

## Examples: Cyber Incident Notification and Reporting Requirements

US Federal Banking / SEC Requirements			
Jurisdiction	Statute or Regulation (et. seq.)	Principal Notification or Enforcement Entity Beyond Affected Residents or Individuals	Disclosure Timeline
Federal	Gramm-Leach-Bliley Act	CFPB	as soon as possible
Federal	Rule on Computer-Security Incident Notification Requirements for Banking Organizations and Their Bank Service Providers	FDIC/FRB/OCC	36 hours after determination that a certain threshold of incident has occurred, based on an institution's good faith belief
SEC	2018 Guidance on Public Company Cybersecurity Disclosures	SEC	take all required actions to inform investors about material cybersecurity risks and incidents in a timely fashion

European Union Requirements			
Jurisdiction	Statute or Regulation (et. seq.)	Principal Notification or Enforcement Entity Beyond Affected Residents or Individuals	Disclosure Timeline
EU	NIS Directive	EU member state agency	24 hours from awareness of the incident, followed by a report within 30 days
EU	General Data Protection Regulation (GDPR)	EU member state agency, followed by other EU member states	not later than 72 hours after becoming aware of the breach

<b>State Requirements</b>			
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Alabama	Ala Code 8-38	Attorney General	as expeditiously as possible and without unreasonable delay, taking into account the time necessary to conduct an investigation, and within 45 days of discovering that a breach has occurred and is reasonably likely to cause substantial harm to affected individuals.
Alaska	AS 45.48.010	Private Right of Action	shall be made in the most expeditious time possible and without unreasonable delay consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the information system.
Arizona	Ariz. Rev. Stat. 44-7501	Attorney General	shall be made within 45 days after the Entity's determination that there has been a security breach
Arkansas	Ark. Code 4-110-101	Attorney General	shall be made in the most expedient time and manner possible and without unreasonable delay, subject to any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the data system.
California	Cal. Civ. Code 1798.29; 1798.82	Private Right of Action	shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement and any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.
Colorado	Colo. Rev. Stat. 6-1-716	Attorney General	shall be made in the most expedient time possible and without unreasonable delay, but not later than 30 days after the date of determination that the breach occurred, consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the computerized data system.
Connecticut	Conn. Gen. Stat. 36a-701b	Attorney General/Insurance Department for insurance companies	shall be made without unreasonable delay, but not later than 90 days after the discovery of such breach, unless a shorter time is required under federal law, consistent with any measures necessary to determine the nature and scope of the breach, to identify individuals affected, or to restore the reasonable integrity of the data system.

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Delaware	Del. Code Ann. Tit. 6, 12B-101	Attorney General	must be made without unreasonable delay but not later than 60 days after determination of the breach of security, unless a shorter time is required by federal law. If the entity could not, through reasonable diligence, identify within 60 days that the personal information of certain residents of this State was included in a breach of security, the entity must provide notice as soon as practicable after the determination that the breach of security included the personal information of such residents, unless the Entity provided substitute notice.
District of Columbia	D.C. Code 28-3851	Private Right of Action/Attorney General	shall be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.
Florida	Fla. Stat. 501.171	Department of Legal Services	as expeditiously as practicable and without unreasonable delay, taking into account the time necessary to allow the Entity to determine the scope of the breach of security, to identify individuals affected by the breach, and to restore the reasonable integrity of the data system that was breached, but no later than 30 days after the determination of a breach or reasons to believe a breach occurred. Entity may receive 15 additional days to provide notice to Affected Individuals if good cause for delay is provided in writing to the Department within 30 days after determination of the breach or reason to believe a breach occurred.
Georgia	Ga. Code. 10-1-910	N/A	shall be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.
Hawaii	H.R.S. 487N-1	Attorney General	shall be made without unreasonable delay, consistent with any measures necessary to determine sufficient contact information, determine the scope of the breach, and restore the reasonable integrity, security, and confidentiality of the data system.

