

House Amendment 8670

PAG LIN

1 1 Amend House File 2700 as follows:
1 2 #1. Page 26, by inserting after line 1 the
1 3 following:
1 4 <Sec. _____. NEW SECTION. 422.72A SUSPECTED MISUSE
1 5 OF PERSONAL INFORMATION == NOTICE REQUIRED.
1 6 1. For the purposes of this section, the following
1 7 definitions apply:
1 8 a. "Affected individual" means an individual who
1 9 is identified by or connected with personal
1 10 information contained in the department's records.
1 11 b. "Personal information" means all of the
1 12 following:
1 13 (1) Social security number.
1 14 (2) Tax identification number.
1 15 (3) Driver's license number or other unique
1 16 identification number created or collected by a
1 17 government body.
1 18 (4) Financial account number, credit card number,
1 19 or debit card number in combination with any required
1 20 security code, access code, or password that would
1 21 permit access to an individual's financial account.
1 22 (5) Unique electronic identifier or routing code,
1 23 in combination with any required security code, access
1 24 code, or password.
1 25 c. "Suspected misuse of personal information"
1 26 means circumstances exist which would cause a
1 27 reasonable person to believe that an individual's
1 28 personal information is being used by an unauthorized
1 29 individual. Such circumstances include but are not
1 30 limited to either of the following:
1 31 (1) A tax identification number under which wages
1 32 are being reported by two or more individuals.
1 33 (2) A tax identification number of an individual
1 34 under the age of sixteen with reported wages exceeding
1 35 one thousand dollars for a single quarterly period.
1 36 2. a. Unless otherwise prohibited by state or
1 37 federal law, the department shall provide notice to
1 38 each affected individual if department records
1 39 indicate a suspected misuse of personal information.
1 40 Notice shall be made without unreasonable delay. If
1 41 the affected individual is a minor, notice shall be
1 42 provided to the minor's parent or guardian.
1 43 b. Notice of the suspected misuse of personal
1 44 information shall also be provided to an appropriate
1 45 law enforcement agency.
1 46 3. Notice provided to an affected individual shall
1 47 be clear and conspicuous and be provided by at least
1 48 one of the following:
1 49 a. Written notice to the affected individual's
1 50 last address of record.
2 1 b. Electronic mail notice, if the affected
2 2 individual has agreed to receive communications
2 3 electronically.
2 4 c. Telephonic notice, if the communication is made
2 5 directly with the affected individual.>
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2 9 SANDS of Louisa
2 10 HF 2700.303 82
2 11 mg/mg/11799