

SUMMARY ANALYSIS OF AMENDED BILL

Author: Bowen Analyst: Deborah Barrett Bill Number: SB 852
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: 05-23-2005
 Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: State Agencies Notify California Resident Of Any Breach Of Security Of Data.

- DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.
- AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.
- AMENDMENTS DID NOT RESOLVE THE DEPARTMENTS CONCERNS stated in the previous analysis of bill as introduced/amended _____.
- FURTHER AMENDMENTS NECESSARY.
- DEPARTMENT POSITION CHANGED TO _____.
- REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED May 10, 2005, STILL APPLIES.
- OTHER – See comments below.

SUMMARY

This bill would expand requirements to provide individuals notice of security breaches of personal information as follows:

- from breaches of only computerized data
- to breaches of data in any format the computerized data may be maintained.

The requirement would apply to both state agencies and businesses.

SUMMARY OF AMENDMENTS

Provisions of this bill permit the delay of notification to individuals of a security breach of personal information if the notice would impede an investigation by a law enforcement agency. This exception requires a written request to the agency that had the security breach from a law enforcement agency to delay contacting the individuals and written notice regarding the termination of such delay. The May 23, 2005, amendments will allow law enforcement agencies to submit those requests and notices electronically, if the agency or business is capable of receiving electronic notices.

The remainder of the department's previous analysis of this bill as amended May 10, 2005, still applies.

Board Position:	Legislative Director	Date
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<input checked="" type="checkbox"/> PENDING	Brian Putler	6/27/05

POSITION

Pending.

LEGISLATIVE STAFF CONTACT

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