

4186

2009-2010 Regular Sessions

I N S E N A T E

April 15, 2009

Introduced by Sens. FLANAGAN, ALESİ, O. JOHNSON, LAVALLE, MAZIARZ, MORAHAN, SEWARD, SKELOS, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public officers law, in relation to limiting the use of social security numbers for identification of employees

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

1 Section 1. The public officers law is amended by adding a new section
2 96-b to read as follows:
3 S 96-B. USE OF SOCIAL SECURITY NUMBERS FOR IDENTIFICATION PURPOSES.
4 (1) NO AGENCY SHALL USE THE SOCIAL SECURITY NUMBERS OF ITS EMPLOYEES AS
5 A MEANS OF IDENTIFYING SAID EMPLOYEES UNLESS SPECIFICALLY AUTHORIZED OR
6 REQUIRED BY LAW.
7 (2) AN AGENCY WHICH REQUESTS OR REQUIRES AN EMPLOYEE TO DISCLOSE HIS
8 OR HER SOCIAL SECURITY NUMBER, OR TO PLACE HIS OR HER SOCIAL SECURITY
9 NUMBER ON ANY DOCUMENT, SHALL INFORM THE EMPLOYEE IN WRITING WHETHER
10 SUCH DISCLOSURE IS VOLUNTARY OR MANDATORY;
11 (A) IF SUCH DISCLOSURE IS VOLUNTARY, THE AGENCY SHALL ADVISE THE
12 EMPLOYEE WHAT USES WILL BE MADE OF SUCH NUMBER.
13 (B) IF SUCH DISCLOSURE IS MANDATORY, THE AGENCY SHALL:
14 (I) BE STATUTORILY AUTHORIZED TO REQUIRE THE EMPLOYEE'S SOCIAL SECURI-
15 TY NUMBER;
16 (II) ADVISE THE EMPLOYEE OF THE STATUTORY OR OTHER AUTHORITY UNDER
17 WHICH SUCH NUMBER IS REQUIRED; AND
18 (III) ADVISE THE EMPLOYEE WHAT USES WILL BE MADE OF SUCH NUMBER.
19 S 2. This act shall take effect on the one hundred eightieth day after
20 it shall have become a law.

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

LBD10892-01-9