person that providing a notice will impede a criminal or civil investigation or jeopardize homeland or national security. However, the agency or person shall provide the notice required under this section without unreasonable delay after the law enforcement agency determines that providing the notice will no longer impede the investigation or jeopardize homeland or national security.</p>	state.		
Minnesota	NONE	An individual's first name or first initial and last name in combination	Unauthorized acquisition of computerized data	The disclosure must be made in the most expedient time	If a person discovers circumstances requiring notification	The attorney general shall enforce this section under section	Minn. Stat. § 325E.61.

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		with any one or more of the following data elements, when the data element is not secured by encryption or another method of technology that makes electronic data unreadable or unusable, or was secured and the encryption key, password, or other means necessary for reading or using the data was also acquired: (1) Social security number; (2) Driver's license number or Minnesota identification card number; or (3) Account number or credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.	that compromises the security, confidentiality or integrity of personal information maintained by the business.	possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or with any measures necessary to determine the scope of the breach, identify the individuals affected, and restore the reasonable integrity of the data system.  Notification may be delayed to a date certain if a law enforcement agency affirmatively determines that the notification will impede a criminal investigation.	of more than 500 persons at one time, the person shall also notify, within 48 hours, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined by United States Code, title 15, section 1681a, of the timing, distribution, and content of the notices.	8.31 (additional duties of attorney general).	
Mississippi	Notification shall not be required if, after an appropriate investigation, the person reasonably determines that the breach will not likely result in harm to the affected individuals.	An individual's first name or first initial and last name in combination with any one or more of the following data elements: (1) Social security number; (2) Driver's license number or state identification card number; or (3) An account number or credit or debit card number in combination with any required security code, access code or password that would permit access	Unauthorized acquisition of electronic files, media, databases or computerized data containing personal information of any resident of this state when access to the personal information has not been secured by encryption or by any other method or technology that renders the personal information	The disclosure shall be made without unreasonable delay, subject to notification by an entity that maintains information, delay by law enforcement, and the completion of an investigation by the person to determine the nature and scope of the incident, to	NONE	Failure to comply with the requirements of this section shall constitute an unfair trade practice and shall be enforced by the Attorney General; however, nothing in this section may be construed to create a private right of action.	Miss. Code § 75-24-29

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		to an individual's financial account.	unreadable or unusable.	<p>identify the affected individuals, or to restore the reasonable integrity of the data system.</p> <p>Any notification shall be delayed for a reasonable period of time if a law enforcement agency determines that the notification will impede a criminal investigation or national security and the law enforcement agency has made a request that the notification be delayed. Any such delayed notification shall be made after the law enforcement agency determines that notification will not compromise the criminal investigation or national security and so notifies the person of that determination.</p>			
Missouri	Notification is not required if, after an appropriate investigation by the person or after consultation with the relevant federal, state, or local agencies responsible	An individual's first name or first initial and last name in combination with any one or more of the following data elements that relate to the individual if any of the data elements are not encrypted, redacted, or	Unauthorized access to and unauthorized acquisition of personal information maintained in computerized form by a person that compromises the security,	The disclosure notification shall be: (1) Made without unreasonable delay; (2) Consistent with the legitimate needs of law enforcement, as provided in this	In the event a person provides notice to more than 1,000 consumers at one time pursuant to this section, the person shall notify, without unreasonable delay, the attorney general's	The attorney general shall have exclusive authority to bring an action to obtain actual damages for a willful and knowing violation of this section and may seek a civil penalty not to exceed	Mo. Rev. Stat. § 407.1500

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	<p>for law enforcement, the person determines that a risk of identity theft or other fraud to any consumer is not reasonably likely to occur as a result of the breach. Such a determination shall be documented in writing and the documentation shall be maintained for five years.</p>	<p>otherwise altered by any method or technology in such a manner that the name or data elements are unreadable or unusable: (1) Social security number; (2) Driver's license number or other unique identification number created or collected by a government body; (3) Financial account number, credit card number, or debit card number in combination with any required security code, access code, or password that would permit access to an individual's financial account; (4) Unique electronic identifier or routing code, in combination with any required security code, access code, or password that would permit access to an individual's financial account; (5) Medical information; or (6) Health insurance information.</p>	<p>confidentiality, or integrity of the personal information.</p>	<p>section; and (3) Consistent with any measures necessary to determine sufficient contact information and to determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.</p> <p>The notice may be delayed if a law enforcement agency informs the person that notification may impede a criminal investigation or jeopardize national or homeland security, provided that such request by law enforcement is made in writing or the person documents such request contemporaneously in writing, including the name of the law enforcement officer making the request and the officer's law enforcement agency engaged in the investigation. The notice shall be provided without unreasonable delay</p>	<p>office and all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined in 15 U.S.C. Section 1681a(p), of the timing, distribution, and content of the notice.</p>	<p>\$150,000 per breach of the security of the system or series of breaches of a similar nature that are discovered in a single investigation.</p>	

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				after the law enforcement agency communicates to the person its determination that notice will no longer impede the investigation or jeopardize national or homeland security.			
Montana	If the definition of "breach" is not met, then notice is not required.	Individual's first name or first initial and last name in combination with any one or more of the following data elements when either the first name or first initial and last name or the data elements are not encrypted: (1) Social security number; (2) Driver's license number, an identification number issued pursuant to 61-12-501, a tribal identification number or enrollment number, or a similar identification number issued by any state, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or American Samoa; (3) Account number, credit card number or debit card number, in combination with any required security code, access code, or password that would permit access	Unauthorized acquisition of computerized data that: (1) materially compromises the security, confidentiality, or integrity of personal information; and (2) causes or is reasonably believed to cause loss or injury to a Montana resident.	The notice shall be made without unreasonable delay consistent with (1) the legitimate needs of law enforcement or (2) any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the data system.  Notification may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation and requests a delay of notification. The notification must be made after the law enforcement agency determines that the notification will not compromise the investigation.	Any person or business that is required to issue a notification pursuant to this section shall simultaneously submit an electronic copy of the notification and a statement providing the date and method of distribution of the notification to the attorney general's consumer protection office, excluding any information that personally identifies any individual who is entitled to receive notification. If a notification is made to more than one individual, a single copy of the notification must be submitted that indicates the number of individuals in the state who received notification.	A violation is a violation of Mont. Code § 30-14-103, and the penalties for a violation of this part are as provided in Mont. Code § 30-14-142.	Mont. Code § 30-14-1701 <i>et seq.</i>



