



NCSL Security Breach Notification

Laws

9/29/2018

Cybertechnology and the Law
<https://www.youtube.com/watch?v=wam3gjzETq0&feature=youtu.be>

All 50 states, the District of Columbia, Guam, Puerto Rico and the Virgin Islands have enacted legislation requiring private or governmental entities to notify individuals of security breaches of information involving personally identifiable information.

Security breach laws typically have provisions regarding who must comply with the law (e.g., businesses, data/ information brokers, government entities, etc); definitions of “personal information” (e.g., name combined with SSN, drivers license or state ID, account numbers, etc.); what constitutes a breach (e.g., unauthorized acquisition of data); requirements for notice (e.g., timing or method of notice, who must be notified); and exemptions (e.g., for encrypted information).

PLEASE NOTE: NCSL serves state legislators and their staff. This site provides general comparative information only and should not be relied upon or construed as legal advice.

State	Citation
Alabama	2018 S.B. 318, Act No. 396
Alaska	Alaska Stat. § 45.48.010 <i>et seq.</i>
Arizona	Ariz. Rev. Stat. § 18-545
Arkansas	Ark. Code §§ 4-110-101 <i>et seq.</i>
California	Cal. Civ. Code §§ 1798.29 , 1798.82
Colorado	Colo. Rev. Stat. § 6-1-716
Connecticut	Conn. Gen Stat. §§ 36a-701b , 4e-70
Delaware	Del. Code tit. 6, § 12B-101 <i>et seq.</i>
Florida	Fla. Stat. §§ 501.171 , 282.0041 , 282.318(2)(i)

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State	Citation
Georgia	Ga. Code §§ 10-1-910, -911, -912; § 46-5-214
Hawaii	Haw. Rev. Stat. § 487N-1 et seq.
Idaho	Idaho Stat. §§ 28-51-104 to -107
Illinois	815 ILCS §§ 530/1 to 530/25
Indiana	Ind. Code §§ 4-1-11 et seq. , 24-4.9 et seq.
Iowa	Iowa Code §§ 715C.1, 715C.2
Kansas	Kan. Stat. § 50-7a01 et seq.
Kentucky	KRS § 365.732 , KRS §§ 61.931 to 61.934
Louisiana	La. Rev. Stat. §§ 51:3071 et seq.
Maine	Me. Rev. Stat. tit. 10 § 1346 et seq.
Maryland	Md. Code Com. Law §§ 14-3501 <i>et seq.</i> , Md. State Govt. Code §§ 10-1301 to -1308
Massachusetts	Mass. Gen. Laws § 93H-1 et seq.
Michigan	Mich. Comp. Laws §§ 445.63 , 445.72
Minnesota	Minn. Stat. §§ 325E.61 , 325E.64
Mississippi	Miss. Code § 75-24-29
Missouri	Mo. Rev. Stat. § 407.1500
Montana	Mont. Code §§ 2-6-1501 to -1503 , 30-14-1701 et seq. , 33-19-321
Nebraska	Neb. Rev. Stat. §§ 87-801 et seq.
Nevada	Nev. Rev. Stat. §§ 603A.010 et seq. , 242.183
New Hampshire	N.H. Rev. Stat. §§ 359-C:19 , 359-C:20 , 359-C:21
New Jersey	N.J. Stat. § 56:8-161 <i>et seq.</i>
New Mexico	2017 H.B. 15, Chap. 36 (effective 6/16/2017)
New York	N.Y. Gen. Bus. Law § 899-AA, N.Y. State Tech. Law 208
North Carolina	N.C. Gen. Stat §§ 75-61 , 75-65
North Dakota	N.D. Cent. Code §§ 51-30-01 et seq.

State	Citation
Ohio	Ohio Rev. Code §§ 1347.12 , 1349.19 , 1349.191 , 1349.192
Oklahoma	Okla. Stat. §§ 74-3113.1 , 24-161 to -166
Oregon	Oregon Rev. Stat. §§ 646A.600 to .628
Pennsylvania	73 Pa. Stat. §§ 2301 et seq.
Rhode Island	R.I. Gen. Laws §§ 11-49.3-1 et seq.
South Carolina	S.C. Code § 39-1-90
South Dakota	S.D. Cod. Laws §§ 20-40-20 to -46 (2018 S.B. 62)
Tennessee	Tenn. Code §§ 47-18-2107; 8-4-119
Texas	Tex. Bus. & Com. Code §§ 521.002 , 521.053
Utah	Utah Code §§ 13-44-101 et seq.
Vermont	Vt. Stat. tit. 9 §§ 2430, 2435
Virginia	Va. Code §§ 18.2-186.6 , 32.1-127.1:05
Washington	Wash. Rev. Code §§ 19.255.010 , 42.56.590
West Virginia	W.V. Code §§ 46A-2A-101 et seq.
Wisconsin	Wis. Stat. § 134.98
Wyoming	Wyo. Stat. §§ 40-12-501 <i>et seq.</i>
District of Columbia	D.C. Code §§ 28- 3851 <i>et seq.</i>
Guam	9 GCA §§ 48-10 et seq.
Puerto Rico	10 Laws of Puerto Rico §§ 4051 <i>et seq.</i>
Virgin Islands	V.I. Code tit. 14, §§ 2208, 2209

This chart does not include state statutes requiring notification of breaches of student data.

Additional Resources

- [Consumer report security freeze laws](#)
- [Data disposal laws](#)
- [Security Breach homepage](#)

- [Security breach overview \(including links to past years introduced and enacted legislation\)](#)