# **N.M. Stat. Ann. § 57-12C-11**

Current through all chaptered acts of the 2024 Regular Session.

***Michie’s ™ Annotated Statutes of New Mexico* > *Chapter 57 Trade Practices and Regulations (Arts. 1 — 32)* > *Article 12C Data Breach Notification (§§ 57-12C-1 — 57-12C-12)***

**57-12C-11. Attorney general enforcement; civil penalty.**

**A.** When the attorney general has a reasonable belief that a violation of the Data Breach Notification Act [Chapter 57, Article 12C NMSA 1978] has occurred, the attorney general may bring an action on the behalf of individuals and in the name of the state alleging a violation of that act.

**B.** In any action filed by the attorney general pursuant to the Data Breach Notification Act, the court may:

**(1)** issue an injunction; and

**(2)** award damages for actual costs or losses, including consequential financial losses.

**C.** If the court determines that a person violated the Data Breach Notification Act knowingly or recklessly, the court may impose a civil penalty of the greater of twenty-five thousand dollars ($25,000) or, in the case of failed notification, ten dollars ($10.00) per instance of failed notification up to a maximum of one hundred fifty thousand dollars ($150,000).

**History**

2017, ch. 36, § 11, effective June 16, 2017.

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