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		to a person's financial account; (4) Medical record information as defined in 33-19-104; (5) Taxpayer identification number; or (6) An identity protection personal identification number issued by the United States internal revenue service.					
Nebraska	Notification is required if a reasonable and prompt investigation determines that the use of information about a Nebraska resident for an unauthorized purpose has occurred or is reasonably likely to occur.	Resident's first name or first initial and last name in combination with any one or more of the following data elements if either the name or the data elements are not encrypted, redacted or otherwise altered by any method or technology in such a manner that the name or data elements are unreadable: (1) Social security number; (2) Motor vehicle operator's license number or state ID card number; (3) Account number, credit card number or debit card number in combination with any required security code, access code, or password that would permit access to a resident's financial account; (4) Unique electronic ID number or routing code, in combination with any required security code,	Unauthorized acquisition of unencrypted computerized data that compromises the security, confidentiality, or integrity of personal information maintained by an individual or a commercial entity.	Notice shall be made as soon as possible and without unreasonable delay, consistent with the legitimate needs of law enforcement and consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the computerized data system.  Notice may be delayed if a law enforcement agency determines that the notice will impede a criminal investigation. Notice shall be made in good faith, without unreasonable delay, and as soon as possible after the	NONE	The Attorney General may issue subpoenas and seek and recover direct economic damages for each affected Nebraska resident injured by a violation of the act.	Neb. Rev. Stat. § 87-801 <i>et seq.</i>

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		access code, or password; or (5) Unique biometric data, such as a fingerprint, voice print, or retina or iris image, or other unique physical representation.		law enforcement agency determines that notification will no longer impede the investigation			
Nevada	If the definition of "breach" is not met, then notice is not required.	First name or first initial and last name in combination with any one or more of the following data elements, when the name and data elements are not encrypted: (1) Social security number; (2) Driver's license number, driver authorization card number or ID card number; (3) Account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to the person's financial account; (4) Medical identification number or health insurance ID number; or (5) User name, unique identifier or electronic mail address in combination with a password, access code or security question and answer that would permit access to an online account.	Unauthorized acquisition of computerized data that materially compromises the security, confidentiality or integrity of personal information maintained by the data collector.	Disclosure must be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system data.  Notification may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation. The notification must be made after the law enforcement agency determines that the notification will not compromise the investigation.	Notice, without unreasonable delay, to consumer reporting agencies is required for any breach requiring notification to more than 1,000 individuals at any one time.	If the Attorney General or a district attorney has reason to believe that any person is violating, proposes to violate or has violated the provisions of this chapter, the Attorney General or district attorney may bring an action against that person to obtain a temporary or permanent injunction against the violation.	Nev. Rev. Stat. 603A.010 <i>et seq.</i>  *Amended by A.B. 179, effective July 1, 2015.  *A data collector or business is not required to comply with the highlighted sections until July 1, 2016.
New Hampshire	Notice is required if	First name or first initial	Unauthorized	As soon as possible	Notice must be given	A civil suit may be	N.H. Rev. Stat.

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	a determination is made that misuse of the information has occurred or is reasonably likely to occur or if a determination cannot be made.	and last name in combination with any one or more of the following data elements, when the name or the data elements are not encrypted: (1) Social security number; (2) Driver's license number or government ID card number; or (3) Account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to the person's financial account.	acquisition of computerized data that compromises the security or confidentiality of personal information maintained by a person doing business in this state.	if computerized data that includes personal information has been misused or is likely to be misused.  Notification may be delayed if a law enforcement agency, or national or homeland security agency determines that the notification will impede a criminal investigation or jeopardize national or homeland security.	to the attorney general regarding date of notice to individuals and number of individuals in New Hampshire to be notified. Notification may be delayed if a law enforcement agency, or national or homeland security agency determines that the notification will impede a criminal investigation or jeopardize national or homeland security.  Notice, without unreasonable delay, to consumer reporting agencies is required for any breach requiring notification to more than 1,000 individuals.	brought for actual damages. If the court finds for the plaintiff, recovery shall be in the amount of actual damages.  If the breach is due to a willful or knowing violation, the court may award as much as three times, but not less than two times the actual damages.  In addition, if found guilty in such civil suit, must pay costs of the suit and reasonable attorney's fees, as determined by the court.	§§ 359-C:19, -C:20, -C:21
New Jersey	Notice of a breach is not required if the business or public entity establishes that misuse of the information is not reasonably possible. Any determination must be documented in writing and retained for five years.	First name or first initial and last name linked with any one or more of the following data elements: (1) Social security number; (2) Driver's license number or state ID card number; or (3) Account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to the person's financial	Unauthorized access to electronic files, media or data containing personal information that compromises the security, confidentiality or integrity of personal information when access to the personal information has not been secured by encryption or by any other method or technology that renders the personal	The notice shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.  Notification shall	Notice, without unreasonable delay, to consumer reporting agencies is required for any breach requiring notification to more than 1,000 persons.  Notice in advance of consumer disclosure to Division of State Police in the Department of Law and Public Safety.	It shall be an unlawful practice and a violation of N.J. Stat. § 56:8-1 <i>et seq.</i> to willfully, knowingly or recklessly violate sections §§ 56:8-161 - 164 of this amendatory and supplementary act.	N.J. Stat. §§ 56:8-161 - 163

