

STATE DATA SECURITY / BREACH NOTIFICATION LAWS (As of December 2011)

State	Legislative Reference	Statute	Description	Effective Date	Definition of Personal Information (PI)	Definition of Covered Entity	Key Provisions	GLBA Exception
Alabama	N/A	N/A	No data security/breach notification law.	N/A	N/A	N/A	N/A	N/A
Alaska	HB 65	Alaska Stat. §45.48.010	Relating to breaches of security involving personal information ("PI").	7/1/09	Similar to AZ. Excludes info that is encrypted or redacted and the encryption key has not been accessed or acquired. Includes passwords, personal ID #s, or other access codes for financial accts.	Any person doing business, governmental entity, or person with 10 or more employees that owns, licenses, or maintains PI of residents of AK.	Disclosure not required if it is determined that there is no reasonable likelihood that harm has resulted or will result from the breach. Must notify the AG regardless of type of breach. The determination must be documented in writing and maintained for five years. Allows substitute notice if affect more than 300,000 people, or costs more than \$150,000. Consumer Reporting Agencies (CRA) notified if 1,000+ people to receive notice.	Yes.
							www.legis.state.ak.us/basis/folioiproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/statx09/query=fJUMP:%27AS4548010%27/doc/1@1?firsthit	
Arizona	SB 1338	Ariz. Rev. Stat. §44-7501	Requires businesses to provide consumer notification of data breaches.	12/31/06	First name or initial and last name in combination with any one of the following: SSN, driver's license or state ID card #, financial account #, credit or debit card # in combination with any required security or access code that would permit access to an individual's financial account. Excludes data that is redacted or secured by other methods rendering data unreadable or unusable from notification obligations.	Any person that conducts business in AZ and owns or licenses computerized data that includes PI or maintains such data.	Notice required if after reasonable investigation, determine that security has been breached. This statute is to be repealed one year after the effective date of any federal personal data privacy and security act. To date, this condition had not been met.	Yes
							www.azleg.state.az.us/FormatDocument.asp?inDoc=ars/44/07501.htm&Title=44&DocType=ARS	
Arkansas	SB 1167	Ark. Code Ann. §§4-110-101 to 108	Encourage those that acquire, own, or license PI to provide reasonable security for the info.	3/31/05	Same as AZ, but also includes medical information.	Any person or business that acquires, owns or licenses computerized data that includes PI or maintains such data.	Includes data destruction and security procedure requirements. Only allows action by AG.	No, but provides exception
							www.arkleg.state.ar.us/SearchCenter/pages/arkansascode.aspx	
California	AB 700 SB 1386, <u>amended by SB 24</u>	Cal. Civ. Code §§1798.29 (agency) and 82 (person or business)	Protect against unauthorized access of computerized data compromising the security, integrity, or confidentiality of PI.	7/1/2003, <u>1/1/12</u>	When not encrypted, a person's first name or initial and last name combined with: SSN; driver's license or state ID #; acct #, credit or debit card #, combined with any info that allows access to acct; or medical info and health insurance info.	Any person or business that conducts business in CA and owns, licenses, or maintains computerized data including PI. Any agency that owns, licenses or maintains computerized data including PI.	Requires notification if determine PI has been or will be misused. Notification may be delayed if it will impede law enforcement investigation. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. <u>If required to notify over 500 individuals, then a copy of the notification must be sent to the CA AG. HIPAA exemption provided.</u>	None.
							www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=01001-02000&file=1798.80-1798.84	
	AB 2886	Cal. Penal Code §§530.5 and 530.55	Increases penalties for identity theft crimes.	1/1/07	Name; address; phone, health insurance, taxpayer id, or school identification #; state or federal driver's license, or id #; SSN; place of employment; employee id, professional or occupational #; mother's maiden name; bank acct #; PIN or password; alien registration or government passport #; DOB; unique biometric data; unique electronic data; address or routing code; telecommunication id info or access device; info contained in birth or death certificate; CC# of an individual person; or an equivalent form of ID.	N/A	Increases penalties for repeat ID theft and those who possess the PI of more than 10 people for the purposes of trafficking in stolen IDs. Those who traffic in multiple ID profiles for the purpose can be charged with a felony. Increases fines and prison sentences that could be imposed on those who are convicted. Makes mail theft a misdemeanor at the state level, in addition to the federal laws that apply to mail theft.	None.
