

Idaho

Idaho Code § 28-51-104 *et seq.*

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Quick Facts

Is “Personal Information” broader than the general definition? ¹	✗ No
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?	✗ No
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 a private right of action permitted?	✗ No

“Breach” Definition

The illegal acquisition of unencrypted computerized data that materially compromises the security, confidentiality, or integrity of personal information.

“Personal Information” Definition

1. An individual’s first name or first initial and last name in combination with any one more of the following:
 - a. Social security number
 - b. Driver’s license number or Idaho identification card number, or
 - c. Account number, or credit or debit card number, in combination with any required security code, access code, or password that would permit access to a 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.

Notification Trigger

Following investigation that determines it is likely to cause misuse of personal information:

1. Entity that owns or licenses computerized data shall give notice as soon as possible to the affected Idaho resident if the entity determines the likelihood that personal information has been or will be misused.
2. Entity that only maintains or stores computerized data shall immediately notify the entity owner or licensee a breach if misuse of personal information about an Idaho resident occurred or is reasonably likely to occur.

Risk-of-Harm Analysis Standard

If the investigation determines that the misuse of information about an Idaho resident has occurred or is reasonably likely to occur, the agency, individual or the commercial entity shall give notice as soon as possible to the affected Idaho resident.

Special Form/Content of Consumer Notice

N/A

AG Notice Trigger/Deadline

Only when an agency becomes aware of a breach of the security of the system, it shall, within twenty-four (24) hours of such discovery, notify the office of the Idaho attorney general.

Notification to Consumer Reporting Agencies Threshold

N/A