

DATABASE BREACH NOTIFICATION REQUIREMENTS

Section 18.2-186.6 of the Code of Virginia, which became effective on July 1, 2008, requires an individual or entity that owns, maintains, or possesses personal identifying information of Virginia residents who has a reasonable belief that such personal information was accessed or acquired by an unauthorized individual or entity to report the unauthorized breach to the Office of the Virginia Attorney General and to provide notification to each affected Virginia resident.

As part of the notification, the Virginia Attorney General's Office requests the following information from the individual or entity making the notification:

1. A cover letter on official letterhead to the Virginia Attorney General's Office as notification of the breach;
2. Approximate date of the incident to include how the breach was discovered;
3. Cause of breach;
4. Number of Virginia residents affected by the breach;
5. The steps taken to remedy the breach; and
6. A sample of the notification made to the affected parties, to include any possible offers of free credit monitoring.

The requirements for notification to affected Virginians are listed in section 18.2-186.6 and include:

1. The incident in general terms;
2. The type of personal information that was subject to the unauthorized access and acquisition;
3. The general acts of the individual or entity to protect the personal information from further unauthorized access;
4. A telephone number that the person may call for further information and assistance, if one exists; and
5. Advice that directs the person to remain vigilant by reviewing account statements and monitoring free credit reports.

Please address all notifications to the Attorney General's Office to:

Computer Crime Section
Virginia Attorney General's Office
202 North 9th Street
Richmond, VA 23219

For further inquiries regarding database breach notification, please contact the Computer Crime Section at 804-786-2071.