							www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=528-539	
Colorado	HB 1119	Col. Rev. Stat. §6-1-716	Requires businesses to provide consumer notification of data breaches.	9/1/06	Limited to Colorado residents and applies to first name or first initial and last name in combination with any one or more of the following: SSN; driver's license # or ID card #; acct or credit or debit card #, in combination w/ any required security code, access code, or password that would permit access to resident's financial acct when not encrypted, redacted, or secured by any other method rendering the name or the element unreadable or unusable.	Any individual or commercial entity that conducts business in CO and owns or licenses computerized data that includes PI or maintains such data.	CRA notified if 1,000+ people to receive notice. Notification may be delayed if notification will impede law enforcement investigation. Action may be brought by AG.	Yes
							www.michie.com/colorado/pext.dll?f=templates&fn=main-h.htm&cp=	
Connecticut	S.B. 650	Conn. Gen. Stat. §36a-701b (Public Act No. 05-14)	A business must disclose security breach involving PI to affected consumers, without unreasonable delay.	1/1/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.	Any person that conducts business in CT and owns or licenses computerized data that includes PI or maintains such data.	Notification may be delayed if it will impede law enforcement investigation. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Only AG may act. Notice not required if after appropriate investigation and consultation with law enforcement, reasonably determine that breach will not likely result in harm.	Yes
							www.cga.ct.gov/2009/pub/chap669.htm#Sec36a-701b.htm	

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	HB 5658	Conn. Gen. Stat §42-471 (Public Act No. 08-167)	Protects against intentional failure to safeguard PI.	10/1/08	Info capable of being associated with a particular individual through one or more identifiers	Any person in possession of PI of another.	Requires: protection of data, computer files and docs with PI from misuse by third parties; and destruction, erasure or rendering unreadable such data, computer files and docs prior to disposal. It is not a violation if disclosure was unintentional.	N/A
							www.cga.ct.gov/2009/pub/chap743dd.htm#Sec42-471.htm	
Delaware	HB 116	Del. Code Ann. tit. 6, §§12B-101 to 104	Protects PI by encouraging data brokers to provide reasonable security for PI.	6/28/05	Limited to DE residents' info. Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any individual or commercial entity that conducts business in DE and owns or licenses computerized data that includes PI or maintains such data.	Notification may be delayed if it impedes law enforcement investigation. Allows substitute notice if affect more than 100,000 people, or would cost more than \$75,000. Action may be brought by AG. Notice only required if, after a good faith reasonable investigation, it is determined that the misuse of info has occurred or is reasonably likely to occur	No, but provides exception
							delcode.delaware.gov/title6/c012b/index.shtml	
Florida	HB 481	Fla. Stat. ch. 817.5681	Businesses maintaining computerized data including PI must provide notice of security system breach in certain circumstances	7/1/05	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.	Any person that conducts business in FL and owns or licenses computerized data that includes PI or maintains such data.	Requires different notification time periods based on data ownership. CRA notified if 1,000+ people to receive notice. Notification may be delayed if it impedes law enforcement investigation. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000 or if the person does not have sufficient contact info. Notification not required under certain circumstances.	No, but provides exception
							www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0817/SEC5681.HTM&Title=-%3E2005-%3ECh0817-%3ESection%205681#0817.5682	
Georgia	SB 230	Ga. Code Ann. §§10-1-910 to 915	Requires expeditious notification of unauthorized acquisition and possible misuse of PI.	5/5/05	An individual's first name or initial and last name with any one, or more, of the following: SSN; driver's license # or state ID card #; or acct. credit or debit card #, if such a # could be used w/out more identifying info, access codes, or passwords; acct passwords, PINs or other codes; or, any of the previous items when not in connection w/ the individual's first name or initial and last name, if the info compromised would be sufficient to perform or attempt to perform ID theft. Doesn't include publicly available info that is lawfully made available to the general public from federal, state or local government records.	Applies to info Brokers that own or license computerized data that includes PI or a person or business who maintains such data on behalf of Info Broker.	No penalties specified for noncompliance. Includes a "security freeze" by which consumers may freeze credit report. Allows substitute notice if affect more than 100,000 people, or would cost more than \$50,000. CRA notified if 1,000+ people to receive notice.	No
							www.lexis-nexis.com/hottopics/gacode/	
Hawaii	SB 2290	Haw. Rev. Stat. § 487N-1 to 487N-7	Alleviate identity theft by requiring businesses to notify an individual, whenever the individual's PI has been compromised by unauthorized disclosure	HRS § 487N-1, 5-7, eff. 7/1/08; §487N-2 eff. 4/17/08; §487N-3, 4 eff. 1/1/07	Same as AZ.	Any business that owns or licenses PI of HI residents or conducts business in HI and owns or licenses computerized data that includes PI or maintains such data.	Notice must include description of the security breach. Notice may be delayed if it will impede law enforcement investigation or jeopardize national security. Allows substitute notice if affect more than 200,000 people, or would cost more than \$100,000. CRA notified if 1,000+ people to receive notice.	No, but provides exception
							www.capitol.hawaii.gov/hrscurrent/Vol11_Ch0476-0490/HRS0487N/	
Idaho	SB 1374	Idaho Code §§28-51-104 to 107	To provide for disclosure of breach of security of computerized PI by an agency, individual or a commercial entity.	7/1/06	Limited to Idaho residents' info. Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.	Any agency, individual, or commercial entity that conducts business in ID and owns or licenses computerized data that includes PI or maintains such data of PI of residents of ID.	Allows substitute notice if affect more than 50,000 people, or would cost more than \$25,000. Requires notification of breach if data of resident whose PI was or reasonably believed to have been acquired. Notification may be delayed if notification will impede law enforcement investigation.	No, but provides exception
							legislature.idaho.gov/idstat/Title28/T28CH51.htm	
	HB 566	Idaho Code §§28-51-105	Requires notification of state attorney general of data breach.	7/1/10	N/A	Same.	When an agency becomes aware of a security breach, it shall notify the Idaho attorney general within 24 hours of such discovery.	N/A
							legislature.idaho.gov/legislation/2010/H0566.pdf	
Illinois	HB 1633, amended by HB 3025	815 Ill. Comp. Stat. §§530/1 to 530/30	Data collector must provide notification of security breach after discovery, even if data has not been accessed by unauthorized person.	1/1/2006, 1/1/12	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	All data collectors that own, license, or store PI or maintains computerized data that includes PI.	Violation constitutes unlawful practice under Consumer Fraud and Deceptive Business Practices Act. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. State agency must notify CRA if more than 1,000 people are to receive notice. <u>Requires that specific info must be provided in a disclosure notification to a State resident. Allows delay to prevent interference with criminal investigation. PI must be disposed in a manner that renders the info undecipherable.</u>	No

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	www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2702&ChapAct=815%26nbsp%3BILCS%26nbsp%3B530%2F&ChapterID=67&ChapterName=BUSINESS+TRANSACTIONS&ActName=Personal+information+Protection+Act%2E							
Indiana	HB 1101	Ind. Code §24-4.9	Requires disclosure of data breach if data base owner knows, should know, or should have known the breach resulted in or could result in ID deception, etc.	7/1/06, revisions effective 7/1/09	Applies to Indiana residents only. Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Data base owner, which is a person that owns or licenses computerized data that includes PI. Person includes individual, corp., or any other legal entity. "Doing business in Indiana" is defined as "owning or using" the PI of an IN resident for commercial purposes.	CRA notified if 1,000+ people to receive notice. Doesn't include unauthorized access to portable device if undisclosed password protected. Allows sub notice on website and by statewide news media if affect more than 500,00 people, or would cost more than \$250,000. Action may be brought by AG.	Yes
	HB 1197	Ind. Code §24-4.9-2-2	N/A	7/1/08	N/A	N/A	Revised def. of security breach so that breach occurs if encryption key has been compromised.	N/A
	HB 1121	Ind. Code §24-5-26 et seq.	Provide protection to consumers affected by ID theft	7/1/09	N/A	N/A	Person may not deny credit to someone that has been the victim of ID theft.	
