State Mandated Policy for Storing Personal Identifying Information

- Effective September 1, 2018, Colorado Revised Statute § 6-1-713 requires "covered entities" to comply with new rules regarding the security and disposal of Personal Identifying Information (for example: social security numbers, tax identification number, passwords, passcodes, driver's license number, etc...)

- **Management Companies** and **Homeowners Associations** that handle Personal Identifying Information should adopt a **policy** with the following provisions:

    - A provision for the **protection** of Personal Identifying Information:
        - Must require third party (for example, an Information Technology company that handles your data/computers) to provide its own security measures for protecting Personal Identifying Information.
        - Must effectively eliminate third party's ability to access Personal Identifying Information without authorization.
    - A provision for the procedure for **destroying** and **deleting** both physical and electronic copies of Personal Identifying Information:
        - The Personal Identifying Information must at least be shredded, erased, or otherwise modified to make the information completely unreadable and indecipherable.
    - There must be a procedure for when there is a **security breach**:
        - The procedure most contain provisions on how to disclose the breach to parties with exposed Personal Identifying Information.
        - The breached entity must have a policy in place to conduct a thorough investigation of the breach.
        - This procedure must contain provisions on how to contact and notify the Office of the Attorney General.
        - The breached entity must email or otherwise reasonably notify the people whose Personal Identifying Information was breached.
        - The breached entity must a post conspicuous notification on its website that a breached has occurred and must also provide notification to a major, statewide media.

This list is not exhaustive! Please contact WesternLaw Group to learn more!

9351 Grant Street, #120, Thornton, CO 80229 · Phone: 720.542.8724 · Fax: 720.542.8726
www.WesternLawGroup.com