

2155

2009-2010 Regular Sessions

I N S E N A T E

February 12, 2009

Introduced by Sens. MAZIARZ, DeFRANCISCO, DIAZ, O. JOHNSON, LANZA, LIBOUS, MORAHAN, RANZENHOFER, SALAND, SKELOS, VOLKER, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil rights law, in relation to establishing social security numbers shall not appear on certain public records

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The civil rights law is amended by adding a new section
2 50-f to read as follows:
3 S 50-F. PRIVACY OF PUBLIC RECORDS. 1. A. NO PUBLIC ENTITY, NOR ANY
4 OFFICER OR EMPLOYEE THEREOF, SHALL REQUIRE A PERSON'S SOCIAL SECURITY
5 NUMBER TO APPEAR ON THE FOLLOWING PUBLIC RECORDS:
6 (I) MORTGAGES;
7 (II) JUDGMENTS;
8 (III) UNIFORM COMMERCIAL CODE FILINGS;
9 (IV) DEATH CERTIFICATES;
10 (V) VETERAN'S DISCHARGES; OR
11 (VI) STATE TAX WARRANTS.
12 B. THE PROVISIONS OF THIS SUBDIVISION SHALL NOT PROHIBIT A PUBLIC
13 ENTITY, IN ITS DISCRETION, FROM ENTERING INTO AGREEMENTS WITH ANY OTHER
14 PUBLIC ENTITIES FOR THE PROVISION OF A PERSON'S SOCIAL SECURITY NUMBER
15 WHEN NECESSARY TO FURTHER THE PUBLIC ENTITY'S OFFICIAL FUNCTIONS.
16 2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PUBLIC ENTITY IN
17 RECEIPT OF A REQUEST FOR A RECORD WHICH CONTAINS A PERSON'S SOCIAL SECURITY
18 NUMBER SHALL REJECT SUCH A REQUEST IF SUCH ENTITY DETERMINES THAT
19 THE RECORD SOUGHT WOULD, IF DISCLOSED, BE USED FOR ANY COMMERCIAL, ILLEGAL
20 OR ANY OTHER UNRELATED PURPOSE.
21 3. FOR PURPOSES OF THIS SECTION, "PUBLIC ENTITY" MEANS ANY STATE OR
22 LOCAL DEPARTMENT, AGENCY, BOARD, BUREAU, DIVISION, COMMISSION, PUBLIC
23 AUTHORITY, PUBLIC BENEFIT CORPORATION, OFFICE, OR ANY OTHER ENTITY

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 PERFORMING A GOVERNMENTAL OR PROPRIETARY FUNCTION FOR THE STATE OR ANY
2 OF ITS POLITICAL SUBDIVISIONS.

3 S 2. This act shall take effect on the one hundred twentieth day after
4 it shall have become a law. Any rules and regulations necessary to
5 implement the provisions of this act on its effective date are author-
6 ized and directed to be promulgated on or before such effective date.