## WEST VIRGINIA CODE: §5A-6C-3

## §5A-6C-3. Cyber Incident reporting; when required.

- (a) Qualified cybersecurity incidents shall be reported to the Cybersecurity Office before any citizen notification, but no later than 10 days following a determination that the entity experienced a qualifying cybersecurity incident.
- (b) A qualified cybersecurity incident meets at least one of the following criteria:
- (1) State or federal law requires the reporting of the incident to regulatory or lawenforcement agencies or affected citizens;
- (2) The ability of the entity that experienced the incident to conduct business is substantially affected; or
- (3) The incident would be classified as emergency, severe, or high by the U.S. Cybersecurity and Infrastructure Security Agency.
- (c) The report of the cybersecurity incident to the Cybersecurity Office shall contain at a minimum:
- (1) The approximate date of the incident;
- (2) The date the incident was discovered;
- (3) The nature of any data that may have been illegally obtained or accessed; and
- (4) A list of the state and federal regulatory agencies, self-regulatory bodies, and foreign regulatory agencies to whom the notice has been or will be provided.
- (d) The procedure for reporting cybersecurity incidents shall be established by the Cybersecurity Office and disseminated to the entities listed §5A-6C-2 of this code.