

[Idaho Code Ann. §§ 28-51-104 to 107](#)

Quick Facts

Breach Based on Harm Threshold	Deadline for Consumer Notice	Government Notification Required
YES	Most expedient time possible without unreasonable delay	NO

More Details

Scope of this Summary	Notification requirements applicable to individuals or commercial entities that conduct business in the state and 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; or account, credit card or debit card number in combination with any security code, access code, or password that would permit access to a resident's financial account.
Form of Covered Info	Electronic Only
Encryption Safe Harbor	Statute does not apply to information that is encrypted.
Breach Defined	Illegal acquisition that compromises the security, confidentiality or integrity of the covered info, excluding certain good-faith acquisitions by employees or agents.
Consumer Notice	<p><u>Timing</u>: Must be made in most expedient time possible and without unreasonable delay, consistent with any measures necessary to determine the scope of the breach, identify the resident affected, and restore the reasonable integrity of the system.</p> <p><u>Method</u>: By written notice, telephonic notice, or electronic notice if it is consistent with E-SIGN. Substitute notice is available if certain criteria are satisfied.</p>
Delayed Notice	Notification may be delayed if law enforcement determines that notification will impede a criminal investigation.
Harm Threshold	Notification not required if, after reasonable and prompt investigation, the covered entity determines that misuse of a resident's covered info has not occurred or is not reasonably likely to occur.
Third-Party Notice	If you maintain covered info on behalf of another entity, you must notify them immediately following discovery of a breach if misuse of covered info has occurred or is reasonably likely to occur. Must cooperate by sharing relevant information about breach.
Potential Penalties	Violations may result in civil penalties.

Last revised on May 30, 2018

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.