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Idaho	Idaho Code 28-51-104	Primary State Regulator	must be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach, to identify the individuals affected, and to restore the reasonable integrity of the computerized data system.
Illinois	815 Ill. Comp. Stat. 530/5, 530/10, 530/12, 530/15, 530/20, and 530/25	Attorney General	shall be made in the most expedient time possible and without unreasonable delay, but in no event later than when the data collector provides notice to consumers pursuant to this Section.
Indiana	Ind. Code 4-1-11; 24-4.9-1	Attorney General	shall be made without unreasonable delay and consistent with any measures necessary to determine the scope of the breach and restore the integrity of the system.
Iowa	Iowa Code 715C.1-2	Attorney General	shall be made in the most expeditious manner possible and without unreasonable delay, consistent with any measures necessary to sufficiently determine contact information for the affected IA residents, determine the scope of the breach, and restore the reasonable integrity, security, and confidentiality of the data.
Kansas	Kan. Stat. 50-7a01	Attorney General	must be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the computerized data system.
Kentucky	KY Rev. Stat. 365-732	N/A for KY residents; non-affiliated third parties of KY state and municipal governments must notify the attorney general	should occur in the most expedient time possible and without unreasonable delay, subject to the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system; non-affiliated third parties of state and municipal governments must notify the attorney general in the most expedient time possible and without unreasonable delay, within 72 hours of determining that a breach occurred.

**State Requirements**

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Louisiana	La. Rev. Stat. 51:3071	Private Right of Action/Attorney General Consumer Protection Section	shall be made in the most expedient time possible and without unreasonable delay, but not later than 60 days from discovery of the breach, consistent with any measures necessary to determine the scope of the breach, prevent further disclosures, and restore the reasonable integrity of the data system.
Maine	10 Me. Rev. Stat. 1346	Attorney General/"appropriate state regulators within the Dept. of Professional and Financial Regulation"	must be made no more than 30 days after becoming aware of the breach and identifying its scope. The notices must be made as expediently as possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or with measures necessary to determine the scope of the security breach and restore the reasonable integrity, security, and confidentiality of the data in the system. Notification may be delayed for no longer than 7 business days after a law enforcement agency determines that the notification will not compromise a criminal investigation. If notification is not delayed due to law enforcement investigation, notification must be made no more than 30 days after becoming aware of a breach of security and identifying its scope.
Maryland	Md. Code Com. Law 14-3501	Attorney General	shall be given as soon as reasonably practicable, but no later than 45 days after the business concludes the investigation, consistent with measures necessary to determine the scope of the breach of the security of a system, identify the individuals affected, or restore the integrity of the system
Massachusetts	Mass. Gen. Laws 93H 1	Attorney General/Director of Consumer Affairs and Business Regulation	shall be given as soon as practicable and without unreasonable delay following discovery of the breach. Entities cannot delay notification "on the grounds that the total number of residents affected is not yet ascertained"
Michigan	Mich Comp. Laws 445.63, 72	Attorney General	shall be given without unreasonable delay following discovery of the breach, consistent with measures necessary to determine the scope of the breach of the security of a system or restore the integrity of the system.

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Minnesota	Minn. Stat. 325E.61, 325E.64	Attorney General	must be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach, identify the individuals affected, and restore the reasonable integrity of the data system.
Mississippi	Miss. Code 75-24-29	Attorney General	shall be provided without unreasonable delay subject to the completion of an investigation by the person to determine the nature and scope of the incident, to identify the affected individuals, or to restore the reasonable integrity of the system.
Missouri	Mo. Rev. Stat. 407.1501	Attorney General	shall be made without unreasonable delay and consistent with any measures necessary to determine sufficient contact information and to determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.
Montana	Mont. Code 2-6-1501, 30-14-1704, 33-19-321	Attorney General/Insurance Commissioner	is to be made without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.
Nebraska	Neb. Rev. Stat. 87-801	Attorney General	shall be made as soon as possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the computerized data system.
Nevada	Nev. Rev. Stat. 603A.010, 242.183	Attorney General/Breached Data Collector Right of Action	shall be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system data.
New Hampshire	N.H. Rev. Stat. 359-C:19	Attorney General/Private Right of Action	shall notify the affected individuals as soon as possible.
New Jersey	N.J. Stat. 56:8-163	Division of State Police, Dept. of Law and Public Safety, with potential dissemination or referral to other appropriate law enforcement agencies	shall be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

