**A** **BILL**

TO AMEND SECTION 1‑11‑490, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A BREACH OF SECURITY OF STATE AGENCY DATA THAT INCLUDES PERSONAL IDENTIFYING INFORMATION, SO AS TO REVISE THE DEFINITION OF “PERSONAL IDENTIFYING INFORMATION” FOR THESE PURPOSES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1‑11‑490(D)(3) of the 1976 Code is amended to read:

“(3) ‘Personal identifying information’ ~~has the same meaning as ‘personal identifying information’ in Section 16‑13‑510(D)~~ means the first name or first initial and last name in combination with and linked to any one or more of the following data elements that relate to a resident of this State, when the data elements are neither encrypted nor redacted:

(a) social security number;

(b) driver’s license number or state identification card number issued instead of a driver’s license;

(c) financial account number, or credit card or debit card number in combination with any required security code, access code, or password that would permit access to a resident’s financial account; and

(d) other numbers or information which may be used to access a person’s financial accounts or numbers or information issued by a governmental or regulatory entity that uniquely will identify an individual except that it does not include electronic identification names, including electronic mail addresses, or parent’s legal surname before marriage and also does not include information that is lawfully obtained from publicly available information, or from federal, state, or local governmental records lawfully made available to the general public.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