



NJCCIC

NJ CYBERSECURITY AND COMMUNICATIONS INTEGRATION CELL

Data Breach Reporting

1. What Is A Data Breach?

The State of New Jersey defines a data breach as unauthorized access to electronic files, media, or data containing personal information that compromises the security, confidentiality, or integrity of personal information when access to the personal information has not been secured by encryption or by any other method or technology that renders the personal information unreadable or unusable.

- A data breach **does not** refer to the good faith acquisition of personal information by an employee or agent of the business for a legitimate business purpose, provided that the personal information is not used for a purpose unrelated to the business or subject to further unauthorized disclosure.
- Personal information is defined as an individual's first name, or first initial and last name, linked with any one or more of the following data elements:
 - Social Security number
 - Driver's license number or State identification card number
 - Account number or credit 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.
 - User name, email address, or any other account holder identifying information, in combination with any password or security question and answer that would permit access to an online account.
- Dissociated data that, if linked, would constitute personal information is personal information if the means to link the dissociated data were accessed in connection with access to the dissociated data.

2. Data Breach Reporting

Any business or public entity required to disclose a breach of security of a customer's personal information shall, in advance of the disclosure to the customer, report the breach of security and any information pertaining to the breach to the Division of State Police via the NJCCIC.

- Report data breaches by emailing databreach@cyber.nj.gov or call the NJCCIC at 1-833-4-NJCCIC
- Please include the following information in your report:
 - How did the breach occur?
 - How many NJ residents were affected?
 - A sample notification letter

3. New Jersey Identity Theft Prevention Act

- Section 10 of P.L.2005, c.226 (C.56:8-161)
 - njleg.state.nj.us/2004/bills/pl05/226_.htm
- Amendment regarding online accounts effective September 01, 2019
 - njleg.state.nj.us/2018/Bills/A3500/3245_I1.PDF
- For more information, please visit our website at cyber.nj.gov/breach.

Traffic Light Protocol: **WHITE** information may be distributed without restriction.