	www.in.gov/legislative/ic/code/title24/ar4_9/							
	www.in.gov/legislative/ic/code/title24/ar4_9/ch2.html							
	www.in.gov/legislative/ic/code/title24/ar5/ch26.html							
Iowa	SF 2308	Iowa Code §§715C.1 et seq.	A bill for an act relating to ID theft by providing for the notification of a security breach of PI; requesting the establishment of an interim study committee relating to disclosure of PI; and providing penalties.	7/1/08	First name or initial and last name with any of the following if any of the data elements are not encrypted, redacted, or otherwise altered in such a manner that the elements are unreadable: SSN; driver's license # or other unique ID #; financial acct, CC, or debit card # with any required code or password; unique electronic identifier or routing code, with any required code or password; unique biometric data.	Any person who owns, licenses or maintains computerized data that includes a consumer's PI that is used in the course of the person's business, vocation, occupation, or volunteer activities.	Does not exempt PI that is encrypted or redacted from the types of computerized data requiring notice, though PI does not include such data. Notice not required if after investigation, determine that no reasonable likelihood of financial harm to consumers whose PI has been acquired has resulted or will result from the breach.	Yes.
	coolice.legis.state.ia.us/Cool-ICE/default.asp?category=billinfo&service=iowaCode&ga=83-715C.1							
Kansas	SB 196	Kan. St. Ann. §50-7a01 to 4	Requires businesses to provide consumer notification of data breaches.	7/1/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person that conducts business in KS and owns or licenses computerized data that includes PI or maintains such data.	Notice required if determine that security breach has occurred or is likely to occur after reasonable investigation. CRA notified if 1,000+ people to receive notice. Substitute notice allowed if demonstrate that cost of providing notice would be \$100,000+ or affected class notified would be 5,000+. Notification may be delayed if notification will impede law enforcement investigation. Action may be brought by AG.	No, but provides exception
	www.kslegislature.org/legsrv-statutes/statutes_list.do							
Kentucky	N/A	N/A	No data security/breach notification law.	N/A	N/A	N/A	N/A	N/A
Louisiana	SB 205	La. Rev. Stat. Ann. §§3071 to 3077	Requires rapid notification of possible misuse of a PI to help minimize and counter costs of ID theft.	1/1/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person that conducts business in LA or owns or licenses computerized data that includes PI, or any person or agency that maintains such data.	Notification not required if determine there is no reasonable likelihood of harm to customers after reasonable investigation. Notification may be delayed if it will impede law enforcement investigation. Allows substitute notice on website and by statewide news media if affect more than 500,00 people, or would cost more than \$250,000. Allows civil action.	No, but provides exception
	http://www.legis.state.la.us/lss/lss.asp?doc=322027							
Maine	LD 1671 (LD 2017 revises 1671)	Me. Rev. Stat. Ann. tit. 10, §§1346 to 1349	A business that owns or licenses electronic data containing PI, must inform those affected by breach following the discovery of the breach.	1/31/06 (with revisions effective 1/31/07)	Same as AZ, except includes passwords or other access codes. If any element of PI can be used for ID theft, even absent person's name, then considered PI. It also excludes redacted info from notification obligations. Does not include info from 3rd-party claims databases maintained by property and casualty insurers or publicly available info that is lawfully made available to the general public from federal, state or local government records or widely distributed media.	Any information broker or person that maintains computerized data that includes PI.	CRA notified if 1,000+ people to receive notice. Allows substitute notice if demonstrated that cost of providing notice would be \$5,000+ or affected class notified would be 1,000+. Notification may be delayed if notification will impede law enforcement investigation.	No
	LD 970	Same	Same	9/12/09	Same	Same	Revises the current statute to limit to 7 business days the amount of time a covered entity may delay notification of a PI breach.	No
	www.mainelegislature.org/legis/statutes/10/title10ch210-Bsec0.html							
	www.mainelegislature.org/legis/statutes/10/title10ch210-Bsec0.html							

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Maryland	SB 194.	Md. Code Ann., Commercial Law §§14-3501 to 3508	To require businesses that own, license, or maintain computerized data that includes PI to conduct an investigation and notify persons of a breach of the security of a system.	1/1/08	Same as AZ, except it includes TINs. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any business that owns or licenses data of a MD resident, or maintains or stores such data. Person includes business and agencies include government entities.	Only have to notify if after reasonable and good faith investigation, determine that PI has been or will be misused or that misuse is reasonably likely to occur as a result of the breach. CRA notified if 1,000+ people to receive notice. Allows substitute notice if demonstrate cost of providing notice would be \$100,000+ or affected class notified would be 175,000+. Notification may be delayed if it will impede law enforcement investigation.	Yes
					www.michie.com/maryland/lpext.dll?f=templates&fn=main-h.htm&cp=mdcode			
