

SENATE BILL 29

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(PRE-FILED)

6lr0571
CF 6lr0604

By: **Senator Simonaire**

Requested: August 13, 2015

Introduced and read first time: January 13, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Protection of Information by Businesses – Definition of Personal Information**

3 FOR the purpose of altering a certain definition of “personal information” for purposes of
4 provisions of law relating to the protection of information by businesses to include
5 certain identification numbers issued by a unit of State or local government or the
6 United States government; and generally relating to the protection of information by
7 businesses.

8 BY repealing and reenacting, without amendments,

9 Article – Commercial Law

10 Section 14–3501(a)

11 Annotated Code of Maryland

12 (2013 Replacement Volume and 2015 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Commercial Law

15 Section 14–3501(d)

16 Annotated Code of Maryland

17 (2013 Replacement Volume and 2015 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Commercial Law**

21 14–3501.

22 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) (1) "Personal information" means an individual's first name or first initial
2 and last name in combination with any one or more of the following data elements, when
3 the name or the data elements are not encrypted, redacted, or otherwise protected by
4 another method that renders the information unreadable or unusable:

5 (i) A Social Security number;

6 (ii) A driver's license number, **STATE IDENTIFICATION CARD**
7 **NUMBER, OR OTHER INDIVIDUAL IDENTIFICATION NUMBER ISSUED BY A UNIT OF**
8 **STATE OR LOCAL GOVERNMENT;**

9 **(III) A PASSPORT NUMBER OR OTHER IDENTIFICATION NUMBER**
10 **ISSUED BY THE UNITED STATES GOVERNMENT;**

11 ~~[(iii)]~~ **(IV)** A financial account number, including a credit card
12 number or debit card number, that in combination with any required security code, access
13 code, or password, would permit access to an individual's financial account; or

14 ~~[(iv)]~~ **(V)** An Individual Taxpayer Identification Number.

15 (2) "Personal information" does not include:

16 (i) Publicly available information that is lawfully made available to
17 the general public from federal, State, or local government records;

18 (ii) Information that an individual has consented to have publicly
19 disseminated or listed; or

20 (iii) Information that is disseminated or listed in accordance with the
21 federal Health Insurance Portability and Accountability Act.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2016.