

## 6 Del. C. § 12B-103

This document is current through 84 Del. Laws, c. 269.

*Delaware Code Annotated > Title 6 Commerce and Trade (Subts. I — IV) > Subtitle II Other Laws Relating to Commerce and Trade (Chs. 12 — 50E) > Chapter 12B Computer Security Breaches (§§ 12B-100 — 12B-104)*

### **§ 12B-103. Procedures deemed in compliance with security breach notice requirements.**

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(a) Under this chapter, a person that maintains its own notice procedures as part of an information security policy for the treatment of personal information, and whose procedures are otherwise consistent with the timing requirements of this chapter is deemed to be in compliance with the notice requirements of this chapter if the person notifies affected Delaware residents in accordance with its policies in the event of a breach of security.

(b) Under this chapter, a person that is regulated by state or federal law, including the Health Insurance Portability and Accountability Act of 1996 (P.L. 104-191, as amended) and the Gramm Leach Bliley Act (15 U.S.C. § 6801 et seq., as amended) and that maintains procedures for a breach of security pursuant to the laws, rules, regulations, guidance, or guidelines established by its primary or functional state or federal regulator is deemed to be in compliance with this chapter if the person notifies affected Delaware residents in accordance with the maintained procedures when a breach of security occurs.

### **History**

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75 Del. Laws, c. 61, § 1; 81 Del. Laws, c. 129, § 1.

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