

Bill Summary
2nd Session of the 59th Legislature

| | |
|---------------------|--------------------|
| Bill No.: | SB 1337 |
| Version: | INT |
| Request No.: | 2693 |
| Author: | Sen. Howard |
| Date: | 12/14/2023 |

Bill Analysis

SB 1337 defines “reasonable safeguards” as it relates to the Security Breach Notification Act. Such safeguards shall include data protection methods that are appropriate to the nature and volume of the personal information and restricted information, provided they are compliant with federal regulations and the business entity can show that they follow standard business practices for data protection in the relevant industry. The measure also defines restricted information as any non-personal information about an individual, that alone or in combination with other information including personal information, can be used to distinguish or trace the identity of the individual or that is linked or linkable to the individual.

Breached entities are required by the measure to notify the Attorney General of a breach within 60 days of the event and to include the date of the breach, the date of its discovery, the nature of the breach, the type of personal information or restricted information exposed, the number of affected individuals, and the estimated monetary impact of the breach. If fewer than 250 individuals are affected or a credit bureau suffers a breach affecting less than 1,000 individuals, the breached entity is exempted from the notification requirements in this Act. The measure establishes a monetary penalty of \$2,000.00 per individual per breach for failing to comply with the provisions of the Act. The measure specifies that an entity that complies with the provisions of this Act is not liable for the listed civil penalties. The total penalty shall not exceed \$100,000.00.

Prepared by: Kalen Taylor