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New Mexico	N.M. Stat. 57-12C-1	Attorney General	shall be made in the most expedient time possible, but not later than 45 calendar days following discovery of the security breach. Notification may be delayed as necessary to determine the scope of the security breach and restore the integrity, security and confidentiality of the data system.
New York	N.Y. Gen. Bus. Law 899-aa	Attorney General, Department of State Consumer Protection, and Division of State Police	shall be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system.
	Part 500	NYDFS	72 hours from determination that a cyber event has occurred
North Carolina	N.C. Gen. Stat. 75-61, 75-65	Attorney General, AG Consumer Protection Division	shall be made without unreasonable delay, consistent with any measures necessary to determine sufficient contact information, determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.
North Dakota	N.D. Cent. Code 51-30-01	Attorney General	must be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and to restore the integrity of the data system.
Ohio	Ohio Rev. Code 1347.12, 1349.19, 1349.191, 1349.192	Attorney General	shall be made in the most expedient time possible but not later than 45 days following discovery or notification of the breach in the security of the system, consistent with any measures necessary to determine the scope of the breach, including which residents' PI was accessed and acquired, and to restore the reasonable integrity of the data system.
Oklahoma	24 Okla. Stat. 161	Attorney General	shall be made without unreasonable delay consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the system.

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Oregon	Or. Rev. Stat. 646A.600, 646A.602, 646A.604, 646A.624, 646A.626	Attorney General	shall be made in the most expedient manner possible and without unreasonable delay, but not later than 45 days after discovering or receiving notice of the breach. In providing the notice, the Entity shall take reasonable measures necessary to determine sufficient contact information for the individuals, determine the scope of the breach and restore the reasonable integrity, security and confidentiality of the PI.
Pennsylvania	73 Pa. Stat. 2301	Attorney General	Except in order to take any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the data system, the notice shall be made without unreasonable delay.
Puerto Rico	10 L.P.R.A. St 4051	Department of Consumer Affairs	as expeditiously as possible, taking into consideration the need of law enforcement agencies to secure possible crime scenes and evidence as well as the application of measures needed to restore the system's security.
Rhode Island	R.I. Gen. Laws 11-49.2-1	Attorney General	shall be made in the most expedient time possible but no later than 45 calendar days after confirmation of the breach and the ability to ascertain the information required to fulfill the notice requirements and shall be consistent with the legitimate needs of law enforcement.
South Carolina	S.C. Code 39-1-90	Attorney General/Consumer Protection Division of the Department of Consumer Affairs/Private Right of Action	must be made in the most expedient time possible and without unreasonable delay, consistent with measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.
South Dakota	S.D. Codified Laws 22-40-19	Attorney General	must be given no later than 60 days from when the Information Holder discovers or is notified of a breach.
Tennessee	Tenn. Code 47-18-2107	Private Right of Action	shall be made immediately, but no later than 45 days from the discovery or notification of the breach, unless a longer period of time is required due to the legitimate needs of law enforcement.

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Texas	Tex. Bus. & Com. Code 521.002, 521.053	Attorney General	without unreasonable delay and [effective January 1, 2020] in each case not later than the 60th day after the date on which the person determines that the breach occurred, consistent with the legitimate needs of law enforcement, or as necessary to determine the scope of the breach and restore the reasonable integrity of the data system.
Utah	Utah Code 13-44-101, 13-44-202, 13-44-301	Attorney General	shall be provided in the most expedient time possible without unreasonable delay, after determining the scope of the breach of system security and after restoring the reasonable integrity of the system.
Vermont	9 V.S.A. 2430, 2435	Attorney General	shall be made in the most expedient time possible and without unreasonable delay, but not later than 45 days after the discovery of the breach, consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity, security, and confidentiality of the data system.
Virginia	Va. Code 18.2-186.6, 32.1-127.1:05	Attorney General	shall be made without unreasonable delay. Notice may be reasonably delayed to allow individual or entity to determine scope of the breach of security and restore the reasonable integrity of the system.
Washington	Wash. Rev. Code 19.255.010, 42.56.590	Attorney General/Private Right of Action	shall be made in the most expedient time possible and without unreasonable delay, no more than 30 calendar days after the breach was discovered, unless the delay is at the request of law enforcement or the delay is due to any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.
West Virginia	W.VA. Code 46A-2A-101	Attorney General	Except in order to take any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the system, the notice shall be made without unreasonable delay.

