**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 4383**

**STATUS INFORMATION**

House Resolution

Sponsors: Reps. Gilliard and McEachern

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Introduced in the House on January 9, 2018

Currently residing in the House Committee on **Invitations and Memorial Resolutions**

Summary: Attorney General; Equifax data breach

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/9/2017 House Prefiled

11/9/2017 House Referred to Committee on **Invitations and Memorial Resolutions**

1/9/2018 House Introduced ([House Journal‑page 72](file:///h:\hj\20180109.docx))

1/9/2018 House Referred to Committee on **Invitations and Memorial Resolutions** ([House Journal‑page 72](file:///h:\hj\20180109.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4383&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[11/9/2017](file:///p:\pprever\2017-18\4383_20171109.docx)

**A** **HOUSE RESOLUTION**

TO URGE THE ATTORNEY GENERAL TO FILE A LAWSUIT AGAINST EQUIFAX FOR THE DATA BREACH THAT AFFECTED OVER TWO MILLION SOUTH CAROLINA RESIDENTS.

Whereas, the data breach of Equifax potentially compromised the personal data of one hundred forty‑three million consumers, including over two million in South Carolina. Equifax failed to protect sensitive and personal information of consumers which could be damaging in the future; and

Whereas, Equifax left private consumer information exposed to hackers by relying on certain computer code that it knew or should have known was vulnerable to exploitation without having in place safeguards sufficient to prevent the consumer data it stored in its system; and

Whereas, still‑unknown third parties infiltrated Equifax’s computer system through a page on its website that allows consumers to submit information to initiate and support a formal dispute of information in their credit reports; and

Whereas, once in, the unauthorized third parties were able to access and likely stole consumer information from Equifax’s network. The hackers were present in Equifax’s system from at least May 2017 through the end of July 2017 without Equifax detecting them; and

Whereas, although fixes for the computer code vulnerability were available to Equifax and posted on at least one United States Government website, the company failed to implement the recommended fixes, or otherwise put in place other safeguards and security controls, such as encryption, that would sufficiently protect consumers’ personal data; and

Whereas, Equifax is a credit reporting firm that businesses rely on to make decisions about the credit worthiness of consumers, therefore affecting whether consumers can buy a house, acquire a loan, lease a vehicle, or even get a job. Consumers have little to no control over the information that Equifax acquires about them; and

Whereas, the Attorney General should seek civil penalties, disgorgement of profits, restitution, costs, and attorneys’ fees. The Office of the Attorney General should also seek injunctive relief to prevent harm to South Carolina residents resulting from the company’s actions and inaction. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, urge the Attorney General to file a lawsuit against Equifax for the data breach that affected over two million South Carolina residents.

Be it further resolved that a copy of this resolution be presented to the Attorney General.

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