**Plain Language Summary**

**Current Introduction Number:**

Int. No. 2410

**Prime Sponsors:**

By Council Members Brooks-Powers, Yeger, Kallos, Louis and Barron (by request of the Mayor)

**Bill Title:**

A Local Law to amend the administrative code of the city of New York, in relation to agency actions in case of a breach of security and to repeal section 20-117 of such code, relating to licensee disclosure of a security breach

**Bill Summary:**

**This plain language summary is for informational purposes only and does not substitute for legal counsel. For more information, you should review the full text of the bill, which is available online at legistar.council.nyc.gov.**

This bill would amend the City’s data breach notification laws to align them with requirements in New York’s SHIELD Act. It would make certain definitions in City law more consistent with State law. City agencies that have suffered a security breach involving persons’ private identifying information would be required to promptly disclose it to the City’s Chief Privacy Officer, the Office of Cyber Command, and the Department of Information Technology and Telecommunications; formerly the NYPD received this type of disclosure. The obligation to make this type of disclosure – including to affected persons – would be expanded to situations in which the information was reasonably believed to have been accessed, disclosed or used by an unauthorized person. With some exceptions, the bill would mandate that if 5,000 or more New York residents must be notified at one time pursuant to Section 10-502 of the City’s Administrative Code, the notifying agency must also notify consumer reporting agencies as to the timing, content and distribution of the notices, and approximate number of affected individuals. Certain agencies would have to coordinate and keep records on data breaches. The bill would mandate that Department of Consumer and Worker Protection, Department of Health and Mental Hygiene and Taxi and Limousine Commission licensees required to make a data breach notification pursuant to State law, promptly submit a copy of the notification to their licensing agencies.

**Effective Date:**

120 days after it becomes law

**Legislative Impact:**

[ ]  **Agency Rulemaking Required**: Is City agency rulemaking required?

[ ]  **Report Required**: Is a report due to Council required?

[ ]  **Sunset Date Included**: Does the legislation have a sunset date?

[ ]  **Council Appointment Required**: Is an appointment by the Council required?

[ ]  **Other Appointment Required**: Are other appointments not by the Council required?

**Note:** In the full bill text online at legistar.council.nyc.gov, language in proposed consolidated laws that is enclosed by [brackets] would be deleted, and language that is underlined would be new. Language in proposed unconsolidated laws, in contrast, will not have brackets or underlining because it would be entirely new. Consolidation means that the law would be placed in the New York City Charter or Administrative Code.