

HOUSE RESEARCH

Bill Summary

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Version: As introduced

Authors: Hilstrom and others

Subject: Use of Social Security numbers

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Overview

This bill amends an existing law to further restrict the use of Social Security numbers. The existing law was enacted in 2005, with a delayed effective date of July 1, 2007, so it has not yet gone into effect.

Section

1 **Generally.** In clause (3), the bill adds additional requirements that must be met to allow requiring an individual to send a Social Security number over the internet. The additions are that the number must be essential for the transaction and that there must be no other identifier that could reasonably be used instead.

In clause (5), the bill eliminates current language that permits printing a Social Security number on materials mailed to the individual, if the person mailing it received the number from someone else and did not know it was a Social Security number. Eliminates current language that says the person sending the mailing has no duty to investigate whether the number is a Social Security number.

Clause (8) prohibits disclosing an individual's Social Security number to a nonaffiliated third party, without the written affirmative consent of the individual.

Clause (9) prohibits refusing to do business with an individual because the individual refuses to permit access to the individual's Social Security number, unless the person requesting the number has a reason to need to obtain a credit report on the individual and no other identifier will permit getting the credit report, or the person requesting the number is

required by federal law to provide the individual's number to the federal government.

Eliminates current language that is shown below the new clause (9) that permits a Social Security number on certain mailed applications and other forms, but does not permit putting it on the outside of the mailing or in a bulk mailing of credit card solicitations.

Eliminates the existing paragraph (c), which provides that this entire section of existing law, other than subdivision 2 (not shown in this bill, and repealed in section 3 below), is effective July 1, 2007.

2 Penalties and remedies. Provides that a violation of this section of law subjects the violator to section 8.31. That section permits the Attorney General to enforce the law and also permits a private right of action under section 8.31, subdivision 3.

3 Repealer. Repeals subdivision 2, which is a "grandfather clause" that permits continued use of an individual's Social Security number after July 1, 2007, by a person who was using it before then, under certain conditions.

4 Effective date. Makes the bill effective July 1, 2007.