

Wyoming

Wyo. Stat. § 40-12-501 *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?	✗ 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?	✓ Yes
Is a private right of action permitted?	✗ No

“Breach” Definition

The unauthorized acquisition of computerized data that materially compromises the security, confidentiality or integrity of personal identifying information maintained by a person or business and causes or is reasonably believed to cause loss or injury to a resident of this state.

“Personal Information” Definition

1. The first name or first initial and last name of an individual in combination with one or more of the following:
 - 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 number, credit card number or debit card number in combination with any security code, access code or password that would allow access to a financial account of the person
- d. Tribal identification card, or
- e. Federal or state government issued identification card
- f. A username or email address, in combination with a password or security question and answer that would permit access to an online account
- g. A birth or marriage certificate
- h. Medical information, meaning a person's medical history, mental or physical condition, or medical treatment or diagnosis by a health care professional
- i. Health insurance information, meaning a person's health insurance policy number or subscriber identification number, any unique identifier used by a health insurer to identify the person or information related to a person's application and claims history
- j. Unique biometric data, meaning data generated from measurements or analysis of human body characteristics for authentication purposes, or
- k. An individual taxpayer identification number.

Notification Trigger

Following investigation

1. Entity that owns or licenses personal information shall notify Wyoming residents of breach as soon as possible, when it becomes aware of a breach of the security of the system, which after conducting in good faith a reasonable and prompt investigation, determines the likelihood that personal identifying information has been or will be misused.
2. Entity that only maintains or stores personal information shall notify the owner or licensee of the breach as soon as practicable following the determination that personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person.

Risk-of-Harm Analysis Standard

Notification not necessary unless the investigation determines that the misuse of personal identifying information about a Wyoming resident has occurred or is reasonably likely to occur.

Special Form/Content of Consumer Notice

Notice must be clear and conspicuous and shall include, at a minimum:

1. A toll-free number that the individual may use to contact the person collecting the data, or his agent
2. From which the individual may learn the toll-free contact telephone numbers and addresses for the major credit reporting agencies
3. The types of personal identifying information that were or are reasonably believed to have been the subject of the breach
4. A general description of the breach incident
5. The approximate date of the breach of security, if that information is reasonably possible to determine at the time notice is provided

6. In general terms, the actions taken by the individual or commercial entity to protect the system containing the personal identifying information from further breaches
7. Advice that directs the person to remain vigilant by reviewing account statements and monitoring credit reports, and
8. Whether notification was delayed as a result of a law enforcement investigation, if that information is reasonably possible to determine at the time the notice is provided.

AG Notice Trigger/Deadline

N/A

Notification to Consumer Reporting Agencies Threshold

N/A