

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY AMENDMENT 1,
TO 2003 ASSEMBLY BILL 288**

May 1, 2003 – Offered by COMMITTEE ON JUDICIARY.

1 At the locations indicated, amend the amendment as follows:

2 **1.** Page 1, line 13: delete “reasonably believes” and substitute “has a
3 reasonable basis to believe”.

4 **2.** Page 2, line 5: delete lines 5 to 21 and substitute:

5 **“(2) REQUIRED NOTICE.** An entity that knows of the unauthorized use of
6 unencrypted personal identifying information that was obtained while in the
7 custody of the entity shall make reasonable efforts to notify each individual who is
8 the subject of the information unless the entity knows that the individual is already
9 aware of this unauthorized use. The notice shall indicate that the entity knows of
10 the unauthorized use of personal identifying information. Notice shall be given in
11 a manner and time frame that is reasonable, taking into consideration the number
12 of notices to be given and methods of communication available to the entity. The

1 notice shall be issued not more than 30 days after the entity gained knowledge of the
2 unauthorized use of the personal identifying information, except that notice may be
3 deferred upon request of or advice from law enforcement officials.”.

4 **3.** Page 2, line 24: delete “law.” and substitute “law.”.

5 **4.** Page 3, line 1: delete lines 1 to 4.

6 **(END)**