

SENATE FILE NO. SF0035

Security breach notification.

Sponsored by: Joint Corporations, Elections & Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to consumer protection; specifying notice
2 requirements to consumers affected by breaches of personal
3 identifying information; providing exceptions; and
4 providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 40-12-502(e) (intro), by creating new
9 paragraphs (ii) through (vii) and by creating a new
10 subsection (h) is amended to read:

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12 **40-12-502. Computer security breach; notice to**
13 **affected persons.**

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1 (e) Notice required under subsection (a) of this
2 section shall be clear and conspicuous and shall include,
3 at a minimum:

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5 (ii) The types of personal identifying
6 information that were or are reasonably believed to have
7 been the subject of the breach;

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9 (iii) A general description of the breach
10 incident;

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12 (iv) The approximate date of the breach of
13 security, if that information is reasonably possible to
14 determine at the time notice is provided;

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16 (v) In general terms, the actions taken by the
17 individual or commercial entity to protect the system
18 containing the personal identifying information from
19 further breaches;

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21 (vi) Advice that directs the person to remain
22 vigilant by reviewing account statements and monitoring
23 credit reports;

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(vii) Whether notification was delayed as a result of a law enforcement investigation, if that information is reasonably possible to determine at the time the notice is provided.

(h) A covered entity that is subject to and complies with the Health Insurance Portability and Accountability Act, and the regulations promulgated under that act, 45 C.F.R. Parts 160 and 164, is deemed to be in compliance with this section if the covered entity notifies affected Wyoming customers in compliance with the requirements of the Health Insurance Portability and Accountability Act and 45 C.F.R. Parts 160 and 164.

Section 2. This act is effective July 1, 2015.

(END)