Arizona

Ariz. Rev. Stat. §§ 18-551–552 *et seq.*,

Quick Links

Statute

AG Website

Quick Facts

Is "Personal Information" broader than the general definition?[1]	✓ Yes
Does the law apply to paper records?	× No
Is notification triggered by access only?	× No
Is a risk-of-harm analysis permitted?	✓ Yes
Is notice to a state agency or AG required?	✓ Yes, within 45 days of discovery of the breach, if 1,000 or more residents are notified
Is there a specific deadline for individual notices?	✓ Yes, within 45 days of discovery of the breach
Is there a specific format or language that must be included in the individual notice?	✓ Yes
Is a private right of action permitted?	× No

"Breach" Definition

The unauthorized acquisition of and unauthorized access that materially compromises the security or confidentiality of unencrypted and unredacted computerized personal information.

"Personal Information" Definition

1. First name or first initial and last name in combination with at least one of the following:
    a. Social Security Number
    b. Driver's license number or identification card number
    c. Private key that is unique to a resident and used to authenticate or sign an electronic record
    d. Financial account number or credit or debit card number in combination with any required security code, access code or password that would allow access to the resident's financial account

[1] 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.

e. Health insurance identification number
f. Medical or mental health treatment information or diagnosis by a health care professional
g. Passport number
h. Taxpayer identification number or an identity protection PIN issued by the Internal Revenue Service
i. Unique biometric data generated from a measurement or analysis of human body characteristics to authenticate a resident when accessing an online account, or

2. A username or email address, in combination with a password or security question and answer, which allows access to an online account.

Notification Trigger

45 days following discovery or notification of the breach:

- Entity that owns or licenses personal information shall notify Arizona residents within 45 days following discovery or notification of the breach.
- Entity that only maintains or stores personal information shall notify the owner or licensee "immediately following discovery" of the breach if they discover that personal information may have been acquired by an unauthorized person.

Risk-of-Harm Analysis Standard

Notice not required if an independent third-party forensic auditor or law enforcement agency determines after a reasonable investigation that the breach has not or is not reasonably likely to result in substantial economic loss to affected residents.

Special Form/Content of Consumer Notice

The notice shall state:

1. The approximate date of the breach
2. A brief description of the personal information included in the breach
3. The toll-free numbers and addresses for the three largest nationwide consumer reporting agencies
4. The toll-free number, address and website address for the Federal Trade Commission or any federal agency that assists consumers with identity theft matters

AG Notice Trigger/Deadline

If the unencrypted personal information of more than 1,000 individuals is breached, then the data controller must disclose the breach to the attorney general.

Notification to Consumer Reporting Agencies Threshold

The three largest nationwide consumer reporting agencies if more than 1,000 residents must be notified.