

# Data Breach Of Personal Information In California: New Notice Requirements

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Many people have received notices in recent years from banks, government agencies and other institutions alerting them that a breach of data security has occurred and that personal information about themselves, and other customers, may have been disclosed to third parties without permission. It's often difficult to understand exactly what these notices mean, the personal risks involved and what should be done about them.

State and Federal laws are behind the notifications, such as [California's data breach alert law](#) which requires notices be sent when there is a breach of security with respect to a computerized system that contains personal information.

On August 31, 2011, California toughened its notification law when Governor Brown signed into law [SB24](#). The new law places additional requirements on those who are required to send data breach notices to California residents when their unencrypted personal information is acquired by unauthorized third parties. Among other things, the revisions require that such notices be written in "plain language" and include a list of the type of personal information involved in the breach, the date of the breach, a description of the breach incident and toll free numbers and addresses for credit reporting agencies (if a social security number or driver's license/State ID number is involved in the breach).

As a reminder, personal information under California's data breach alert law is defined as a person's first name (or initial) and last name combined with any of the following:

- Social Security number
- Driver's License number
- Account number, credit or debit card number, combined with code/password/etc. that would permit account access
- Medical information
- Health insurance information

If your business maintains computerized personal information about California residents, Schein & Cai can help.

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About Schein & Cai LLP

The law firm of Schein & Cai LLP, located in California's Silicon Valley, practices in the areas of:

- business and corporate law,
- intellectual property,
- employment law,
- civil litigation, and
- real estate law.

Our lawyers provide legal counsel and advocacy to clients in San Jose, California; Virginia Beach, Virginia; Shanghai, China; and Taiwan. Contact us for a no-obligation initial consultation to learn more about your specific legal concerns.

Our firm's mission: To provide exceptional legal representation at a reasonable cost.

The best way to deal with a legal problem is to take it on proactively. That is why our attorneys focus on providing preventative legal services to our business and individual clients, in both high technology and traditional industries. We work hard to devise specific strategies for our clients that minimize the risk of disputes and litigation. But when disputes arise, we are ready to zealously protect our clients' rights in courts and arbitration forums.

Because our lawyers have a broad range of in-depth experience, our firm can provide clients with particular legal advice in many practice areas. We develop a strong professional relationship with our clients, and we promptly answer client inquiries with personalized attention. We appreciate our clients' need to obtain advice from an attorney who truly understands their own unique situations and legal needs.

Contact Schein & Cai to receive professional legal advice for your specific legal problem. Call or email us to schedule a no-obligation initial consultation.