

STATE OF WYOMING GENERAL SESSION 2015

Chapter 65

SECURITY BREACH NOTIFICATION

Original Senate File No. 35

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

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

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

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

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

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

(iii)A general description of the breach incident;

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

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

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

(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 or business associate that is subject to and complies with the Health Insurance Portability and Accountability Act, and the regulations

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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 or business associate notifies affected Wyoming customers or entities 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.

Approved March 2, 2015.