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Legislation to Help Protect Consumers from Data Breaches Signed into Law

Sacramento – Today, Assembly Bill 1710, authored by Assemblymembers Roger Dickinson (D-Sacramento) and Bob Wieckowski (D-Fremont), was signed into law by Governor Brown. AB 1710 will help protect consumers in the event of a business data breach. Target, Neiman Marcus, Home Depot and others were the victims of massive data breaches recently that compromised millions of customers’ credit and debit card numbers. As a result, these consumers will need to monitor their personal information for years to come.

“Recent breaches emphasized the need for stronger consumer protections and awareness. The retailers affected by the recent mega data breaches are not the first nor will they be the last,” said Dickinson, Chair of the Assembly Banking and Finance Committee. “AB 1710 will increase consumer privacy, ensure appropriate fraud and identity theft protection, and safeguard against the exploitation of personal information,” he added.

AB 1710 enhances consumer protections by strengthening requirements that businesses need to adhere to in the case of a breach. The measure prohibits the sale of an individual’s social security number, and requires consumer identity theft mitigation services.

Specifically, AB 1710:

- Requires the source of the breach to offer identity theft prevention mitigation services at no cost to the affected person for no less than 12 months if a SSN or Driver’s license number are breached.
- Prohibits the sale of social security numbers, except when part of a legitimate business transaction.
- Provides that existing personal information data security obligations apply to businesses that maintain personal information, in addition to those who own or license the information.

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