

# House File 595 - Introduced

HOUSE FILE \_\_\_\_\_  
BY SCHULTE, DE BOEF, SORENSON,  
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and PETTENGILL

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act requiring the department of revenue to provide notice of  
2 suspected misuse of personal information.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2443YH 83  
5 md/nh/5

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

2 15 This bill requires the department of revenue to provide  
2 16 notice to an individual if the department suspects that the  
2 17 individual's personal information is being misused. The  
2 18 department is required to provide notice to all individuals  
2 19 who are identified by or connected with the personal  
2 20 information suspected of being misused. The bill also  
2 21 provides that if notice is provided to an affected individual  
2 22 the department shall also provide notice to an appropriate law  
2 23 enforcement agency.  
2 24 The bill provides that notice of the suspected misuse must  
2 25 be clear, conspicuous, and provided to the individual in  
2 26 writing, by electronic mail, or by telephone.  
2 27 LSB 2443YH 83  
2 28 md/nh/5