

N.D. Cent. Code, § 51-30-01

Current through all legislation from the 68th Legislative Assembly - Special Session (2023).

North Dakota Century Code Annotated > TITLE 51 Sales and Exchanges (Chs. 51-01 — 51-37) > CHAPTER 51-30 Notice of Security Breach for Personal Information (§§ 51-30-01 — 51-30-07)

51-30-01. Definitions.

In this chapter, unless the context or subject matter otherwise requires:

1. “Breach of the security system” means unauthorized acquisition of computerized data when access to personal information has not been secured by encryption or by any other method or technology that renders the electronic files, media, or databases unreadable or unusable. Good-faith acquisition of personal information by an employee or agent of the person is not a breach of the security of the system, if the personal information is not used or subject to further unauthorized disclosure.
2. “Health insurance information” means an individual’s health insurance policy number or subscriber identification number and any unique identifier used by a health insurer to identify the individual.
3. “Medical information” means any information regarding an individual’s medical history, mental or physical condition, or medical treatment or diagnosis by a health care professional.
4.
 - a. “Personal information” means an individual’s first name or first initial and last name in combination with any of the following data elements, when the name and the data elements are not encrypted:
 - (1) The individual’s social security number;
 - (2) The operator’s license number assigned to an individual by the department of transportation under section 39-06-14;
 - (3) A nondriver color photo identification card number assigned to the individual by the department of transportation under section 39-06-03.1;
 - (4) The individual’s financial institution account number, credit card number, or debit card number in combination with any required security code, access code, or password that would permit access to an individual’s financial accounts;
 - (5) The individual’s date of birth;
 - (6) The maiden name of the individual’s mother;
 - (7) Medical information;
 - (8) Health insurance information;

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- (9) An identification number assigned to the individual by the individual's employer in combination with any required security code, access code, or password; or
 - (10) The individual's digitized or other electronic signature.
- b. "Personal information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

History

S.L. 2005, ch. 447, § 3; 2013, ch. 106, § 2; 2015, ch. 352, § 1, effective August 1, 2015.

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