

AMENDMENTS TO LB757

Introduced by Judiciary.

1           1. Strike original section 6 and insert the following new section:

2           Sec. 6.   (1) To protect personal information from unauthorized  
3 access, acquisition, destruction, use, modification, or disclosure, an  
4 individual or a commercial entity that conducts business in Nebraska and  
5 owns, licenses, or maintains data that includes personal information  
6 about a resident of Nebraska shall implement and maintain reasonable  
7 security procedures and practices that are appropriate to the nature and  
8 sensitivity of the personal information owned, licensed, or maintained  
9 and the nature and size of the business and its operations, including  
10 safeguards that protect the personal information when the individual or  
11 commercial entity disposes of the personal information.

12           (2) An individual or commercial entity that discloses personal  
13 information about a Nebraska resident to a nonaffiliated, third-party  
14 service provider shall require by contract that the service provider  
15 implement and maintain reasonable security procedures and practices that:

16           (a) Are appropriate to the nature of the personal information  
17 disclosed to the service provider; and

18           (b) Are reasonably designed to help protect the personal information  
19 from unauthorized access, acquisition, destruction, use, modification, or  
20 disclosure.

21           (3) An individual or a commercial entity complies with subsections  
22 (1) and (2) of this section if the individual or commercial entity:

23           (a) Complies with a state or federal law that provides greater  
24 protection to personal information than the protections that this section  
25 provides; or

26           (b) Complies with the regulations promulgated under Title V of the  
27 Gramm-Leach-Bliley Act, 15 U.S.C. 6801 et seq., or the Health Insurance

1 Portability and Accountability Act of 1996, 42 U.S.C. 1320d to 1320d-9,  
2 as such act and sections existed on January 1, 2018, if the individual or  
3 commercial entity is subject to either or both of such act or sections.