

[Neb. Rev. Stat. §§ 87-801-807](#)

Quick Facts

Breach Based on Harm Threshold	Deadline for Consumer Notice	Government Notification Required
YES	As soon as possible and without unreasonable delay	YES

More Details

Scope of this Summary	Notification requirements applicable to individuals or commercial entities 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 ID card number; account, credit or debit card number in combination with any information that allows access to a resident's financial account; unique electronic identification number or routing code combined with any required security code, access code, or password; or unique biometric data, such as a fingerprint, voice print, or retina or iris image, or other unique physical representation. OR 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, redacted or otherwise altered in such a manner to make it unreadable, so long as the encryption key was not accessed or 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	<u>Timing</u> : If, after a reasonable and prompt investigation conducted in good faith, covered entity determines that covered info has been or is reasonably likely to be used for an unauthorized purpose, notice to affected resident must be made as soon as possible and without unreasonable delay, consistent with any measures necessary to determine the scope and restore the reasonable integrity of the system. <u>Method</u> : By written notice, telephone notice, or electronic notice if consistent with E-SIGN. Substitute notice is available if certain criteria are satisfied.
Delayed Notice	Notification may be delayed if law enforcement determines notice may impede a criminal investigation.
Harm Threshold	Notification not required if, after reasonable and prompt investigation, the covered entity determines that unauthorized use of covered info has not and is not reasonably likely to occur.
Government Notice	If notice to residents is required, must also notify the Attorney General of the breach no later than the time when residents are notified.
Third-Party Notice	If you maintain covered info on behalf of another entity, you must notify and cooperate with them after becoming aware of a breach if covered info has been or is reasonably likely to be used for an unauthorized purpose. Cooperation includes, but is not limited to, sharing the information relevant to the breach, but does not include sharing proprietary information.
Potential Penalties	Violations may result in civil penalties.

Last revised on April 18, 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.

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