

Nebraska

Neb. Rev. Stat. §§ 87-801 *et seq.*

Quick Links

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

“Personal Information” Definition

1. Either of (a) A Nebraska resident's first name or first initial and last name in combination with any one or more of the following:
 - a. Social Security number
 - b. Motor vehicle operator's license number or state identification card number
 - 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.

- d. Unique electronic identification number or routing code, in combination with any required security code, access code, or password
 - e. Unique biometric data, such as a fingerprint, voice print, or retina or iris image, or other unique physical representation, or
2. A username or email address, in combination with a password or security question and answer, that would permit access to an online account.

Notification Trigger

Following investigation:

- 1. Entity that owns or licenses personal information shall notify Nebraska residents “as soon as possible and without unreasonable delay” following the investigation that determines the misuse of personal information has occurred or is reasonably likely to occur.
- 2. Entity that only maintains or stores personal information shall notify the owner or licensee of the breach if use of personal information about a Nebraska resident for an unauthorized purpose occurred or is reasonably likely to occur.

Risk-of-Harm Analysis Standard

Notification required only if the investigation determines that the use of personal information about a Nebraska resident for an unauthorized purpose has occurred or is reasonably likely to occur.

Special Form/Content of Consumer Notice

N/A

AG Notice Trigger/Deadline

If entity notifies a Nebraska resident of a breach, then entity shall also, not later than the time when notice is provided to the Nebraska resident, provide notice of the breach to the Attorney General.

Notification to Consumer Reporting Agencies Threshold

N/A