

Tennessee

Tenn. Code Ann. § 47-18-2107

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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 Tennessee residents are notified
Is a private right of action permitted?	✓ Yes

“Breach” Definition

The acquisition of computerized personal information by an unauthorized person that materially compromises the security, confidentiality, or integrity of personal information maintained by the information holder.

“Personal Information” Definition

1. An individual’s first initial and last name with
 - a. Social Security number
 - b. Driver’s license 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, credit card, 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.

Notification Trigger

Following discovery or notification of the breach:

1. Entity that owns or licenses personal information shall notify Tennessee residents within 45 days.
2. Entity that only maintains or personal information that it does not own must notify the owner or licensee within 45 days.

Risk-of-Harm Analysis Standard

A breach only occurs when the acquisition of the information materially compromises the security, confidentiality, or integrity of personal information.

Special Form/Content of Consumer Notice

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 Tennessee residents, it must also notify, without reasonable delay, the major consumer reporting agencies of the timing, distribution, and content of the notice.