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		<p>account.</p> <p>Dissociated data that, if linked, would constitute personal information is personal information if the means to link the dissociated data were accessed in connection with access to the dissociated data.</p>	<p>information unreadable or unusable.</p>	<p>be delayed if a law enforcement agency determines that the notification will impede a criminal or civil investigation and that agency has made a request that the notification be delayed. The notification shall be made after the law enforcement agency determines that its disclosure will not compromise the investigation and notifies that business or public entity.</p>			
New Mexico	NONE	NONE	NONE	NONE	NONE	NONE	NONE
New York	<p>In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, such business may consider the following factors, among others: (1) indications that the information is in the physical possession and control of an unauthorized person, such as a</p>	<p>"Personal Information" - any information concerning a natural person which, because of name, number, personal mark, or other identifier, can be used to identify such natural person.</p> <p>"Private Information" - personal information consisting of any information in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted,</p>	<p>Unauthorized acquisition or acquisition without valid authorization of computerized data that compromises the security, confidentiality, or integrity of personal information maintained by a business.</p>	<p>The notice shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system.</p> <p>Notification may be delayed if a law</p>	<p>Notice, without unreasonable delay, to consumer reporting agencies is required for any breach requiring notification to more than 5,000 individuals.</p> <p>In the event that any New York residents are to be notified, the person or business shall give notification to the attorney general, the consumer protection board, the Department of State and the Division of</p>	<p>Whenever the attorney general believes that there is a violation of this article he may bring an action to enjoin and restrain the continuation of such violation. In such action, preliminary relief may be granted under Art. 63 of the civil practice law and rules. In such action the court may award damages for actual costs or losses incurred by a person entitled to notice pursuant to this</p>	<p>N.Y. Gen. Bus. Law, § 899-aa</p>

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	lost or stolen computer or other device containing information; (2) indications that the information has been downloaded or copied; or (3) indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.	or encrypted with an encryption key that has also been acquired: (1) Social security number; (2) Driver's license number or non-driver ID card number; or (3) Account number, credit card number or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.		enforcement agency determines that such notification impedes a criminal investigation. The notification shall be made after such law enforcement agency determines that such notification does not compromise such investigation.	State Police as to the timing, content and distribution of the notice and the approximate number of affected persons.	article, if notification was not provided to such person pursuant to this article, including consequential financial losses.  Whenever the court shall determine in such action that a person or business violated this article knowingly or recklessly, the court may impose a civil penalty of the greater of \$5,000 or up to \$10 per instance of failed notification, provided that the latter amount shall not exceed \$150,000.	
North Carolina	Notice is not required if a breach does not result in illegal use of personal information, is not reasonably likely to result in illegal use, or there is no material risk of harm to a consumer.	First name or first initial and last name in combination with identifying information: (1) Social security number or employer taxpayer ID numbers; (2) Driver's license, state ID card, or passport numbers; (3) Checking account numbers; (4) Savings account numbers; (5) Credit card numbers; (6) Debit card numbers; (7) PIN numbers; (8) Electronic identification numbers, electronic mail names or addresses, Internet account numbers, or	Unauthorized access to and acquisition of unencrypted and unredacted records or data containing personal information 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.  *Note: "Records" means any material on which written, drawn, spoken, visual, or electromagnetic	The notice shall be made without unreasonable delay consistent with the legitimate needs of law enforcement and consistent with any measures necessary to determine sufficient contact information, determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.  Notice shall be delayed if a law	Notice, without unreasonable delay, to the Consumer Protection Division of the attorney general of the nature of the breach, the number of consumers affected, the steps taken to investigate, the steps taken to prevent similar future breach, information regarding the timing, distribution and content of the notice.  Notice, without unreasonable delay to all consumer reporting agencies is required	Violation is a violation of G.S. 75-1.1, but any damages assessed against a business because of acts or omissions of non-managerial employees shall not be trebled as provided in G.S. 75-16 unless the business was negligent in the training, supervision, or monitoring of those employees.  Private right of action may be brought if the individual was injured as a result of the	N.C. Gen. Stat. §§ 75-61, 75-65

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		<p>Internet identification names; (9) Digital signatures; (10) Any other numbers or information that can be used to access a person's financial resources; (11) Biometric data; (12) Fingerprints; (13) Passwords; or (14) Parent's legal surname prior to marriage.</p> <p>* Personal information shall not include electronic identification numbers, electronic mail names or addresses, Internet account numbers, Internet identification names, parent's legal surname prior to marriage, or a password unless this information would permit access to a person's financial account or resources.</p>	information is recorded or preserved, regardless of physical form or characteristics.	<p>enforcement agency informs the business that notification may impede a criminal investigation or jeopardize national or homeland security, provided that such request is made in writing or the business documents such request contemporaneously in writing, including the name of the law enforcement officer making the request and the officer's law enforcement agency engaged in the investigation.</p> <p>Notice shall be provided without unreasonable delay after the law enforcement agency communicates to the business its determination that notice will no longer impede the investigation or jeopardize national or homeland security.</p>	for any breach requiring notification to more than 1,000 individuals.	violation.	
North Dakota	NONE	First name or first initial and last name in combination with any of the following data	Unauthorized acquisition of computerized data when access to	The notice shall be made without unreasonable delay consistent with the	Notice, without unreasonable delay, to the attorney general is required for any	The attorney general can bring action under N.D. Cent. Code 51-15 and may seek all	N.D. Cent. Code § 51-30-01 <i>et seq.</i>