Massachusetts	HB 4144	Mass. Gen. Laws ch. 93H, §1 to 6	To safeguard PI of residents and provide safeguards for protection of PI. Requires disclosure of data breach if data base owner knows or has reason to know of a Security Breach.	10/31/07	Same as AZ. Does not include info that is lawfully obtained or publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person or agency that owns or licenses data, or any person or agency that maintains or stores such data. Person includes business and agencies include government entities.	Includes credit freeze provision. Does not have a risk of harm trigger. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notify AG and director of consumer affairs and business regulation of breach. Notification may be delayed if it will impede law enforcement investigation.	No
					www.mass.gov/legis/laws/mgl/gl-93h-toc.htm			
Michigan	SB 309	Mich. Comp. Laws, §445.61 to 445.77	To prohibit certain acts and practices concerning ID theft; to require notification of a security breach of a database that contains certain PI.	6/29/07	Same as AZ, except only applies to Michigan residents.	Any person or agency that owns or licenses data, or any person or business that maintains such data. Person includes business and agencies include government entities. PI also includes an individual's biometrics.	Don't need to report if determine that the security breach has not or is not likely to cause substantial loss or injury. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. CRA notified if 1,000+ people to receive notice. Notification may be delayed if it will impede law enforcement investigation or jeopardize national security. Prohibits using false pretenses to obtain PI through the Internet, email or other online method.	Yes.
					www.legislature.mi.gov/(S(oxlqbd55p4l0tw2dp01iqvrg))/mleg.aspx?page=getObject&objectName=mcl-Act-452-of-2004			
Minnesota	HF 2121	Minn. Stat. §325E.61 and 64	Requires business possessing PI to notify those whose PI has been disclosed to unauthorized persons.	1/1/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person or business that conducts business in MN and owns or licenses data that includes PI, or any person or business that maintains such data.	CRA notified if 500+ people to receive notice. AG enforcement for remedies. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notification may be delayed if it will impede law enforcement investigation. Limits time party can retain codes and other data. Allows notice by electronic means.	Yes.
					www.revisor.mn.gov/statutes/?id=325E			
Mississippi	HB 583	Miss. Code Ann. §---	Includes a risk of harm trigger for when businesses must notify state residents of a breach of their unencrypted PI.	7/1/11	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person that conducts business in MS.	Notification required if accessed PI is not secured by encryption or by any other method or technology that renders the PI unreadable or unusable. Notification not required if after investigation the person determines that the breach will not likely result in harm to the affected individuals. Notification may be delayed if it will impede law enforcement investigation. Allows substitute notice if affect more than 5,000 people, or would cost more than \$5,000.	Yes.
					billstatus.ls.state.ms.us/2010/pdf/history/HB/HB0583.xml			
Missouri	HB 62	Mo. Rev. Stat. §407.1500	Requires notification of affected consumers that there has been a security breach following the discovery or notification of the breach.	8/28/09	Same as CA except it excludes redacted info or info otherwise unreadable or unusable from notification obligations. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records.	Any person that owns, licenses, or maintains PI of MO residents or person that conducts business in MO that owns, licenses, or maintains PI in any form of a MO resident.	Notification not required if, after investigation or after consultation with agencies responsible for law enforcement, determine that a risk of ID theft or other fraud is not reasonably likely to occur. AG and CRA notified if 1,000+ people to receive notice. Allows substitute notice if affect more than 150,000 people, or would cost more than \$100,000. Notification may be delayed if it will impede law enforcement investigation. AG has exclusive authority to bring action.	Yes.
					www.moga.mo.gov/statutes/C400-499/4070001500.HTM			
	HB 732	Mont. Code Ann. §30-14-1701 et seq.	Purpose is to enhance the protection of individual privacy and to impede identity theft.	3/1/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person or business that conducts business in MT and owns or licenses computerized data that includes PI, or any person or business that maintains such data.	Privacy protection for CC solicitations, CC renewals, and telephone accts. CRA must block or expunge info on a report that is the result of ID theft. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notification may be delayed if it will impede law enforcement investigation.	No
					data.opi.state.mt.us/bills/mca/30/14/30-14-1704.htm			

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Montana	HB 155	Mont. Code Ann. §2-6-501 <i>et seq.</i>	Require state agencies to develop procedures to protect personal information	10/1/09	Same as AZ. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records.	A state agency that maintains computerized data containing PI.	State agency notified of breach by third party has no independent duty to provide notice of breach if the third party has provided notification unless third party fails to do so in a reasonable time. Agency may recover reasonable costs from third party for providing the notice. State agencies and third parties to whom PI is disclosed by a state agency shall develop and maintain: (a) an info security policy to safeguard PI; and (b) breach notice procedures to provide reasonable notice to individuals.	
