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## Compliance With Established Cybersecurity Standards Provides Protection From Liability in Ohio

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On August 3, 2018, the Governor in Ohio signed into law the [Data Protection Act](#), which provides businesses with an affirmative defense to data breach claims if the business was in compliance with reasonable security measures at the time of the breach. Specifically, a business would have to show that it creates, maintains and complies with “a written cybersecurity program . . . that reasonably conforms to an industry recognized cybersecurity framework.” Acceptable standards include the NIST framework and compliance with PCI requirements. For businesses subject to regulatory standards, evidence of compliance with those regulatory standards, such as the Health Insurance Portability and Accountability Act (HIPAA) or Gramm-Leach Bliley (GLBA), will also provide protection. Many believe that this legislation will encourage businesses in Ohio to allocate more resources for cybersecurity and data protection programs.

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