

Ohio

Ohio Rev. Code Ann. § 1349.19, *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?	✓ Yes, 45 days after notification or discovery of breach
Is there a specific format or language that must be included in the individual notice?	✗ No
Is notice to consumer reporting agency?	✓ Yes, if more than 1,000 Ohio residents are notified
Is a private right of action permitted?	✗ No

“Breach” Definition

The unauthorized access to and acquisition of computerized personal information that reasonably is believed to have caused or will cause a material risk of identity theft or other fraud to an Ohio resident.

“Personal Information” Definition

1. A person’s first initial and last name with:
 - a. Social Security number
 - b. Driver’s license number or state identification card number; or

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 or credit or debit card number, in combination with and linked to any required security code, access code, or password that would permit access to an individual's financial account.

Notification Trigger

Following discovery or notification of breach:

1. Entity that owns or licenses personal information shall notify Indiana residents within 45 days.
2. Entity that is the custodian of or stores personal information on behalf of another entity shall notify that entity in an expeditious manner.

Risk-of-Harm Analysis Standard

To constitute a breach, the unauthorized access to and acquisition of computerized data must be reasonably believed to have caused or will cause a material risk of identity theft or other fraud to an Ohio resident.

Special Form/Content of Consumer Notice/Timing

N/A

AG Notice Trigger/Deadline

N/A

Notification to Consumer Reporting Agencies Threshold

If an entity is required to provide notice to over 1,000 Ohio residents, the entity must also notify, without reasonable delay, the major consumer reporting agencies of the timing, distribution, and content of the disclosure.