							data.opi.state.mt.us/bills/mca_toc/2_6_5.htm	
Nebraska	LB 876	Neb. Rev. Stat. §§87-801 to 807	Enhance the protection of individual privacy and to impede identity theft	7/14/06	Same as CA. It excludes redacted info or info otherwise unreadable or unusable from notification obligations. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records.	Any individual or commercial entity that conducts business in NE and owns or licenses computerized data that includes PI, or any person or business that maintains such data.	Substitute notice for small businesses with 10 employees or less that show the cost of providing notice would exceed \$10,000. Substitute notice when cost of providing notice would exceed \$75,000 or affected class of individuals to be notified exceeds 100,000. Action may be brought by AG.	No, but does provide exception
							unweb.legislature.ne.gov/laws/browse-chapters.php?chapter=87	
Nevada	SB 347, amended by SB 267	Nev. Rev. Stat. §§205.461 to 4657 and §§603A.010 to 920	Requires data collectors to provide notification concerning any breach of security involving system data and protects personal identifying information.	10/1/05, 1/1/06, or 1/1/08, 1/1/10 depending on provision, 10/1/11	Same as AZ, but does not include the last four digits of a social security number or publicly available information that is lawfully made available to the general public.	Applies to data collector that owns or licenses computerized data that includes PI or maintains such data that it does not own.	CRA notified if 1,000+ people to receive notice. Credit card issuers must disclose policies regarding ID theft. Business must encrypt all transmissions other than faxes outside of the secure system of the business. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notification may be delayed if it will impede law enforcement investigation. Allows civil action. Requires data collectors comply with the Payment Card Industry Data Security Standard (PCI DSS) in certain circumstances. Prohibits data collectors from moving data storage devices which are used by or are a component of a multifunctional device beyond the control of the data collector, its data storage contractor or a person who assumes the obligation of the data collector to protect PI unless the data collector uses encryption to ensure the security of the info. Allows alternative methods for data encryption.	Yes.
							www.leg.state.nv.us/NRS/NRS-603A.html	
	SB 82	Nev. Rev. Stat. §§242 et. Seq.	Requires the Chief of the Office of Info Security of the Department of IT to investigate and resolve matters relating to security breaches of info systems of state agencies and elected officers	7/1/11				
							http://www.leg.state.nv.us/Session/76th2011/Bills/SB/SB82_EN.pdf	
New Hampshire	HB 1660	N.H. Rev. Stat. Ann. §359-C:19 to 21	Requires a person engaged in business in NH to notify consumers of any security breach that compromises the confidentiality of PI	1/1/07	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any person that conducts business in NH and owns or licenses computerized data that includes PI or maintains such computerized data.	If engaged in trade or commerce, notify the regulator which has authority over such trade or commerce. All others notify AG. Notification may be delayed if it will impede law enforcement investigation. Substitute notice allowed when cost of providing notice would exceed \$5,000 or affected class of individuals to be notified exceeds 1,000. CRA notified if 1,000+ people to receive notice.	Yes.
							www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXXI-359-C.htm	
New Jersey	A 4001	N.J. Stat. Ann. §§56:8-161 to 163	Business or public entity compiling/maintaining computerized data with PI must disclose security breach if PI was/is reasonably believed to be acquired by unauthorized person.	1/1/06 except for police reports, then effective 9/22/05	Same as AZ, except also states that dissociated data, if linked, would constitute PI is PI if the means to link the dissociated data were accessed in connection with access to the dissociated data. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records or widely distributed media.	Any business that conducts business in New Jersey, or any public entity that compiles or maintains computerized records that includes PI or any business or public entity that compiles or maintains such records.	Specifically address collection, use and disclosure of SSNs. CRA notified if 1,000+ people to receive notice. Allows substitute notice if affect more than 500,000 people, or costs more than \$250,000. Notification may be delayed if it will impede law enforcement investigation. Notification not required if the business establishes that misuse of the info is not reasonably possible.	No
							lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=498853&Depth=4&TD=WRAP&advquery=%2256%3a8-161%22&headingswithhits=on&infobase=statutes.nfo&rank=&record=(17B92)&software=Doc_Frame_Pq42&wordsaroundhits=2&x=31&y=11&zz=	
New Mexico	N/A	N/A	No data security/breach notification law.	N/A	N/A	N/A	N/A	N/A

State	Legislative Reference	Statute	Description	Effective Date	Definition of Personal Information (PI)	Definition of Covered Entity	Key Provisions	GLBA Exception
New York	AB 4254	N.Y. St. Tech. Law §208 (apply to state agencies) and N.Y. Gen. Bus. Law, §899-aa (apply to business)	Guarantees persons the right to know what info was exposed during a breach, so that they can take the necessary steps to both prevent and repair any damage incurred.	12/7/05	Includes combination of PI and private info. PI means any info concerning a natural person which, because of name, number, personal mark, etc., that can be used to id such person. Private info means PI, combined with SSN; driver's license or non-driver ID #; or acct #, credit or debit card #, combined with any info required that allows access to account. Does not include publicly available info which is lawfully made available to the general public from federal, state, or local government records.	Any person or business that conducts business in NY and owns or licenses computerized data that includes PI, or any person or business that maintains such data.	Electronic notification allowed only if express consent to its receipt and logs are kept. The AG, Consumer Protection Board, and Cyber Security and Critical Infrastructure Coordination Office must be notified if any NY residents to be notified. CRA notified if 5,000+ people to receive notice. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Notification may be delayed if it will impede law enforcement investigation.	No
