

[Cal. Civ. Code § 1798.82](#)

Quick Facts

Breach Based on Harm Threshold	Deadline for Consumer Notice	Government Notification Required
NO	Most expedient time possible and without unreasonable delay	YES, if >500 residents notified

More Details

Scope of this Summary	Notification requirements applicable to persons or businesses that conduct business in the state and that own, license or maintain covered info. Some types of businesses may be exempt from some or all of these requirements and non-commercial entities may be subject to different requirements.
Covered Info	First name or first initial and last name, plus: Social Security number; driver's license or state identification card number; financial account, credit or debit card number, in combination with any required security or access code or password permitting access to a resident's financial account; medical or health insurance info; or info collected by automated license plate recognition systems Covered info also includes a user name or email address, in combination with a password or security question and answer that would permit access to an online account.
Form of Covered Info	Electronic only
Encryption Safe Harbor	Statute does not apply to information that is encrypted, so long as the encryption key was not or is not reasonably believed to have been acquired.
Breach Defined	Unauthorized acquisition that compromises the security, confidentiality, or integrity of the covered info, excluding certain good-faith acquisitions by employees or agents.
Consumer Notice	<p>Timing: 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 restore the reasonable integrity of the system.</p> <p>Content: Notice must be in "plain language," use at least 10-point font, and organized by clearly and conspicuously displayed title and headings. Notice must include: name and contact information of covered entity; types of covered info that were the subject of the breach; the date, estimated date, or date range of the breach; date of the notice; whether notice was delayed due to law enforcement; general description of the breach; and toll-free numbers and addresses of the major CRAs if Social Security numbers, drivers' license or state identification card numbers were exposed.</p> <p>If Social Security, driver's license or state identification card numbers are affected, and if the entity providing notice was the source of the breach, must offer appropriate identity theft prevention and mitigation services, if any, at no cost to resident for not less than 12 months.</p> <p>Method: By written notice, or electronic notice if it is consistent with E-SIGN. Substitute notice is available if certain criteria are satisfied. Alternative methods apply to breaches solely involving user names or email addresses.</p>
Delayed Notice	Notification may be delayed if law enforcement determines that notice will impede a criminal investigation.
Government Notice	If more than 500 state residents are notified as result of a single breach, must also electronically submit a sample copy of the notification to the California Attorney General.
Third-Party Notice	If you maintain covered info on behalf of another entity, you must notify them immediately following discovery of a breach.
Potential Penalties	Violations may result in civil penalties.

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This summary is for informational purposes only. It provides general information and not legal advice or opinions regarding specific facts. Additional requirements or conditions may apply to any or all provisions referenced herein. For more information about the state data breach notification laws or other data security matters, please seek the advice of counsel.

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