



NEWS RELEASE

Marty J. Jackley
South Dakota Attorney General

Charles McGuigan
Chief Deputy Attorney General

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CONTACT: Sara Rabern (605) 773-3215

Attorney General Jackley's Data Breach Bill Passes Full House

PIERRE, S.D. - Attorney General Marty Jackley confirms the SB 62, a bill that requires the reporting of data breaches of personal information to consumers and to the Attorney General has unanimously passed the full House on a vote of 64-0.

“Thank you to our legislators for passing this very important piece of legislation protecting South Dakota consumers and businesses. The internet and social media play a vital role in our daily connectivity to one another, but with this comes an increased risk of theft and fraud. We will continue to see an increase in cybercrime and we need the tools to combat these breaches and thefts of our personal information,” said Jackley.

Under the proposed legislation, upon discovery of a breach of a system security, the information holder must disclose the breach to any resident of South Dakota whose personal or protected information was acquired by an unauthorized person within 60 days of that discovery. Furthermore, if that breach of the security system exceeds 250 South Dakota residents, the Attorney General must also be informed within 60 days. The notice by the information holder may be by written notice, electronic notice, or substitute notice. A failure to comply with the notice requirement would be a Deceptive Act under existing South Dakota law (§37-24-6) for purposes of criminal and civil enforcement. The Attorney General may also bring an action to recover civil damages of not more than \$10,000 per day per violation.

Link to video statement:

<https://www.dropbox.com/s/e8bgvfrgw40w04i/Video%20Feb%2027%2C%203%2055%2006%20PM.mov?dl=0>