North Carolina	SB 1048	N.C. Gen. Stat. §14-113.20 and §75-60 to 66	Enacts protections against ID theft, including consumer report security freezes, security breach notifications, and protections for Social Security numbers.	12/1/05	Only applies to NC citizens. Includes a person's first or last name in combination with: SSN, employers taxpayer ID #, drivers license, state ID card, or passport #, checking or savings account #, credit or debit card #, PIN code, electronic ID #, electronic mail names or addresses, internet account #, internet ID names, digital signatures, any other numbers or info that can be used to access a person's financial resources, biometric data, fingerprints, passwords, and parent's legal surname prior to marriage.	Any business that maintains or otherwise possesses PI or any business that conducts business in North Carolina that maintains or otherwise possesses PI of consumers in any form.	Applies to all info, whether computerized or not. A business shall not be required to disclose a technical security breach that does not seem reasonably likely to provide a risk of criminal activity. Substitute notice allowed when cost of providing notice would exceed \$250,000 or affected class of individuals to be notified exceeds 500,000. Consumer Protection Division and CRA notified if 1,000+ people to receive notice. Notification may be delayed if it will impede law enforcement investigation or jeopardize national security.	No
	HB 1248	N.C. Gen. Stat. §132-1.10	Expands NC's security breach provisions to government agencies.	8/1/06	Same.	Makes the security breach provisions applicable to agency of the State or its political subdivisions, or any agent or employee of a government agency.	Includes a "risk of harm" provision that is triggered where illegal use of the PI has occurred or is reasonably likely to occur or that creates a material risk of harm to a consumer.	No
North Dakota	SB 2251	N.D. Cent. Code §§51-30-01 to 07 and 51-33-01 to 14	Requires disclosure to consumers of security breach by businesses maintaining PI in electronic form.	6/1/05	Same as AZ but includes operator's license # assigned by the DOT, DOB, mother's maiden name, ID # assigned by employer, and digitized or other electronic signature. Doesn't include publicly available info that is lawfully made available to the general public from federal, state or local government records.	Any person that conducts business in ND and owns or licenses computerized data that includes PI or maintains such computerized data.	Includes criminal penalties for ID theft. AG enforcement, with no express right of private action. Notification may be delayed if will impede law enforcement investigation. Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000. Allows security freeze.	No, but provides exception
Ohio	HB 104	Ohio Rev. Code Ann. §1347.12 (for state agency) §1349.19 (for private entity)	Person or state agency must contact individuals of unauthorized acquisition of PI that is reasonably believed to cause a material risk of ID or other fraud.	2/17/06	Same as AZ. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records or widely distributed media.	Any person that owns or licenses computerized data that includes PI or maintains such computerized data.	Allows substitute notice if affect more than 500,000 people, or would cost more than \$250,000 or if person required to disclose does not possess info sufficient to provide written, electronic, or telephone notice. CRA notified if 1,000+ people to receive notice.	No, but provides exception
	HSB 126	Ohio Rev. Code Ann. §1349.19	Same.	3/30/07	Same.	Same.	Exempts entities that are covered under the data security and breach notice provisions of HIPAA.	
Oklahoma	HB 2357	Okla. Stat. tit. 74, §3113.1	Only applies to state agencies	6/8/06	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any state agency or other unit or subdivision of state govt. that owns or licenses computerized data that includes PI or maintains such data.	Substitute notice allowed when cost of providing notice would exceed \$250,000, affected class to be notified exceeds 500,000, or if do not have contact info.	No, but provides exception
	HB 2245	Okla. Stat. tit. 24, §161 et seq.	Provides guidelines for notice requirements.	11/1/08	Same as AZ, but does not include data elements when they are encrypted or redacted.	Any individual or entity that owns or licenses computerized data that includes PI or maintains such data.	If encrypted info is breached in an unencrypted form or if the breach involves a person with access to the encryption key, then must provide notice. In cases of breach, must only provide notice if breach causes, has caused or will cause ID theft to any resident.	No.
Oregon	SB 583	Or. Rev. Stat. §646A.600 et seq.	Consumer identity theft protection act.	10/1/07	Same as AZ, but includes Passport #. Also includes any combo of data elements of PI when not combined with first name or first initial and last name and when the data elements are not rendered unusable through encryption, redaction or other methods, if the info obtained would be sufficient to permit a person to commit ID theft.	Any person that owns, maintains or otherwise possesses data that includes PI that is used in the course of the person's business, vocation, occupation or volunteer activities.	If determine that no reasonable likelihood of harm has resulted or will result from the breach, then no notice is required. CRA notified if 1,000+ people to receive notice.	Yes.

State	Legislative Reference	Statute	Description	Effective Date	Definition of Personal Information (PI)	Definition of Covered Entity	Key Provisions	GLBA Exception
Pennsylvania	SB 712	73 Pa. Stat. Ann. §2301-2329	Provides for the notification for those whose PI data was or may have been disclosed due to a security system breach.	6/20/06	Same as AZ. An entity must provide notice of the breach if encrypted info is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of the security of the encryption or if the security breach involves a person with access to the encryption key. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records.	An entity that maintains, stores or manages computerized data that includes PI or a vendor that maintains, such data.	Only applies if unauthorized acquisition of computerized data materially compromises the security of a system. Allows telephonic notice of breach. Substitute notice allowed when cost of providing notice would exceed \$100,000, affected class of individuals to be notified exceeds 175,000, or if the entity does not have sufficient contact info. Notification may be delayed if it will impede law enforcement investigation. CRA notified if 1,000+ people to receive notice.	No, but provides exception
					government.westlaw.com/linkedslice/default.asp?SP=pac-1000			
Rhode Island	HB 6191	R.I. Gen. Laws §§11-49.2-1 to 7	Ensures that PI is protected by requiring businesses that own or license PI to provide reasonable security for that info.	3/1/06	Same as AZ.	Any state agency or person that owns or licenses computerized data that includes PI or maintains such data.	Notification of a breach is not required if breach has not and will not likely result in a significant risk of id theft. Notification may be delayed if it will impede law enforcement investigation. Substitute notice allowed when cost of providing notice would exceed \$25,000 or affected class of individuals to be notified exceeds 50,000.	Yes.