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		elements, when the name and data elements are not encrypted: (1) Social security number; (2) Operator's license number assigned to an individual by the department of transportation under section 39-06-14; (3) A nondriver color photo ID card number assigned by the department of transportation under section 39-06-03.1; (4) Individual's financial institution account number, credit card number or debit card number in combination with any required security code, access code, or password that would permit access to an individual's financial accounts; (5) Date of birth; (6) Mother's maiden name; (7) Medical information; (8) Health insurance information; (9) ID number assigned to the individual by the individual's employer in combination with any required security code, access code, or password; or (10) Electronic signature.	personal information has not been secured by encryption or by any other method or technology that renders the electronic files, media, or databases unreadable or unusable.	legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and to restore the integrity of the data system.  Notification may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation. The notification must be made after the law enforcement agency determines that the notification will not compromise the investigation.	breach requiring notification to more than 250 individuals.	remedies available thereunder.	
Ohio	If the definition of "breach" is not met, then notice is not	Individual's first name or first initial and last name with any of the following data elements when not	Unauthorized access to and acquisition of computerized data that compromises the	The notice shall be made in the most expedient time possible, but no	Notice of the timing, distribution and content of the disclosure given to the	The attorney general may bring action to recover a civil penalty of up to \$1,000 for	Ohio Rev. Code § 1349.19 <i>et seq.</i>

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	required.	encrypted or redacted or altered by any method or technology in such a manner that the data elements are unreadable: (1) Social security number; (2) Driver's license number or state ID card number; or (3) Account number or credit card number or debit card number in combination with and linked to any required security code, access code, or password that would permit access to an individual's financial account.	security or confidentiality of personal information owned or licensed by a person and that causes, is reasonably believed to have caused, or is reasonably believed will cause a material risk of identity theft or fraud.	later than 45 days after discovery or notification of the breach subject to the legitimate needs of law enforcement activities and consistent with any measures necessary to determine the scope of the breach, including which residents' personal information was accessed and acquired, and to restore the reasonable integrity of the data system.  Disclosure may be delayed if a law enforcement agency determines that the disclosure or notification will impede a criminal investigation or jeopardize homeland or national security, in which case, the person shall make the disclosure or notification after the law enforcement agency determines that disclosure or notification will not compromise the investigation or jeopardize homeland or	residents, without unreasonable delay, to consumer reporting agencies is required for any breach requiring notification to more than 1,000 individuals.	each day of intentional or reckless noncompliance with the statute, up to \$5,000 per day after 60 days, and up to \$10,000 per day after 90 days.	



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				national security.			
Oklahoma	If the definition of "breach" is not met, then notice is not required.	First name or first initial and last name in combination with and linked to any one or more of the following data elements that relate to a resident of this state, when the data elements are neither encrypted nor redacted: (1) Social security number; (2) Driver's license number or state ID card number issued in lieu of a driver's license; or (3) Financial account number, or credit card number or debit card number, in combination with any required security code, access code, or password that would permit access to the financial accounts of a resident.	Unauthorized access to and acquisition of unencrypted and unredacted computerized data that compromises the security or confidentiality of personal information maintained by an individual or entity as part of a database of personal information regarding multiple individuals and that causes, or the individual or entity reasonably believes has caused or will cause, identity theft or other fraud to any resident of this state.	The notice shall be made without unreasonable delay consistent with the needs of law enforcement and any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the system.  Notice may be delayed if a law enforcement agency determines and advises the individual or entity that the notice will impede a criminal or civil investigation or homeland or national security. Notice must be made without unreasonable delay after the law enforcement agency determines that notification will no longer impede the investigation or jeopardize national or homeland security.	NONE	A violation of this act that results in injury or loss to residents of this state may be enforced by the Attorney General or a district attorney in the same manner as an unlawful practice under the Oklahoma Consumer Protection Act.  The Attorney General or a district attorney shall have exclusive authority to bring action and may obtain either actual damages for a violation of this act or a civil penalty not to exceed \$150,000.00 per breach of the security of the system or series of breaches of a similar nature that are discovered in a single investigation.	Ok. Stat., Tit. 24, § 161 <i>et seq.</i>
Oregon	A person does not need to notify consumers of a breach of security if,	(A) A consumer's first name or first initial and last name in combination with any one or more of	Unauthorized acquisition of computerized data that materially	The notice shall be made in the most expeditious manner possible, without	Notice, without unreasonable delay, to consumer reporting agencies is required	In addition to all other penalties and enforcement provisions provided	Or. Rev. Stat. § 646A.600 <i>et seq.</i>

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	<p>after an appropriate investigation or after consultation with relevant federal, state or local law enforcement agencies, the person reasonably determines that the consumers whose personal information was subject to the breach of security are unlikely to suffer harm. The person must document the determination in writing and maintain the documentation for at least five years.</p>	<p>the following data elements, if encryption, redaction or other methods have not rendered the data elements unusable or if the data elements are encrypted and the encryption key has been acquired: (1) A consumer's social security number; (2) A consumer's driver's license number or state ID card number issued by the Department of Transportation; (3) A consumer's passport number or other ID number issued by the United States; (4) A consumer's financial account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to a consumer's financial account; (5) Data from automatic measurements of a consumer's physical characteristics, such as an image of a fingerprint, retina or iris, that are used to authenticate the consumer's identity in the course of a financial transaction or other transaction; (6) A consumer's health insurance policy number</p>	<p>compromises the security, confidentiality or integrity of personal information that a person maintains.</p>	<p>unreasonable delay, consistent with the legitimate needs of law enforcement and consistent with any measures that are necessary to determine sufficient contact information for the affected consumer, determine the scope of the breach of security and restore the reasonable integrity, security and confidentiality of the personal information.</p> <p>A person that owns or licenses personal information may delay notifying a consumer of a breach of security only if a law enforcement agency determines that a notification will impede a criminal investigation and if the law enforcement agency requests in writing that the person delay the notification.</p>	<p>for any breach requiring notification to more than 1,000 consumers.</p> <p>Notice in the most expeditious manner possible, either written or electronically, to the Attorney General if the number of consumers to whom the person must send notice exceeds 250.</p>	<p>by law, any person who violates or who procures, aids or abets in the violation of this statute shall be subject to a penalty of not more than \$1,000 for every violation, which shall be paid to the General Fund of the State Treasury.</p> <p>Every violation is a separate offense and, in the case of a continuing violation, each day's continuance is a separate violation, but the maximum penalty for any occurrence shall not exceed \$500,000.</p> <p>Civil penalties under this section shall be imposed as provided in Or. Rev. Stat. § 183.745.</p> <p>A person's violation of a provision of this statute is an unlawful practice under Or. Rev. Stat. § 646.607 [Unlawful Trade Practice]. The rights and remedies under this section are cumulative and are in addition to any other rights and remedies that are available under law.</p>	

