



General Assembly

Substitute Bill No. 671

February Session, 2008

* SB00671APP 041608 *

AN ACT CONCERNING IDENTITY THEFT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2008*) Any department, board,
2 commission, institution or other agency of the state or any political
3 subdivision of the state that requests an individual to disclose such
4 individual's Social Security number shall inform such individual: (1)
5 Whether such disclosure is mandatory or voluntary, (2) by what
6 statutory or other authority such number is requested, and (3) what
7 uses will be made of such number.

8 Sec. 2. (NEW) (*Effective October 1, 2008*) Any person, entity, agency
9 of the state or political subdivision of the state that loses custody of a
10 record containing an individual's Social Security number or that causes
11 the disclosure of an individual's Social Security number, unless such
12 disclosure is authorized by the individual or required by law, shall (1)
13 provide written notification of the loss or disclosure to the individual
14 not later than seven business days after discovering the loss or
15 disclosure, (2) provide the individual, at the individual's option, not
16 less than two years of commercially available identity theft monitoring
17 and protection at the cost of the person, entity, agency of the state or
18 political subdivision of the state, and (3) upon the request of the
19 individual, enroll the individual in such identity theft monitoring and
20 protection or assist such individual in enrolling in such identity theft

21 monitoring and protection.

22 Sec. 3. Section 52-571h of the general statutes is repealed and the
23 following is substituted in lieu thereof (*Effective October 1, 2008*):

24 (a) Any person aggrieved by an act constituting a violation of
25 section 53a-129a of the general statutes, revision of 1958, revised to
26 January 1, 2003, or section 53a-129b, 53a-129c or 53a-129d may bring a
27 civil action in the Superior Court for damages against the person who
28 committed the violation.

29 (b) Any individual aggrieved by the negligent, reckless or
30 intentional disclosure of personal identifying information, as defined
31 in section 53a-129a, by any person, entity, agency of the state or
32 political subdivision of the state may bring a civil action in the
33 Superior Court for damages against such person, entity, agency of the
34 state or political subdivision of the state unless such disclosure was
35 authorized by the individual or required by law. The individual shall
36 have the burden of proving by a preponderance of the evidence that
37 the disclosure by the person, entity, agency of the state or political
38 subdivision of the state caused the damages alleged by the individual.

39 [(b)] (c) In any civil action brought under this section in which the
40 plaintiff prevails, the court shall award the greater of one thousand
41 dollars or treble damages, together with costs and a reasonable
42 attorney's fee.

43 [(c)] (d) No action under this section shall be brought but within two
44 years from the date when the violation is discovered or in the exercise
45 of reasonable care should have been discovered.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	New section
Sec. 2	<i>October 1, 2008</i>	New section
Sec. 3	<i>October 1, 2008</i>	52-571h

JUD *Joint Favorable Subst.*

APP *Joint Favorable*