CALIFORNIA DEPARTMENT OF TECHNOLOGY **TECHNOLOGY LETTER**	NUMBER: **TL 16-03**	DATE ISSUED: **FEBRUARY 2016**
SUBJECT: **UPDATES TO PERSONAL INFORMATION BREACH NOTIFICATION REQUIREMENTS**	REFERENCES: Government Code Sections 11549.3 Civil Code Section 1798.29, 1798.82 Statewide Information Management Manual (SIMM) Sections 5340-B and 5340-C	

BACKGROUND

In 2015, California adopted Assembly Bill (AB) 964, and Senate Bills (SB) 34 and SB 570, amending California's Breach Notification law (Civil Code Sections 1798.29 and 1798.82). AB 964 added a definition for the term "encrypted." SB 34 added Automated License Plate Recognition (ALPR) System information as an additional "notice triggering" data element. Lastly, SB 570 specified both format and content requirements for breach notifications. These changes to law took effect on January 1, 2016.

The California Department of Technology, Information Security Office has updated the policies in the State Information Management Manual (SIMM) to clarify this change and assist Agencies/state entities in their compliance with information security and privacy requirements.

PURPOSE

The purpose of this TL is to:

- Ensure Agencies/state entities are made aware of the changes to breach notification requirements.
- Announce and disseminate updates to the Information Security Incident Report form (SIMM 5340-B) and the Requirements to Respond to Incidents Involving a Breach of Personal Information (SIMM 5340-C), including updated breach notification templates presenting the prescribed format and content.
- Direct Agencies/state entities to update their internal processes and procedures to comply with the new requirements.

Agencies/state entities must review the SIMM 5340-B and SIMM 5340-C updates, and ensure these updates are incorporated into their incident reporting and response processes and procedures.

QUESTIONS

Questions regarding this Technology Letter should be directed to the California Information Security Office at (916) 445-5239 or Security@state.ca.gov

SIGNATURE

/s/

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