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		<p>or health insurance subscriber identification number in combination with any other unique identifier that a health insurer uses to identify the consumer; or (7) Any information about a consumer's medical history or mental or physical condition or about a health care professional's medical diagnosis or treatment of the consumer.</p> <p>OR</p> <p>(B) Any of the data elements described in (A) without the consumer's first name or first initial and last name if: (1) Encryption, redaction or other methods have not rendered the data element or combination of data elements unusable; and (2) The data element or combination of data elements would enable a person to commit identity theft against a consumer.</p>					
Pennsylvania	If the definition of "breach" is not met, then notice is not required.	First name or first initial and last name in combination with and linked to any one or more of the following data elements when the data elements are not encrypted or redacted:	Unauthorized access and acquisition of computerized data that materially compromises the security or confidentiality of personal information	Notice shall be made without unreasonable delay consistent with the legitimate needs of law enforcement and any measures necessary to	Notice, without unreasonable delay, to consumer reporting agencies is required for any breach requiring notification to more than 1,000	A violation of this act shall be deemed to be an unfair or deceptive act or practice in violation of the act of 73 Pa. Stat. § 201-1 <i>et seq.</i> known as the Unfair Trade Practices	73 Pa. Stat. §§ 2301-2308

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		(1) Social security number; (2) Driver's license number or state ID card number issued in lieu of a driver's license; or (3) Financial account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.	maintained by the entity as part of a database of personal information regarding multiple individuals and that causes or the entity reasonably believes has caused or will cause loss or injury to a Pennsylvania resident.	determine the scope of the breach and to restore the reasonable integrity of the data system.  Notification may be delayed if a law enforcement agency determines and advises the entity in writing specifically referencing this section that the notification will impede a criminal or civil investigation.  Notification shall be made after the law enforcement agency determines that it will not compromise the investigation or national or homeland security.	individuals.	and Consumer Protection Law.  The Office of Attorney General shall have exclusive authority to bring an action under the Unfair Trade Practices and Consumer Protection Law for a violation of this act.	
Rhode Island	Notification of a breach is not required if, after an appropriate investigation or after consultation with relevant federal, state, or local law enforcement agencies, a determination is made that the breach has not and will not likely result in a significant risk of identity theft to the	First name or first initial and last name in combination with any one or more of the following data elements when either the name or the data elements are not encrypted: (1) Social security number; (2) Driver's license number or Rhode Island ID card number; (3) Account number, credit card number or debit card number, in combination with any	Unauthorized acquisition of unencrypted computerized data that compromises the security, confidentiality, or integrity of personal information maintained by the state agency or person.	Disclosure must be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity	NONE	Each violation of this chapter is a civil violation for which a penalty of not more than one hundred dollars (\$100) per occurrence and not more than twenty-five thousand dollars (\$25,000) may be adjudged against a defendant.	R.I. Gen'l Law, tit. 11-49.2-1  *Amended by S. B. S0134, effective June 2016.

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	individuals whose personal information has been acquired.	required security code, access code or password that would permit access to an individual's financial account.		of the data system.  The notification required by this section may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation. The notification required by this section shall be made after the law enforcement agency determines that it will not compromise the investigation.			
South Carolina	Notice is required if there is reasonable belief that illegal use of the personal information has occurred or is reasonably likely to occur or use of the information creates a material risk of harm to any South Carolina resident.	First name or first initial and last name in combination with one or more of the following data elements, when the data elements are neither encrypted nor redacted: (1) Social security number; (2) Driver's license number or state ID card number issued in lieu of a driver's license; (3) Financial account number, or credit card number or debit card number in combination with any required security code, access code, or password that would permit access to a resident's financial account; or (4) Other numbers or information	Unauthorized access to and acquisition of computerized data that was not rendered unusable through encryption, redaction, or other methods that compromises the security, confidentiality, or integrity of personal identifying information maintained by the person, when illegal use of the information has occurred or is reasonably likely to occur or use of the information creates a material risk of harm to a resident.	The notice shall be made without unreasonable delay consistent with the legitimate needs of law enforcement or with measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.  Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. The notification must be made after the law enforcement agency	Notice, without unreasonable delay to the Consumer Protection Division of the Department of Consumer Affairs and all consumer reporting agencies is required for any breach requiring notification to more than 1,000 individuals at one time.	A person who knowingly and willfully violates this section is subject to an administrative fine in the amount of \$1,000 for each resident whose information was accessible by reason of the breach, the amount to be decided by the Department of Consumer Affairs.  A resident of South Carolina who is injured by a violation, in addition to and cumulative of all other rights and remedies available at law, may: (1) institute a civil action to recover	S.C. Code Ann. § 39-1-90