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Wisconsin	Wis. Stat. 134.98	N/A	within a reasonable time, not to exceed 45 days after the Entity learns of the acquisition of PI. A determination as to reasonableness shall include consideration of the number of notices that an Entity must provide and the methods of communication available to the Entity.
Wyoming	Wyo. Stat. 40-12-501	Attorney General	shall be made in the most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the computerized data system.

**NAIC Model Law Adopting States (States that have adopted, in whole or part, the NAIC Insurance Data Security Model Law)**

| <b>US Federal Banking / SEC Requirements</b>   |
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| N/A  | NAIC Model Law                               | Insurance Commissioner                       | as promptly as possible but in no event later than 72 hours from a determination that a Cybersecurity Event has occurred   |
| Alabama                                      | Ala. Code 27-62-1                            | Insurance Commissioner                       | as promptly as possible, but in no event later than three business days from a determination that a cybersecurity event involving nonpublic information that is in the possession of a licensee has occurred |

<b>NAIC Model Law Adopting States (States that have adopted, in whole or part, the NAIC Insurance Data Security Model Law)</b>			
<b>US Federal Banking / SEC Requirements</b>	<b>US Federal Banking / SEC Requirements</b>	<b>US Federal Banking / SEC Requirements</b>	<b>US Federal Banking / SEC Requirements</b>
Connecticut	Conn. Gen. Stat. 697-38a-38	Insurance Commissioner	as promptly as possible but in no event later than three business days after the date of the cybersecurity event
Delaware	Del. Code. 18-8601	Insurance Commissioner	as promptly as possible but in no event later than 3 business days from the licensee’s determination that a cybersecurity event has occurred
Hawaii	Haw. Rev. Stat. 431	Insurance Commissioner	as promptly as possible, but in no event later than three business days from a determination that a cybersecurity event impacting two hundred fifty or more consumers has occurred
Indiana	Ind. Code 27-2-27-1	Insurance Commissioner	within three (3) business days after making the determination that a cybersecurity event has occurred
Iowa (Effective 1/1/2022)	Iowa Code XXX	Insurance Commissioner	no later than three business days from the date of the licensee's confirmation of a cybersecurity event
Louisiana	La. R.S. 22:2501	Insurance Commissioner	without unreasonable delay but in no event later than three business days

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Maine	Me. Stat. 24-B-2261	Insurance Superintendent	as promptly as possible but in no event later than 3 business days from a determination that a cybersecurity event has occurred
Michigan	Mich. Comp. Laws 500.559	Director of the Department of Insurance and Financial Services	as promptly as possible but not later than 10 business days after a determination that a cybersecurity event involving nonpublic information that is in the possession of a licensee has occurred
Minnesota	Minn. Stat. 60A.985	Commissioner of Commerce; Commissioner of Health (whichever regulates the entity)	without unreasonable delay but in no event later than five business days from a determination that a cybersecurity event has occurred
Mississippi	Insurance Department Bulletin 2019-4	Insurance Commissioner	as promptly as possible, but in no event later than three (3) business days from a determination that a cybersecurity event involving nonpublic information has occurred
New Hampshire	Insurance Department Bulletin INS 20-001-AB	Insurance Commissioner	within three (3) days, pursuant to RSA 420-P:6

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North Dakota	N.D.C.C. 26.1-02.2	Insurance Commissioner	as promptly as possible, but no later than three business days from a determination that a cybersecurity event involving nonpublic information that is in the possession of a licensee has occurred
Ohio	Ohio Rev. Code 3965	Insurance Superintendent	as promptly as possible after a determination that a cybersecurity event involving nonpublic information in the possession of the licensee has occurred, but in no event later than three business days after that determination
South Carolina	S.C. Code Ann. 38-99	Director of the Department of Insurance	no later than seventy-two hours after determining that a cybersecurity event has occurred
Tennessee	Tenn. Code Ann. 56-2-10	Insurance Commissioner	as soon as practicable, and in no event more than three (3) business days, following a determination that a cybersecurity event has occurred
Virginia	Va. Code Ann. 38.2-6-2	Insurance Commissioner	in accordance with requirements prescribed by the Commission, as promptly as possible but in no event later than three business days from such determination



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Wisconsin (Effective 11/1/21)	Wis. Stat. 601.954	Insurance Commissioner	shall provide the notification under par. (a) in electronic form and as promptly as possible, but no later than 3 business days from the determination that the cybersecurity event occurred