

Iowa Code

Title 16 – Criminal Law and Procedure

Subtitle 1 – Crime Control and Criminal Acts

Chapter 715C – Personal Information Security Breach Protections

715C.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. “*Breach of security*” means unauthorized acquisition of personal information maintained in computerized form by a person that compromises the security, confidentiality, or integrity of the personal information. Good faith acquisition of personal information by a person or that person’s employee or agent for a legitimate purpose of that person is not a breach of security, provided that the personal information is not used in violation of applicable law or in a manner that harms or poses an actual threat to the security, confidentiality, or integrity of the personal information.
2. “*Consumer*” means an individual who is a resident of this state.
3. “*Consumer reporting agency*” means the same as defined by the federal Fair Credit Reporting Act, 15 U.S.C. § 1681a.
4. “*Debt*” means the same as provided in section 537.7102.
5. “*Encryption*” means the use of an algorithmic process to transform data into a form in which the data is rendered unreadable or unusable without the use of a confidential process or key.
6. “*Extension of credit*” means the right to defer payment of debt or to incur debt and defer its payment offered or granted primarily for personal, family, or household purposes.
7. “*Financial institution*” means the same as defined in section 536C.2, subsection 6.
8. “*Identity theft*” means the same as provided in section 715A.8.
9. “*Payment card*” means the same as defined in section 715A.10, subsection 3, paragraph “b”.
10. “*Person*” means an individual; corporation; business trust; estate; trust; partnership; limited liability company; association; joint venture; government; governmental subdivision, agency, or instrumentality; public corporation; or any other legal or commercial entity.
11. “*Personal information*” means an individual’s first name or first initial and last name in combination with any one or more of the following data elements that relate to the individual if any of the data elements are not encrypted, redacted, or otherwise altered by any method or technology in such a manner that the name or data elements are unreadable:
 - a. Social security number.
 - b. Driver’s license number or other unique identification number created or collected by a government body.

c. Financial account number, credit card number, or debit card number in combination with any required security code, access code, or password that would permit access to an individual's financial account.

d. Unique electronic identifier or routing code, in combination with any required security code, access code, or password that would permit access to an individual's financial account.

e. Unique biometric data, such as a fingerprint, retina or iris image, or other unique physical representation or digital representation of biometric data.

"Personal information" does not include information that is lawfully obtained from publicly available sources, or from federal, state, or local government records lawfully made available to the general public.

12. *"Redacted"* means altered or truncated so that no more than five digits of a social security number or the last four digits of other numbers designated in section 715A.8, subsection 1, paragraph "a", are accessible as part of the data.