

SENATE BILL 2018

By Reeves

AN ACT to amend Tennessee Code Annotated, Title 29  
and Title 47, relative to civil liability.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by  
adding the following as a new section:

(a) As used in this section:

(1) "Cybersecurity event" means an event resulting in unauthorized  
access to, or disruption or misuse of, an information system or nonpublic  
information stored on an information system;

(2) "Information system" has the same meaning as defined in § 56-2-  
1003;

(3) "Nonpublic information" means information that is not publicly  
available and concerns a person that, because of a name, number, personal  
mark, or other identifier, can be used to identify that person, in combination with  
the following:

(A) A social security number;

(B) A driver license number or non-driver identification card  
number;

(C) A financial account number or credit or debit card number;

(D) A security code, access code, or password that would permit  
access to the person's financial accounts; or

(E) Biometric records;

(4) "Private entity" means a corporation, religious or charitable organization, association, partnership, limited liability company, limited liability partnership, or other private business entity, whether organized for-profit or not-for-profit; and

(5) "Publicly available information" means information that is lawfully made available through federal, state, or local government records, or information that a business has a reasonable basis to believe is lawfully made available to the general public.

(b) A private entity is not liable in a class action resulting from a cybersecurity event unless the cybersecurity event was caused by willful, wanton, or gross negligence on the part of the private entity.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.