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		which may be used to access a person's financial accounts or numbers or information issued by a governmental or regulatory entity that uniquely will identify an individual.		determines that it no longer compromises the investigation		damages in case of a willful and knowing violation; (2) institute a civil action that must be limited to actual damages resulting from a violation in case of a negligent violation of this section; (3) seek an injunction to enforce compliance; and (4) recover attorney's fees and court costs, if successful.	
South Dakota	NONE	NONE	NONE	NONE	NONE	NONE	NONE
Tennessee	If the definition of "breach" is not met, then notice is not required.	First name or first initial and last name in combination with any one or more of the following data elements when either the name or the data elements are not encrypted: (1) Social security number; (2) Driver's license number or state ID card number; or (3) Account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.	Unauthorized acquisition of unencrypted computerized data that materially compromises the security, confidentiality, or integrity of personal information maintained by the information holder.	The disclosure shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.  The notification may be delayed, if a law enforcement agency determines that the notification will impede a criminal investigation. The notification shall be made after the law	Notice, without unreasonable delay, to consumer reporting agencies and credit bureaus is required for any breach requiring notification to more than 1,000 individuals.	A violation constitutes a violation of the Tennessee Consumer Protection Act. For the purpose of application of the Tennessee Consumer Protection Act, any violation shall be construed to constitute an unfair or deceptive act or practice affecting trade or commerce and subject to the penalties and remedies as provided in that act, in addition to the penalties and remedies set forth in this part.	Tenn. Code, §§ 47-18-2101 - 47-18-2107

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				enforcement agency determines that it will not compromise the investigation.			
Texas	NONE	<p>"Personal Information" - information that alone or in conjunction with other information identifies an individual, including:</p> <p>(1) Name, social security number, data of birth, or government ID number;</p> <p>(2) Mother's maiden name;</p> <p>(3) Unique biometric data;</p> <p>(4) Unique electronic ID number, address, or routing code; and</p> <p>(5) Telecommunication access device;</p> <p>"Sensitive Information" -</p> <p>(A) First name or first initial and last name in combination with any one or more of the following, if not encrypted: (1) Social security number;</p> <p>(2) Driver's license number or ID number; or</p> <p>(3) Account number or credit card number or debit card number with any security code, access code, or password that would permit access to an individual's financial account;</p> <p>or</p> <p>(B) information that</p>	<p>Unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of sensitive personal information maintained by a person, including data that is encrypted if the person accessing the data has the key required to decrypt the data.</p> <p>Good faith acquisition of sensitive personal information by an employee or agent of the person for the purposes of the person is not a breach of system security unless the person uses or discloses the sensitive personal information in an unauthorized manner.</p>	<p>Disclosure shall be made as quickly as possible, except as provided as set forth below or as necessary to determine the scope of the breach and restore the reasonable integrity of the data system.</p> <p>A person may delay providing notice at the request of a law enforcement agency that determines that the notification will impede a criminal investigation. The notification shall be made as soon as the law enforcement agency determines that the notification will not compromise the investigation.</p>	<p>Notice, without unreasonable delay, to consumer reporting agencies is required for any breach requiring notification to more than 10,000 individuals at one time.</p>	<p>Civil penalty of at least \$2,000 but not more than \$50,000 for each violation by the attorney general.</p> <p>In addition, a person who fails to take reasonable action to comply is liable for a civil penalty of not more than \$100 for each individual to whom notification is due for each day that the person fails to take reasonable action to comply with that subsection. Civil penalties may not exceed \$250,000 for all individuals to whom notification is due after a single breach.</p>	<p>Tex. Bus. &amp; Com. Code §§ 521.002, 521.053</p>

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		identifies an individual and relates to: (1) Physical or mental health or condition; (2) Provision of health care to the individual; or (3) Payment for the provision of health care to the individual.					
Utah	Notification is not required if after a reasonable and prompt investigation it is determined that misuse of personal information for identity theft or fraud purposes has not occurred, or is not reasonably likely to occur.	First name or first initial and last name, combined with any one or more of the following data elements when either the name or date element is unencrypted or not protected by another method that renders the data unreadable or unusable: (1) Social security number; (2)(a) Financial account number, or credit card number or debit card number; and (b) Any required security code, access code, or password that would permit access to the person's account; or (3) Driver's license number or state ID card number.	Unauthorized acquisition of computerized data maintained by a person that compromises the security, confidentiality, or integrity of personal information.	A person required to provide notification shall provide the notification in the most expedient time possible without unreasonable delay: (1) considering legitimate investigative needs of law enforcement; (2) after determining the scope of the breach of system security; and (3) after restoring the reasonable integrity of the system.  A person may delay providing notification at the request of a law enforcement agency that determines that notification may impede a criminal investigation. A person who delays providing notification at the request of law	NONE	Civil fine of: (1) no greater than \$2,500 for a violation or series of violations concerning a specific consumer; and (2) no greater than \$100,000 in the aggregate for related violations concerning more than one consumer.	Utah Code §§ 13-44-101 <i>et seq.</i>



