



Charlie Crist
Governor
Monesia T. Brown
Director

MEMORANDUM

DATE: March 6, 2008

TO: Regional Workforce Board Executive Directors

FROM: Lois A. Scott, Program Manager, One-Stop and Program Support

SUBJECT: Section 817.5681, F.S., Breach of Security Concerning Confidential Personal Information in Third-Party Possession; Administrative Penalties

The purpose of this memorandum is to make the Regional Workforce Boards aware of a State statute regarding security breaches of personal information in a computerized database and the penalties associated with failure to make timely disclosure of such an event. Personal information is defined in section 817.5681(5), Florida Statutes, as "an individual's first name, first initial and last name, or any middle name and last name, in combination with any one or more of the following data elements when the data elements are not encrypted:

- (a) Social security number
- (b) Driver's license number or Florida Identification Card number
- (c) Account number, credit card number, or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account."

Section 817.5681, Florida Statutes, sets forth specific requirements regarding who must provide notice of a security breach, and the timing and manner in which notice must be provided. It is recommended that you familiarize yourselves with these requirements. A copy of this statute can be found at the following site:
http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=Section+817.5681&URL=CH0817/Sec5681.HTM.

If you have any questions or need any additional information, staff may contact John Perry at (850) 245-7152 or via e-mail at John.Perry@flaawi.com.

LAS/ojl

cc: Richard Meik
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