					www.rilin.state.ri.us/Statutes/TITLE11/11-49.2/INDEX.HTM			
South Carolina	S 453	S.C. Code Ann. §37-20-110 et seq and §39-1-90	Provide protection to consumers in the event of identity theft.	7/1/09.	Same as AZ, but include other info that may be used to access a person's financial acts or #s or info issued by a governmental or regulatory entity that uniquely identify an individual. The term does not include info that is lawfully obtained from publicly available info, or from federal, state, or local government records lawfully made available to the general public.	Any person that conducts business in SC and owns or licenses computerized data or other data that includes PI or maintains such data.	Only report if PI acquired or reasonably believed to be acquired when the illegal use of the info occurred or is reasonably likely to occur or use of the info creates a material risk of harm. Breach defined as unauthorized access to and acquisition of computerized data that was not rendered unusable through encryption, redaction, or other methods. Allows security freeze.	Yes
					www.scstatehouse.gov/code/t39c001.htm			
South Dakota	N/A	N/A	No data security/breach notification law.	N/A	N/A	N/A	N/A	N/A
Tennessee	SB 2220	Tenn. Code Ann. §§47-18-2101 to 2107	Requires parties that discover a breach of info resulting in disclosure of unencrypted PI to unauthorized third parties to provide notice of such disclosure.	7/1/05	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.	Any info holder or info holder that maintains computerized data that includes PI.	CRA notified if 1,000+ people to receive notice. Substitute notice allowed when cost of providing notice would exceed \$250,000 or affected class of individuals to be notified exceeds 500,000. Notification may be delayed if it will impede law enforcement investigation. Allows security freeze.	No
					www.michie.com/tennessee/lpext.dll?f=templates&fn=main-h.htm&cp=tncode			
	SB 2793	Tenn. Code Ann. §§49-7-2	Protects the TN Independent Colleges and Universities Assoc. (TICUA) or any of its members from liability under certain situations	3/22/10	N/A	TN Independent Colleges and Universities Assoc. or any of its members	Prevents TICUA or any of its members from being held liable for breach of confidentiality of student data or records that are required to be submitted to the higher education commission, if the breach was a result of the actions of the commission or its staff.	N/A
					http://state.tn.us/sos/acts/106/pub/pc0650.pdf			
Texas	HB 1262_ amended by HB 300	Tex. Bus. & Com. Code §§521.001 et seq. (replaced previous code)	Purpose is to prevent and punish those who commit ID theft and protect the rights of victims of ID theft.	4/1/2009_ 9/1/12	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from the federal government or a state or local government.	Any person that conducts business in TX and owns or licenses computerized data that includes sensitive PI or maintains such computerized data.	Requires that reasonable measures be taken to protect sensitive PI. CRA notified if 10,000+ people to receive notice. Allows substitute notice when cost of providing notice would exceed \$250,000 or affected class of individuals to be notified exceeds 500,000. Applies notification requirement to residents of states that don't have security breach notice requirements.	No.
					www.statutes.legis.state.tx.us/Docs/BC/htm/BC.521.htm - 521.001			
Utah	SB 69	Utah Code Ann. §§13-44-101 to 301	Purpose is to address the integrity of consumer credit databases	1/1/07	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.	Any person that conducts business in UT and maintains PI.	In addition to regular notification methods, allows notification via public newspapers. Only notify if after investigation determine PI was not or will not be misused. Contains data destruction reqs. Notification may be delayed if it will impede law enforcement investigation.	No, but provides exception
					www.le.state.ut.us/UtahCode/section.jsp?code=13-44			

State	Legislative Reference	Statute	Description	Effective Date	Definition of Personal Information (PI)	Definition of Covered Entity	Key Provisions	GLBA Exception
Vermont	SB 284	Vt. Stat. Ann. tit. 9 §§2430 to 2445	Purpose is to prevent and punish those who commit ID theft and protect the rights of victims of ID theft.	1/1/07	Same as AZ. Also includes acct #s on their own and passwords, pin #s on their own. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.	Any data collector that owns or licenses computerized data that includes PI or maintains such data.	Notice required only if misuse is reasonably possible. Provides notice to AG or other govt. office if misuse is not possible. Allows telephonic notice of breach. Allows substitute notice when cost of providing notice would exceed \$5,000, affected class to be notified exceeds 5,000, or when entity doesn't have contact info. CRA notified if 1,000+ people to receive notice. Notification may be delayed upon request of law enforcement agency. Action may be brought by AG, no civil actions permitted.	No, but provides exception
					www.leg.state.vt.us/statutes/sections.cfm?Title=09&Chapter=062			
Virginia	HB 1469/ SB 307	Va. Code Ann. §18.2-186.6	Purpose is identity theft prevention and creation of notice of breach of information system.	7/1/08	Same as AZ. Does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.	An individual or entity that owns or licenses computerized data that includes PI or maintains such data.	Must disclose breach if encrypted info is accessed in unencrypted form, or if breach involves access to encryption key and there is reason to believe that such breach has caused or will cause ID theft to a VA resident. AG and CRA notified if 1,000+ people to receive notice.	Yes
	HB 1039	Va. Code Ann. §32.1-127.1:05	Requires notification for breach of medical or insurance information	1/1/11	VA resident's 1st name or initial and last name w/ one or more of the following (not encrypted or redacted): 1. history on medical or mental health, mental or physical condition, or medical treatment or diagnosis by a health care professional; or 2. health insurance policy # or subscriber id #, any unique identifier used by health insurer to id individual, or info in application and claims history, including appeals. Does not include info that is lawfully obtained from publicly available info, or from federal, state, or local government records lawfully made available.	Any authority, board, bureau, commission, district or agency of VA or any political subdivision; boards of visitors of public institutions of higher education; and other organizations, corporations, or agencies in VA supported wholly or principally by public funds.	Good faith acquisition of medical info by an employee or agent for the purposes of the entity is not a breach of the security of the system, if used for lawful purpose. Substitute notice allowed if cost of notice would exceed \$50,000, or affected class exceeds 100,000. Must notify VA AG, Commissioner of Health, the subject of the info, and any affected resident of VA.	
					leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-186.6			
					http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+32.1-127.1C05			
Washington	SB 6043	Wash. Rev. Code §19.255. 010	Party that owns or licenses computerized data that includes PI must disclose breach to those whose unencrypted PI is reasonably believed to be acquired.	7/24/05	Same as AZ. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records.	Any person or business that conducts business in WA and owns or licenses computerized data that includes PI or maintains such data.	Allows civil actions for damages and injunctive relief. Allows substitute notice when cost of providing notice would exceed \$250,000 or affected class of individuals to be notified exceeds 500,000. Notification may be delayed if it will impede law enforcement investigation.	No
	H 1149	Wash. Rev. Code §19.255	Expands WA's security breach laws	7/1/10	N/A	Vendors, businesses, and processors.	Liability to banks for "reasonable costs" would attach if an entity fails to take reasonable care to guard against unauthorized access to account info that is in the possession or under the control of the entity and the failure is found to be the proximate cause of a breach.	N/A
					apps.leg.wa.gov/RCW/default.aspx?cite=19.255.010			
					http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Session%20Law%202010/1149-S2_SL.pdf			
West Virginia	SB 339	W. Va. Code §46A-2A-101 through 104	Provides for the notification for those whose PI data was or may have been disclosed due to a security system breach.	6/8/08	Same as AZ. The term does not include info that is lawfully obtained from publicly available information, or from federal, state or local government records lawfully made available to the general public.	An individual or entity that owns or licenses computerized data that includes PI or maintains such data.	Allows substitute notice when cost of providing notice would exceed \$50,000 or affected class of individuals to be notified exceeds 100,000. Notification may be delayed if it will impede law enforcement investigation. Must disclose breach if unencrypted/unredacted PI is reasonably believed to have been accessed and acquired and party reasonably believes has caused or will cause ID theft or other fraud. CRA notified if 1,000+ people to receive notice. AG has the exclusive authority to bring action.	Yes
					www.legis.state.wv.us/WVCODE/Code.cfm?chap=46a&art=2A#02A			
Wisconsin	SB 164	Wis. Stat. §134.98	Requires reasonable effort to notify those affected by security breach of unauthorized access.	3/31/06	Same as AZ but includes DNA and biometric data and voice print. Does not include info that is lawfully obtained from publicly available info, or from federal, state or local government records lawfully made available to the general public.	Any person, other than individual, that conducts business in WI and owns or licenses PI, maintains depository accounts for residents, or lends money to residents.	CRA notified if 1,000+ people to receive notice. Do not report if acquisition of PI does not create material risk of ID theft or fraud. Notification may be delayed if it will impede law enforcement investigation.	No, but provides exception
					www.legis.state.wi.us/statutes/Stat0134.pdf			

State	Legislative Reference	Statute	Description	Effective Date	Definition of Personal Information (PI)	Definition of Covered Entity	Key Provisions	GLBA Exception
Wyoming	SF 53	Wyo. Stat. Ann. §40-12-501 to 509	Providing for notice to consumers affected by breaches of consumer information databases as specified.	7/1/07	Same as AZ, but includes tribal, state or federal id. Does not include info that is lawfully obtained from publicly available info, or from federal, state or local government records lawfully made available to the general public.	An individual or commercial entity that conducts business in WY and that owns or licenses, or maintains computerized data that includes PI of resident of WY	Only report if determine that the misuse of PI has occurred or is likely to occur. May provide notice via email. Substitute notice allowed when cost of providing notice would exceed \$10,000 for WY residents or \$250,000 for all others, affected class of individuals to be notified exceeds 10,000 WY residents or 500,000 for all others, or when no contact info. Notification may be delayed if law enforcement states in writing that it will impede investigation. Allows security freeze. Action brought by AG.	Yes
							legisweb.state.wy.us/statutes/compress/title40.doc	
Washington, DC	B16-810	D.C. Code Ann. §28-3851 to 3864	To ensure that consumers are notified when electronically-stored PI is compromised in a way that increases the risk of ID theft.	3/8/07	Same as AZ, but also includes phone # or address in combination with other elements. Does not include publicly available info that is lawfully made available to the general public from federal, state or local government records	Any person or business that conducts business in DC and owns or licenses computerized or other electronic data that includes PI or maintains such data.	Allows substitute notice when cost of providing notice would exceed \$50,000, affected class of individuals to be notified exceeds 100,000, or there is no contact info. CRA notified if 1,000+ people to receive notice. Allows for security freeze.	Yes
							government.westlaw.com/linkedslice/default.asp?SP=DCC-1000	