

# Alaska

AS §§ 45.48.010, *et seq.*

## Quick Links

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[Statute](#)

[AG Website](#)

## Quick Facts

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| Is “Personal Information” broader than the general definition? <sup>1</sup>            | ✓ Yes   |
| Does the law apply to paper records?   | ✓ Yes   |
| Is notification triggered by access only?  | ✗ No  |
| Is a risk-of-harm analysis permitted?  | ✓ Yes   |
| Is notice to a state agency or AG required?  | ✗ No, unless relying on risk-of-harm analysis           |
| Is there a specific deadline for individual notices?                                   | ✗ No  |
| Is there a specific format or language that must be included in the individual notice? | ✗ No  |
| Is notice to consumer reporting agency?  | ✓ Yes, if more than 1,000 Alaska residents are notified |
| Is a private right of action permitted?  | ✓ Yes   |

## “Breach” Definition

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The unauthorized acquisition of personal information.

## “Personal Information” Definition

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1. An individual’s first name or initial and their last name and one or more of the following:
  - a. Social security number
  - b. Driver’s license number or state identification card
  - c. Account number, credit card number or debit card number in combination with a security code, access code, personal identification number, or a password; or

<sup>1</sup> The general definition of “Personal Information” is an individual’s name in combination with any one or more of the following: (1) Social Security number; (2) driver’s license number or state identification card number; or (3) a financial account number or credit or debit card number in combination with any required security code, access code, or password that is necessary to permit access to an individual’s financial account.

- d. Passwords, personal identification numbers, or other access codes for financial accounts.

### **Notification Trigger**

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Following discovery or notification of the breach:

1. Entity that owns or licenses personal information shall disclose the breach to each state resident in the most expeditious time possible and without unreasonable delay.
2. Entity that does not own or have the right to license the personal information to another entity shall immediately disclose the breach to the entity that owns or who licensed the personal information to such entity.

### **Risk-of-Harm Analysis Standard**

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Notice is not required if after an appropriate investigation and after written notification to the attorney general, the entity determines there is not a reasonable likelihood that harm to the consumers will result from the breach. The determination shall be documented in writing and be maintained for five years.

### **Special Form/Content of Consumer Notice**

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N/A

### **AG Notice Trigger/Deadline**

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N/A

### **Notification to Consumer Reporting Agencies Threshold**

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Notice to consumer reporting agencies without unreasonable delay is required if more than 1,000 Alaska residents are notified.