

SUMMARY ANALYSIS OF AMENDED BILL

Author: Jackson Analyst: Janet Jennings Bill Number: SB 570
 Related Bills: See Prior Analysis Telephone: 845-3495 Amended Date: July 2, 2015
 Attorney: Bruce Langston Sponsor _____

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| SUBJECT: | State Agencies Disclose Any Breach of Security or System or Data/Notification Requirement Specifications |
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SUMMARY

This bill, under the Civil Code, would modify the requirements applicable to security breach notifications.

This analysis only addresses the provisions of the bill that impact the department’s programs and operations.

RECOMMENDATION

No position.

SUMMARY OF AMENDMENTS

The July 2, 2015, amendments made technical changes and clarified electronic notices must use the same headings as printed notices. Except for the “This Bill” section the department’s analysis of the bill as amended May 21, 2015, still applies.

THIS BILL

This bill would require the inclusion of an electronic or written notice titled “Notice of Data Breach” (Notice) with a security breach notification letter. The content for the Notice must be presented under the following headings:

- “What Happened,”
- “What Information Was Involved,”
- “What We Are Doing,”
- “What You Can Do,”
- “Other Important Information,” and
- “For More Information.”

Additional information may be provided as a supplement to the Notice. The format of the Notice must be designed to call attention to the nature and significance of the information it contains. The title and headings in the Notice must be clearly and conspicuously displayed and the text of the Notice and any other notice provided must be no smaller than 10-point type.

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| Board Position: | Legislative Director | Date |
| _____ S _____ NA _____ X _____ NP | Gail Hall | 7/10/15 |
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The bill would modify conspicuous posting requirements for substitute notice to:

- Specify a minimum posting period of 30 days of the notice.
- Define “Conspicuous posting” to mean providing a link to the notice on the home page or first significant page after entering the Internet Web site that is in larger type than the surrounding text, or in contrasting type, font, or color to the surrounding text of the same size, or set off from the surrounding line of the same size by symbols or other marks that call attention to the link.

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