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				enforcement shall provide notification in good faith without unreasonable delay in the most expedient time possible after the law enforcement agency informs the person that notification will no longer impede the criminal investigation.			
Vermont	<p>Notice of a security breach is not required if misuse of Personal Information is not reasonably possible. Must provide notice of the determination that the misuse of the Personal Information is not reasonably possible and a detailed explanation for said determination must be sent to the attorney general or to any other applicable industry-specific regulatory body.</p> <p>In determining whether personally identifiable information has been acquired or is reasonably believed</p>	<p>First name or first initial and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted or redacted or protected by another method that renders them unreadable or unusable by unauthorized persons: (1) Social security number; (2) Motor vehicle operator's license number or ID card; (3) Financial account number or credit card number or debit card number, if circumstances exist in which the number could be used without additional identifying information, access codes, or passwords; (4) Account passwords or personal ID numbers or other access</p>	<p>Unauthorized acquisition of electronic data or a reasonable belief of an unauthorized acquisition of electronic data that compromises the security, confidentiality, or integrity of a consumer's personally identifiable information maintained by the data collector.</p>	<p>Notice of the security breach shall be made in the most expedient time possible and without unreasonable delay, but not later than 45 days after the discovery or notification, consistent with the legitimate needs of the law enforcement agency or with any measures necessary to determine the scope of the security breach and restore the reasonable integrity, security, and confidentiality of the data system.</p>	<p>Notification to the attorney general within 14 business days of discovery of the breach, consistent with the legitimate needs of the law enforcement agency or when the data collector provides notice to consumers pursuant to this section, whichever is sooner.</p> <p>If the date of the breach is unknown at the time notice is sent to the Attorney General or to the Department, the data collector shall send the Attorney General or the Department the date of the breach as soon as it is known.</p> <p>Unless otherwise ordered by a court of</p>	<p>The attorney general and state's attorney shall have sole and full authority to investigate potential violations and to enforce, prosecute, obtain, and impose remedies for a violation.</p> <p>The attorney general may refer the matter to the state's attorney in an appropriate case.</p>	<p>9 V.S.A. §§ 2430, 2435</p>

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	<p>to have been acquired by a person without valid authorization, a data collector may consider the following factors, among others: (1) indications that the information is in the physical possession and control of a person without valid authorization, such as a lost or stolen computer or other device containing information; (2) indications that the information has been downloaded or copied; (3) indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; or (4) that the information has been made public.</p> <p>If the data collector later gathers facts to indicate that the misuse of personal information is reasonably possible, notice is required.</p>	codes for a financial account.			<p>this State for good cause shown, a notice provided under subdivision (3)(B) shall not be disclosed to any person other than the Department, the authorized agent or representative of the Attorney General, a state's attorney, or another law enforcement officer engaged in legitimate law enforcement activities without the consent of the data collector.</p> <p>Notice, without unreasonable delay, to all consumer reporting agencies is required for any breach requiring notification to more than 1,000 individuals.</p> <p>A data collector who, prior to the date of the breach, on a form and in a manner prescribed by the attorney general, had sworn in writing to the attorney general that it maintains written policies and procedures to maintain the security of personally identifiable information and respond to a breach in</p>		

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					a manner consistent with Vermont law shall notify the attorney general of the date of the security breach and the date of discovery of the breach and shall provide a description of the breach prior to providing notice of the breach to consumers.		
Virginia	Notice is required if there is a reasonable belief that breach has caused or will cause identity theft or other fraud to any Virginia resident.	First name or first initial and last name in combination with and linked to any one or more of the following data elements, when the data elements are neither encrypted nor redacted: (1) Social security number; (2) Driver's license number or state ID card number issued in lieu of a driver's license number; or (3) Financial account number, or credit card number or debit card number, in combination with any required security code, access code, or password that would permit access to a resident's financial accounts.	Unauthorized access and acquisition of unencrypted and unredacted computerized data that compromises the security or confidentiality of personal information maintained by an individual or entity as part of a database of personal information regarding multiple individuals and that causes, or the individual or entity reasonably believes has caused, or will cause, identity theft or other fraud to any resident.	<p>Notice, without unreasonable delay, to any affected resident of Virginia.</p> <p>Notice may be reasonably delayed to allow the individual or entity to determine the scope of the breach of the security of the system and restore the reasonable integrity of the system.</p> <p>Notice may be delayed if, after the individual or entity notifies a law-enforcement agency, the law-enforcement agency determines and advises the individual or entity that the notice will impede a criminal or civil investigation, or homeland or</p>	<p>Notice, without unreasonable delay, to the attorney general if any Virginia residents must be notified.</p> <p>Notice may be reasonably delayed to allow the individual or entity to determine the scope of the breach of the security of the system and restore the reasonable integrity of the system.</p> <p>Notice may be delayed if, after the individual or entity notifies a law-enforcement agency, the law-enforcement agency determines and advises the individual or entity that the notice will impede a criminal or civil investigation, or homeland or national security.</p> <p>Notice shall be made without unreasonable</p>	Civil penalty not to exceed \$150,000 per breach of the security of the system or a series of breaches of a similar nature that are discovered in a single investigation.	Va. Code § 18.2-186.6

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				<p>national security.</p> <p>Notice shall be made without unreasonable delay after the law-enforcement agency determines that the notification will no longer impede the investigation or jeopardize national or homeland security.</p>	<p>delay after the law-enforcement agency determines that the notification will no longer impede the investigation or jeopardize national or homeland security.</p> <p>Notice to the attorney general and consumer reporting agencies is required for any breach requiring notification to more than 1,000 individuals.</p>		
Washington	Notice is not required if the breach is not reasonably likely to subject consumers to a risk of harm.	First name or first initial and last name in combination with any one or more of the following data elements: (1) Social security number; (2) Driver's license number or Washington ID card number; or (3) Account number or credit card number or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.	Unauthorized acquisition of data that compromises the security, confidentiality, or integrity of personal information maintained by the agency.	<p>The notice shall be made without unreasonable delay but no more than 45 calendar days after the breach was discovered, unless at the request of law enforcement or due to any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system.</p> <p>Notification may be delayed if the data owner or licensee contacts a law enforcement agency after discovery of a breach of the security of the system and a law enforcement agency</p>	If more than 500 residents are notified at one time, must, by the time notice is provided to affected consumers, electronically submit a single sample copy of the security breach notification, excluding any personally identifiable information, as well as the number of consumers affected to the attorney general without unreasonable delay, but in no case more than 45 days after discovery of breach.	A violation is an unfair or deceptive act in trade or commerce and an unfair method of competition for purposes of applying the consumer protection act, Wash. Rev. Code 19.86.	Wash. Rev. Code § 19.255.010 <i>et seq.</i>

