

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 696

S.P. 209

In Senate, February 11, 2019

An Act To Protect Public Employees from Identity Theft

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative DAUGHTRY of Brunswick and
Senators: DOW of Lincoln, MIRAMANT of Knox, WOODSOME of York, Representatives:
BEEBE-CENTER of Rockland, FECTEAU of Biddeford, INGWERSEN of Arundel,
McCREA of Fort Fairfield, TUCKER of Brunswick.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA c. 43** is enacted to read:

3 **CHAPTER 43**

4 **EMPLOYEE PERSONAL INFORMATION**

5 **§3501. Public employer notice upon breach of confidentiality of employee personal**
6 **information**

7 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the
8 following terms have the following meanings.

9 A. "Personal information" means information listed under Title 5, section 7070,
10 subsection 2.

11 B. "Public employer" means the State, including an executive, legislative or judicial
12 agency, department, bureau, division, board or commission, a public postsecondary
13 educational institution or an entity listed in section 962, subsection 7, paragraph A.

14 **2. Breach of employee personal information.** If a public employer determines or
15 suspects that there has been a breach of confidentiality or theft of personal information of
16 an employee of the public employer due to cyber activity or other means, the public
17 employer shall:

18 A. Notify the employee within 24 hours of being notified of or discovering the
19 breach or theft; and

20 B. Provide financial counseling to the employee.

21 **SUMMARY**

22 This bill requires a public employer, if the public employer determines or suspects
23 there has been a breach of confidentiality or theft of an employee's personal information
24 due to cyber activity or other means, to notify the employee within 24 hours of being
25 notified of or discovering the breach or theft and to provide the employee financial
26 counseling.