

**ARKANSAS SENATE**  
92nd General Assembly - Regular Session, 2019  
**Amendment Form**

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**Subtitle of House Bill No. 1943**

TO AMEND THE PERSONAL INFORMATION PROTECTION ACT; AND TO REVISE THE DEFINITION OF  
"PERSONAL INFORMATION" IN THE PERSONAL INFORMATION PROTECTION ACT.

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**Amendment No. 1 to House Bill 1943**

Amend House Bill No. 1943 as originally introduced:

Add Senator Rapert as a cosponsor of the bill

AND

Page 1, delete lines 26 through 33, and substitute the following:

"(E)(i) Biometric data.

(ii) As used in this subdivision (7)(E), "biometric data" means data generated by automatic measurements of an individual's biological characteristics, including without limitation:

(a) Fingerprints;

(b) Faceprint;

(c) A retinal or iris scan;

(d) Hand geometry;

(e) Voiceprint analysis;

(f) Deoxyribonucleic acid (DNA); or

(g) Any other unique biological

characteristics of an individual if the characteristics are used by the owner or licensee to uniquely authenticate the individual's identity when the individual accesses a system or account;"

AND

Page 2, delete line 3, and substitute the following:

"notify the owner or licensee ~~of the information of any~~ that there has been a breach of the"

AND

Page 2, delete line 12, and substitute the following:



"after the person or business determines that there is a reasonable likelihood of harm to customers, whichever occurs first, disclose the"

AND

Page 2, delete lines 15 through 22, and substitute the following:

"SECTION 3. Arkansas Code § 4-110-105, concerning the disclosure of security breaches, is amended to add an additional subsection to read as follows:

(g)(1) A person or business shall retain a copy of the written determination of a breach of the security of a system and supporting documentation for five (5) years from the date of determination of the breach of the security of the system.

(2) If the Attorney General submits a written request for the written determination of the breach of the security of the system, the person or business shall send a copy of the written determination of the breach of the security of the system and supporting documentation to the Attorney General no later than thirty (30) days after the date of receipt of the request.

(3) The determination and documentation retained under this subsection are confidential and not subject to public disclosure."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Rapert

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Secretary