

(4) IF AFTER THE INVESTIGATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS CONCLUDED, THE BUSINESS DETERMINES THAT NOTIFICATION UNDER PARAGRAPH (2) OF THIS SUBSECTION IS NOT REQUIRED, THE BUSINESS SHALL MAINTAIN RECORDS THAT REFLECT ITS DETERMINATION FOR 3 YEARS AFTER THE DETERMINATION IS MADE.

(c) (1) A BUSINESS THAT MAINTAINS COMPUTERIZED DATA THAT INCLUDES PERSONAL INFORMATION THAT THE BUSINESS DOES NOT OWN OR LICENSE SHALL NOTIFY THE OWNER OR LICENSEE OF THE PERSONAL INFORMATION OF A BREACH OF THE SECURITY OF A SYSTEM IF IT IS LIKELY THAT THE BREACH HAS RESULTED OR WILL RESULT IN THE MISUSE OF PERSONAL INFORMATION OF AN INDIVIDUAL RESIDING IN THE STATE ~~IF IT IS LIKELY THAT THE BREACH HAS RESULTED OR WILL RESULT IN A MATERIAL RISK OF IDENTITY THEFT OF PERSONAL INFORMATION OF AN INDIVIDUAL RESIDING IN THE STATE.~~

(2) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE NOTIFICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE GIVEN AS SOON AS REASONABLY PRACTICABLE AFTER THE BUSINESS DISCOVERS OR IS NOTIFIED OF THE BREACH OF THE SECURITY OF A SYSTEM.

(3) A BUSINESS THAT IS REQUIRED TO NOTIFY AN OWNER OR LICENSEE OF PERSONAL INFORMATION OF A BREACH OF THE SECURITY OF A SYSTEM UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL SHARE WITH THE OWNER OR LICENSEE INFORMATION RELATIVE TO THE BREACH.

(d) (1) THE NOTIFICATION REQUIRED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION MAY BE DELAYED:

(i) IF A LAW ENFORCEMENT AGENCY DETERMINES THAT THE NOTIFICATION WILL IMPEDE A CRIMINAL INVESTIGATION OR JEOPARDIZE HOMELAND OR NATIONAL SECURITY; OR

(ii) TO DETERMINE THE SCOPE OF THE BREACH OF THE SECURITY OF A SYSTEM, IDENTIFY THE INDIVIDUALS AFFECTED, OR RESTORE THE INTEGRITY OF THE SYSTEM.

(2) IF NOTIFICATION IS DELAYED UNDER PARAGRAPH (1)(i) OF THIS SUBSECTION, NOTIFICATION SHALL BE GIVEN AS SOON AS REASONABLY PRACTICABLE AFTER THE LAW ENFORCEMENT AGENCY DETERMINES THAT IT