

New Hampshire

N.H. Rev. Stat § 359-C:20

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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?	✓ 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?	✓ Yes
Is a private right of action permitted?	✓ Yes

“Breach” Definition

The unauthorized acquisition of computerized data that compromises the security or confidentiality of personal information maintained by a person doing business in this state.

“Personal Information” Definition

1. An individual's first name or initial and last name in combination with any one or more of the following:
 - a. Social Security number
 - b. Driver's license number or other government identification number
 - 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.

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 discovery or notification of the breach:

1. Entity that owns or licenses personal information shall disclose the breach to each state resident as soon as practicable and without unreasonable delay after the discovery of the breach.
2. Entity that does not own or have the right to license the personal information shall notify the owner or licensee immediately following discovery of the breach.

Risk-of-Harm Analysis Standard

Notification is not required if a determination can be made that misuse of the information has not occurred or is not reasonably likely to occur.

Special Form/Content of Consumer Notice

Notice shall include at a minimum:

1. A description of the incident in general terms
2. The approximate date of breach
3. The type of personal information obtained as a result of the security breach
4. The telephonic contact information of the person subject to this section.

AG Notice Trigger/Deadline

The entity shall notify the New Hampshire attorney general's office as soon as practicable.

Notification to Consumer Reporting Agencies Threshold

If an entity is required to notify more than 1,000 consumers of a breach of security, the person shall also notify, without unreasonable delay, all consumer reporting agencies.