S T A T E O F N E W Y O R K

7846

I N S E N A T E

August 31, 2012

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the penal law, in relation to unauthorized release of personal data

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The penal law is amended by adding a new section 190.87 to read as follows:

S 190.87 UNAUTHORIZED RELEASE OF PERSONAL DATA.

1. A PERSON IS GUILTY OF UNAUTHORIZED RELEASE OF PERSONAL DATA WHEN HE OR SHE RELEASES, PUBLISHES, PROVIDES, DISTRIBUTES, OR MAKES AVAILABLE TO ANY OTHER PERSON, THROUGH ANY MEANS, THE PERSONAL DATA OF ANY PERSON WITHOUT THE CONSENT OF SUCH PERSON.

2. FOR PURPOSES OF THIS SECTION, "PERSONAL DATA" MEANS A PERSON'S SOCIAL SECURITY NUMBER, FINANCIAL SERVICES ACCOUNT NUMBER OR CODE, SAVINGS ACCOUNT NUMBER OR CODE, CHECKING ACCOUNT NUMBER OR CODE, BROKERAGE ACCOUNT NUMBER OR CODE, CREDIT CARD ACCOUNT NUMBER OR CODE, DEBIT CARD NUMBER OR CODE, AUTOMATED TELLER MACHINE NUMBER OR CODE, TAXPAYER IDENTIFICATION NUMBER, TELEPHONE CALLING CARD NUMBER, MOBILE IDENTIFICATION NUMBER OR CODE, ELECTRONIC SERIAL NUMBER, OR PERSONAL IDENTIFICATION NUMBER.

UNAUTHORIZED RELEASE OF PERSONAL DATA IS A CLASS E FELONY.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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