

Potential Additional Amendments to S.110

April 11, 2019

1. Sec 2 -- Definition of PII (9 VSA 2430(9)) – Delete the words “either the name or” in the first paragraph.
2. In definition of biometric, remove “or” before iris and the comma before “or other unique physical representation”;

Or (From State Privacy & Security Coalition):

(v) unique biometric data generated from measurements or technical analysis of human body characteristics used by the owner or licensee of the data to identify or authenticate the consumer, such as a fingerprint, retina, ~~or~~ iris image, or other unique ~~physical representation or digital representation~~ of biometric data so used;

3. For credential breaches, add the following additional amendment to the new 9 VSA 2435(b)(7)(C):

(C) In the case of a breach of the security of the system involving personal information defined in subsection (9)(A)(viii), notice to the Attorney General or the Department required by subsection (b)(2)(C) is only required where the login credentials were acquired from the Data Collector or an agent of the Data Collector.

4. Include in PII:

- a. Taxpayer ID # (Alabama, Delaware, Maryland, Montana, Wyoming); or

a driver license or identification card number, passport number, military identification number, or other similar number issued on a government document used to verify identity; (Florida, also Alabama)

- b. Health Insurance Policy # (Alabama, Delaware, Florida, Maryland, Missouri, Oregon, Virginia, Wyoming)