



## ***Mandatory Reporting of Confidential Personal Information Loss***



The Florida Department of Law Enforcement has provided this guide to assist the business community in understanding the requirements for mandatory reporting after a data breach. These reporting requirements should be followed unless otherwise directed by law enforcement.

Florida State Statute 501.171; Security of Confidential Personal Information, mandates any "covered entity" to report loss of 500 or more records to the Office of the Attorney General. Such notice must be provided to the Office of the Attorney General as expeditiously as practicable, but no later than 30 days after the determination of the breach or reason to believe a breach occurred.

Covered entity means a sole proprietorship, partnership, corporation, trust, estate, cooperative, association, or other commercial entity that acquires, maintains, stores, or uses personal information. For purposes of the notice requirements in subsections (3)-(6), the term includes a governmental entity.

Reporting must be done in writing to the Office of the Attorney General. The process can be started by using the link below or by calling:

[http://www.myfloridalegal.com/Contact.nsf/Contact?OpenForm&Section=Consumer\\_Protection\\_Division](http://www.myfloridalegal.com/Contact.nsf/Contact?OpenForm&Section=Consumer_Protection_Division)

Fraud Hotline 1-866-966-7226

Required documents must be mailed to:

Florida Attorney General's Office of Citizen Services  
The Capitol PL-01  
Tallahassee, FL 32399-1050

The written notice to the Office of the Attorney General must include:

1. A synopsis of the events surrounding the breach at the time notice is provided.
2. The number of individuals in this state who were or potentially have been affected by the breach.
3. Any services related to the breach being offered or scheduled to be offered, without charge, by the covered entity to individuals, and instructions as to how to use such services.
4. A copy of the notice required under subsection (4) or an explanation of the other actions taken pursuant to subsection (4).
5. The name, address, telephone number, and e-mail address of the employee or agent of the covered entity from whom additional information may be obtained about the breach.

The covered entity must provide the following information to the Office of the Attorney General upon its request:

1. A police report, incident report, or computer forensics report.
2. A copy of the policies in place regarding breaches.
3. Steps that have been taken to rectify the breach.

A covered entity may provide the Office of the Attorney General with supplemental information regarding a breach at any time. If the covered entity would like to file a criminal report they may contact their local jurisdiction or the Florida Department of Law Enforcement at 1-800-226-1140.