

[N.H. Rev. Stat. Ann. §§ 359-C:19, -C:20, -C:21](#)

Quick Facts

Breach Based on Harm Threshold	Deadline for Consumer Notice	Government Notification Required
YES	As soon as possible	YES*

More Details

Scope of this Summary	Notification requirements applicable to persons that conduct businesses in the state or 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 government identification number; or account, credit card or debit card number in combination with any required security or access code or password that would permit access to an individual's financial account.
Form of Covered Info	Electronic Only
Encryption Safe Harbor	Statute does not apply to information that is encrypted or secured by a method that renders the covered info completely unreadable or unusable, so long as encryption key was not also acquired.
Breach Defined	Unauthorized acquisition that compromises the security or confidentiality of the covered info, excluding certain good faith acquisitions by employees or agents.
Consumer Notice	<p>Timing: Must be made as soon as possible following determination that covered information has been or is reasonably likely to be misused or following conclusion that such determination cannot be made.</p> <p>Content: Notice must include a description of the incident in general terms, the approximate date of the breach, the type of covered info that was obtained as a result of the breach, and a telephone number for the covered entity.</p> <p>Method: By written notice, electronic notice (if the primary means of communication with affected individuals), or by telephone notice (if a log of the notification is kept). Substitute notice is available if certain criteria are satisfied.</p>
Delayed Notice	Notification may be delayed if law enforcement or national or homeland security agency determines that notification will impede a criminal investigation or jeopardize national or homeland security.
Harm Threshold	Notification not required if entity determines that misuse of the covered info has not occurred and is reasonably unlikely to occur.
Government Notice	<p>If notice to consumers is required, must also notify the Attorney General's office of the breach. Such notice must contain the anticipated date of notice to consumers and the approximate number of New Hampshire residents who will be notified.</p> <p>*Entities engaged in trade or commerce subject to the jurisdiction of the bank commissioner, director of securities regulation, insurance commissioner, public utilities commission, the financial institutions and insurance regulators of other states, or federal banking or securities regulators must notify the primary regulator of such trade or commerce about the breach instead of the Attorney General. Different regulators may have different notification requirements and deadlines.</p>
Consumer Agency Notice	If required to notify more than 1,000 persons, must notify all nationwide CRAs without unreasonable delay of the anticipated date of notification, approximate number of consumers to be notified and the content of the notice. This does not apply to entities subject to Gramm-Leach-Bliley.
Third-Party Notice	If you maintain covered info on behalf of another entity, you must notify and cooperate with them immediately following discovery of a breach if the covered info was acquired by an unauthorized person. Cooperation includes sharing information relevant to the breach, but not disclosure of confidential info or trade secrets.
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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