

IC 24-4.9-4

Chapter 4. Enforcement

IC 24-4.9-4-1

Failure to disclose or notify; deceptive act

Sec. 1. (a) A person that is required to make a disclosure or notification in accordance with IC 24-4.9-3 and that fails to comply with any provision of this article commits a deceptive act that is actionable only by the attorney general under this chapter.

(b) A failure to make a required disclosure or notification in connection with a related series of breaches of the security of data constitutes one (1) deceptive act.

As added by P.L.125-2006, SEC.6. Amended by P.L.137-2009, SEC.7.

IC 24-4.9-4-2

Action by attorney general

Sec. 2. The attorney general may bring an action under this chapter to obtain any or all of the following:

- (1) An injunction to enjoin future violations of IC 24-4.9-3.
- (2) A civil penalty of not more than one hundred fifty thousand dollars (\$150,000) per deceptive act.
- (3) The attorney general's reasonable costs in:
 - (A) the investigation of the deceptive act; and
 - (B) maintaining the action.

As added by P.L.125-2006, SEC.6.