

AN ACT

1 Amending the act of December 22, 2005 (P.L.474, No.94), entitled
2 "An act providing for the notification of residents whose
3 personal information data was or may have been disclosed due
4 to a security system breach; and imposing penalties," further
5 providing for definitions.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 2 of the act of December 22, 2005
9 (P.L.474, No.94), known as the Breach of Personal Information
10 Notification Act, is amended to read:

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Breach of the security of the system." The unauthorized
16 access and acquisition of computerized data that materially
17 compromises the security or confidentiality of personal
18 information maintained by the entity as part of a database of
19 personal information regarding multiple individuals [and that

1 causes or the entity reasonably believes has caused or will
2 cause loss or injury to any resident of this Commonwealth]. Good
3 faith acquisition of personal information by an employee or
4 agent of the entity for the purposes of the entity is not a
5 breach of the security of the system if the personal information
6 is not used for a purpose other than the lawful purpose of the
7 entity and is not subject to further unauthorized disclosure.

8 * * *

9 "Personal information."

10 (1) An individual's first name or first initial and last
11 name in combination with and linked to any one or more of the
12 following data elements when either the name or the data
13 elements are not encrypted or redacted:

14 (i) [Social Security number.] Identification
15 numbers, such as:

16 (A) Social Security number.

17 (B) Driver's license number.

18 (C) State identification card number issued in
19 lieu of a driver's license.

20 (D) Passport number.

21 (E) Taxpayer identification number.

22 (F) Patient identification number.

23 (G) Insurance member number.

24 (H) Employee identification number.

25 (ii) [Driver's license number or a State
26 identification card number issued in lieu of a driver's
27 license.] Other associated names, such as:

28 (A) Maiden name.

29 (B) Mother's maiden name.

30 (C) Alias.

1 (iii) Financial account number, credit or debit card
2 number, alone or in combination with any required
3 expiration date, security code, access code or password
4 that would permit access to an individual's financial
5 account.

6 (iv) Electronic identifier or routing code, in
7 combination with any required security code, access code
8 or password that would permit access to an individual's
9 financial account.

10 (v) Electronic account information, such as account
11 name or user name.

12 (vi) Internet Protocol (IP) or Media Access Control
13 (MAC) address or other host-specific persistent static
14 identifier that consistently links to a particular
15 individual or small, well-defined group of individuals.

16 (vii) Biometric data, such as genetic information, a
17 fingerprint, facial scan, retina or iris image, voice
18 signature, x-ray image or other unique physical
19 representation or digital representation of biometric
20 data.

21 (viii) Date of birth.

22 (ix) Place of birth.

23 (x) Insurance information.

24 (xi) Employment information.

25 (xii) Educational information.

26 (xiii) Vehicle information, such as:

27 (A) Registration number.

28 (B) Title number.

29 (xiv) Contact information, such as:

30 (A) Telephone number.

1 (B) Address.

2 (C) Email address.

3 (xv) Digitized or other electronic signature.

4 (2) The term does not include publicly available
5 information that is lawfully made available to the general
6 public from Federal, State or local government records.

7 * * *

8 Section 2. This act shall take effect in 60 days.