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				determines that the notification will impede a criminal investigation. Notification shall be made after the law enforcement agency determines that it will not compromise the investigation.			
West Virginia	Notice is required if there is a reasonable belief that unauthorized access or acquisition has caused or will cause identity theft or other fraud to any West Virginia resident.	First name or first initial and last name linked to any one or more of the following data elements when the data elements are neither encrypted nor redacted: (1) Social security number; (2) Driver's license number or state ID card number in lieu of a driver's license; or (3) Financial account number, or credit card number or debit card number in combination with any required security code, access code or password that would permit access to a resident's financial accounts.	Unauthorized access and acquisition of unencrypted and unredacted computerized data that compromises the security or confidentiality of personal information maintained by an individual or entity as part of a database of personal information regarding multiple individuals and that causes the individual or entity to reasonably believe that the breach of security has caused or will cause identity theft or other fraud.	Except as provided below or in order to take any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the system, the notice shall be made without unreasonable delay.  Notice may be delayed if a law-enforcement agency determines and advises the individual or entity that the notice will impede a criminal or civil investigation or homeland or national security.  Notice must be made without unreasonable delay after the law-enforcement agency determines that notification will no	Notice, without unreasonable delay, to consumer reporting agencies is required for any breach requiring notification to more than 1,000 individuals.	Failure to comply with the notice provisions constitutes an unfair or deceptive act of practice in violation of W.V. Code § 46-6-104, which may be enforced by the attorney general.  The attorney general shall have exclusive authority to bring action. No civil penalty may be assessed in an action unless the court finds that the defendant has engaged in a course of repeated and willful violations of this article.  No civil penalty shall exceed \$150,000 per breach of security of the system or series of breaches of a similar nature that are discovered in a single investigation.	W.V. Code § 46A-2A-101 <i>et seq.</i>

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				longer impede the investigation or jeopardize national or homeland security.			
Wisconsin	Notice is not required if the acquisition of personal information does not create a material risk of identity theft or fraud to any affected person.	Individual's last name and the individual's first name or first initial, in combination with and linked to any of the following elements, if the element is not publicly available information and is not encrypted, redacted or altered in a manner that renders the element unreadable: (1) Social security number; (2) Driver's license number or state ID number issued in lieu of a driver's license; (3) The individual's financial account number, including a credit card number or debit card account number, or any security code, access code, or password that would permit access to the individual's financial account; (4) The individual's deoxyribonucleic acid profile, as defined in s. 939.74(2d)(a); or (5) Individual's unique biometric data, including fingerprint, voice print, retina or iris image, or any other unique	(1) If an entity whose principal place of business is located in this state or an entity that maintains or licenses personal information in this state knows that personal information in the entity's possession has been acquired by a person whom the entity has not authorized to acquire the personal information, the entity shall make reasonable efforts to notify each subject of the personal information.  (2) If an entity whose principal place of business is not located in this state knows that personal information pertaining to a resident of this state has been acquired by a person whom the entity has not authorized to acquire the personal information, the entity shall make reasonable efforts to	The notice shall be made without unreasonable delay but no later than 45 days after breach. A determination as to reasonableness shall include consideration of the number of notices that an entity must provide and the methods of communication available to the entity.  A law enforcement agency may, in order to protect an investigation or homeland security, ask an entity not to provide a notice that is otherwise required for any period of time and the notification process required shall begin at the end of that time period. If an entity receives such a request, the entity may not provide notice of or publicize an unauthorized	Notice, without unreasonable delay, to consumer reporting agencies is required for any breach requiring notification to 1,000 or more individuals.	Civil claims may be brought for violations. Failure to comply is not negligence or a breach of any duty, but may be evidence of negligence or a breach of a legal duty.	Wis. Stat. § 134.98

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		physical representation.	notify each resident of this state who is the subject of the personal information.	acquisition of personal information, except as authorized by the law enforcement agency that made the request.			
Wyoming	<p>If the definition of "breach" is not met, then notice is not required.</p> <p>Residents must be notified of a breach of the security system when, after a good faith, reasonable and prompt investigation, the individual or commercial entity determines that the misuse of personally identifying information about the residents has occurred or is reasonably likely to occur.</p>	<p>First name or first initial and last name of a person in combination with one or more of the data elements: (1) Social security number; (2) Driver's license number; (3) Account number, credit card number or debit card number in combination with any security code, access code or password that would allow access to a financial account of the person; (4) Tribal ID; (5) Federal or state government issued ID; (6) Shared secrets or security tokens that are known to be used for data based authentication; (7) Username or email address, in combination with a password or security question and answer that would permit access to an online account; (8) Birth or marriage certificate; (9) Medical information, meaning a person's medical history, mental or physical condition; (10) Health insurance</p>	<p>Unauthorized acquisition of computerized data that materially compromises the security, confidentiality or integrity of personal information maintained by a person or business and causes or is reasonably believed to cause loss or injury to a resident of Wyoming.</p>	<p>Notice shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement and consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the computerized data system.</p> <p>The notification required may be delayed if a law enforcement agency determines in writing that the notification may seriously impede a criminal investigation.</p>	NONE	<p>The attorney general may bring an action in law or equity to address any violation and for other relief that may be appropriate to ensure proper compliance with this section, to recover damages, or both. The provisions of this section are not exclusive and do not relieve an individual or a commercial entity subject to this section from compliance with all other applicable provisions of law.</p>	Wyo. Stat. § 40-12-501 <i>et seq.</i>

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		information; (11) Unique biometric data; (12) Individual Taxpayer Identification Number.					

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