

ASSEMBLY BILL NO. 179—ASSEMBLYMEN FLORES, CARRILLO, DIAZ, ELLIOT ANDERSON; ARAUJO, ARMSTRONG, BENITEZ-THOMPSON, BUSTAMANTE ADAMS, CARLTON, DICKMAN, DOOLING, ELLISON, GARDNER, JOINER, JONES, KIRKPATRICK, MOORE, MUNFORD, NELSON, OHRENSCHALL, O’NEILL, SEAMAN, SHELTON, SILBERKRAUS, SPIEGEL, SPRINKLE, SWANK, THOMPSON AND TROWBRIDGE

FEBRUARY 19, 2015

JOINT SPONSORS: SENATORS DENIS, KIHUEN, SPEARMAN; AND MANENDO

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing personal information. (BDR 52-756)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the security of personal information; expanding the definition of “personal information”; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law defines the types of information that constitute “personal
- 2 information” for the purpose of requiring business entities who collect such
- 3 information to provide certain security measures to ensure the protection of
- 4 the information. (Chapter 603A of NRS) This bill expands the definition of
- 5 “personal information” to include such items of information as electronic mail
- 6 addresses and passwords, passport numbers, medical and health insurance
- 7 identification numbers, electronic signatures and other similar information that
- 8 would increase a person’s likelihood of becoming a victim of identity theft.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 603A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. *“Digital signature” has the meaning ascribed to it in NRS 720.060.*

Sec. 3. *“Digitized signature” has the meaning ascribed to it in NRS 133.085.*

Sec. 4. *“Electronic signature” has the meaning ascribed to it in NRS 719.100.*

Sec. 5. *“Identity theft” has the meaning ascribed to it in NRS 205.4651.*

Sec. 6. *“Personal identifying information” has the meaning ascribed to it in NRS 205.4617.*

Sec. 7. NRS 603A.010 is hereby amended to read as follows:
603A.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 603A.020, 603A.030 and 603A.040 , *and sections 2 to 6, inclusive, of this act* have the meanings ascribed to them in those sections.

Sec. 8. NRS 603A.040 is hereby amended to read as follows:

603A.040 **1.** “Personal information” means ~~{a}~~ :

(a) A natural person’s first name or first initial and last name in combination with any one or more of the following data elements, when the name and data elements are not encrypted:

~~{1}~~ *(1) Social security number.*

~~{2}~~ *(2) Driver’s license number , driver authorization card number or identification card number.*

~~{3}~~ *(3) Account number, credit card number or debit card number, alone or in combination with any required security code, access code , personal identification number or password that would ~~{permit}~~ allow access to the person’s financial account.*

~~{4}~~

(4) Number that identifies a natural person individually, including, without limitation, a medical identification number and a health insurance identification number.

(5) Passport number.

(6) Unique number issued by the Government of the United States.

(b) A user name or electronic mail address with:

(1) A password; or

(2) A security question and answer that would allow access to any account of a natural person that is hosted or located on an Internet website.



(c) *An original or copy of a natural person's digital signature, digitized signature or electronic signature.*

(d) *A natural person's name and date of birth, or address, in combination with other information that would increase the likelihood of the person becoming a victim of identity theft.*

(e) *A natural person's personal identifying information, to the extent that such information is not otherwise described in this section.*

2. The term does not include ~~the~~ :

(a) *The* last four digits of a social security number ~~the~~ ;

(b) *The* last four digits of a driver's license number ~~or the~~ ;

(c) *The last four digits of a driver authorization card number;*

(d) *The* last four digits of an identification card number ~~or publicly~~ ;

(e) *Publicly* available information that is lawfully made available to the general public ~~the~~ ; or

(f) *Information that is required to be made publicly available pursuant to federal law.*

Sec. 9. This act becomes effective on July 1, 2015.

