

Arkansas

Ark. Code Ann. §§ 4-110-101, *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, for entities that maintain personal information if more than 1,000 Arkansas residents are notified
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?	✗ No
Is a private right of action permitted?	✗ No

“Breach” Definition

The unauthorized acquisition of computerized personal information.

“Personal Information” Definition

1. An individual's first name or first initial and his or her last name in combination with any one or more of the following:
 - a. Social security number
 - b. Driver's license number or Arkansas identification card number

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.

- c. Account number, credit card number, or debit card number in combination with any required security code, access code, or password that would permit access to an individual's financial account
- d. Medical information; or
- e. Biometric data.

Notification Trigger

Following discovery or notification of the breach:

1. Entity that acquires, owns or licenses computerized personal information shall notify Arkansas residents in the most expedient time and manner possible and without unreasonable delay.
2. Entity that only maintains computerized personal information that the entity does not own shall notify the owner or licensee of the breach immediately.

Risk-of-Harm Analysis Standard

Notification is not required if, after a reasonable investigation, it is determined that there is no reasonable likelihood of harm to consumers.

Special Form/Content of Consumer Notice

N/A

AG Notice Trigger/Deadline

If an entity that maintains personal information discovers circumstances requiring notice to more than 1,000 individuals, the entity must notify the attorney general at the same time the breach is disclosed to affected individuals or within forty-five days (45) after it is determined that there is a reasonable likelihood of harm to consumers, whichever occurs first.

Notification to Consumer Reporting Agencies Threshold

N/A