

ACT TO STRENGTHEN IDENTITY THEFT PROTECTIONS

Top 4 things you need to know about the proposed legislation and how it'll affect North Carolina businesses.

15 DAYS



Requires notification to affected customers and the North Carolina Attorney General's office within 15 days of the consumer's personal information being compromised by a security breach. Existing law states, "notification without reasonable delay."

NEW BREACH DEFINITION

Expands the definition of a breach to include ransomware attacks (maliciously encrypted data), which would not need to leave the affected business' servers or network. Also, personal information (PII) now includes Insurance Account Numbers.



WHO IT AFFECTS



It appears the proposed law pertains to data belonging to North Carolina residents, but this needs clarification.

UNFAIR & DECEPTIVE PRACTICES ACT

Requires businesses to implement & maintain reasonable security protections to keep data secure, appropriate to the sensitivity. A failure would be deemed a violation of the Unfair & Deceptive Trade Practices Act, and each person whose data has been exposed would represent "a separate and distinct violation of the law".

