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Senate of Pennsylvania

December 1, 2010

TO: All Senators

FROM: Senator Dominic Pileggi 

RE: Co-sponsorship of Legislation Regarding Data Breaches

I plan to introduce legislation which would require state agencies to provide notice of data breaches involving personal information within one week. Under current law (Act 94 of 2005), such notice is required to be made "without unreasonable delay."

Unfortunately, at least three separate thefts of state-owned computers containing personal information were reported in recent years. In two cases, both involving the Department of Public Welfare, the public was not notified until three weeks after the thefts. In the third case, the Department of Aging took two weeks to notify the public. I believe those are unreasonable delays.

This legislation, developed with the Attorney General's office, would require that the Attorney General be notified by the state agency within three business days. It would also authorize the Attorney General to investigate every breach involving state agencies.

This legislation will be similar to Senate Bill 155 (printer's number 125) from the 2009-10 legislative session, which passed the Senate unanimously but was not considered by the House.

If you would like to co-sponsor this legislation, please contact Michelle Kreiger at mkreiger@pasen.gov or 787-4712.

DP/ea/nt