

[Vt. Stat. Ann. tit. 9, §§ 2430–2435](#)

Quick Facts	Breach Based on Harm Threshold	Deadline for Consumer Notice	Government Notification Required
	YES	Most expedient time possible without unreasonable delay but no later than 45 days	YES

More Details

Scope of this Summary	Notification requirements applicable to commercial entities 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 nondriver identification card number; financial account, credit or debit card number, if number could be used without additional identifying information, access codes, or passwords; or account passwords or personal identification numbers or other access codes for a financial account.
Form of Covered Info	Electronic Only
Encryption Safe Harbor	Statute does not apply to info that is encrypted, redacted, or protected by another method that renders it unreadable or unusable.
Breach Defined	Unauthorized acquisition, or reasonable belief of an unauthorized acquisition, that compromises the security, confidentiality or integrity of covered info, excluding certain good faith acquisitions by employees or agents. Statute provides factors that may be considered to determine if covered info was "acquired."
Consumer Notice	<p>Timing: Must be made in the most expedient time possible and without unreasonable delay but not later than 45 days after discovery of breach, consistent with any measures to determine scope of the breach and to restore the reasonable integrity, security and confidentiality of the system.</p> <p>Content: Notice must be clear and conspicuous and include description of: incident in general terms; type of covered info subject to the breach; general acts taken to protect the covered info from further security breach; a telephone number (toll-free, if available) that can be called for further info and assistance; advice to remain vigilant by reviewing account statements and monitoring free credit reports; and approximate date of the security breach. Additional requirements apply to electronic notice.</p> <p>Method: By written notice, telephone notice (if directly contact the resident via a live call), or electronic notice (if primary method of communication with resident or is consistent with E-SIGN). Substitute notice available if certain criteria are satisfied.</p>
Delayed Notice	Notification may be delayed if law enforcement believes notice will impede an investigation or jeopardize public safety or national or homeland security interests. Covered entity must document request in writing, including name of officer and agency making the request.
Harm Threshold	Notification not required if covered entity determines misuse of covered info is not reasonably possible and provides documentation of determination to Attorney General or Dept. of Financial Regulation, as appropriate..
Government Notice	Subject to a law enforcement delay, must provide preliminary notice to the Attorney General (or Dept. of Financial Regulation if regulated by the Dept.) within 14 business days of discovery of the breach. Notice should include date of the breach (if known), date of discovery, and a preliminary description of the breach.. This requirement is subject to certain limitations. When consumer notice is provided, the covered entity must provide follow up notice to the Attorney General or Department, as appropriate, identifying the number of Vermont residents affected, if known, and a copy of the consumer notice.
Consumer Agency Notice	If more than 1,000 residents 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 immediately following discovery 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.