

[Wis. Stat. § 134.98](#)

Quick Facts

| Breach Based on Harm Threshold | Deadline for Consumer Notice | Government Notification Required |
|--------------------------------|---|----------------------------------|
| YES | Within reasonable time not greater than 45 days | NO |

More Details

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| Scope of this Summary | Notification requirements applicable to entities, other than individuals, that conduct business in the state and maintain covered info in ordinary course of business, license covered info in the state, maintain deposit accounts for a resident or lend money to a resident. 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 number; financial account, credit or debit card number, or any security or access code, or password that would permit access to the individual's financial account; DNA profile; or unique biometric data. |
| Form of Covered Info | Electronic or Paper |
| Encryption Safe Harbor | Statute does not apply to information that is encrypted, redacted or altered in a manner that renders it unreadable. |
| Breach Defined | Unauthorized acquisition of covered info, excluding certain good faith acquisitions by employees or agents. |
| Consumer Notice | <p><u>Timing</u>: Must make reasonable efforts to notify affected residents within a reasonable time not to exceed 45 days after discovery of the breach, subject to law enforcement delay.</p> <p><u>Content</u>: Notice must indicate that covered entity knows of the unauthorized acquisition of covered info pertaining to the resident. Upon written request from a notified individual, the covered entity must identify the covered info that was acquired.</p> <p><u>Method</u>: By mail or by a method the entity has previously used to communicate with the affected person. If address is not known and covered entity has not previously communicated with the affected person, covered entity must provide notice by a method reasonably calculated to actually notify the affected person.</p> |
| Delayed Notice | Notification must be delayed if law enforcement determines necessary to protect an investigation or homeland security. |
| Harm Threshold | Notification not required if acquisition of covered info does not create a material risk of identity theft or fraud to the affected person. |
| Consumer Agency Notice | If more than 1,000 individuals are notified, must notify all nationwide CRAs without unreasonable delay of timing, distribution and content of the consumer notice. |
| Third-Party Notice | If you maintain covered info on behalf of another entity, you must notify them as soon as practicable following determination of a breach. |
| 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.