

[R.I. Gen. Laws §§ 11-49.3-1 to 11-49.3-6](#)

Quick Facts

Breach Based on Harm Threshold	Deadline for Consumer Notice	Government Notification Required
YES	Most expedient time possible but no later than 45 days	YES, if >500 residents notified

More Details

Scope of this Summary	Notification requirements applicable to persons that store, own, collect, process, maintain, acquire, use or license 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 number or Rhode Island Identification card number; account, credit or debit card number, in combination with any required security or access code, password or PIN number that would permit access to a resident's financial account; medical or health insurance information; or email address with any required security or access code, or password that would permit access to an individual's personal, medical, insurance, or financial account.
Form of Covered Info	Electronic or Paper
Encryption Safe Harbor	Statute does not apply to information that is encrypted, so long as encryption key was not accessed or acquired.
Breach Defined	Unauthorized access or acquisition that materially 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 but no later than 45 days after confirmation of the breach and the ability to ascertain information that must be included in the consumer notice.</p> <p>Content: Notice must include, to the extent known: the date(s) of the breach; date breach was discovered; a general and brief description of the incident, including how the breach occurred and the number of affected individuals; the types of info subject to breach; and a clear and concise description of: (i) any remediation services offered, including the toll-free numbers and websites of CRAs, remediation service providers, and the Attorney General, and (ii) information regarding the resident's ability to file or obtain a police report, how to request a security freeze, and any fees that a CRA may require.</p> <p>Method: By written notice or electronic notice if consistent with E-SIGN. Substitute notice is available if certain criteria are satisfied.</p>
Delayed Notice	Notification may be delayed if law enforcement determines and notifies the entity that notice will impede a criminal investigation.
Harm Threshold	Notification not required if the breach or disclosure of personal information does not pose a significant risk of identity theft to a Rhode Island resident.
Government Notice	<p>If more than 500 residents are notified, must notify the Attorney General of timing, distribution and content of the consumer notice and the number of affected individuals. Notification may not delay consumer notice.</p> <p>* R.I. Admin. Code § 11-5-107:11: Entities subject to state insurance regulations must send notice of a breach to the state Department of Business in the most expedient time possible and without unreasonable delay.</p>
Consumer Agency Notice	If more than 500 residents are notified, must notify the major CRAs of timing, distribution and content of the consumer notice and the number of affected individuals. Notification may not delay consumer notice.
Potential Penalties	Violations may result in civil penalties.

Last revised on March 26, 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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