

700

2009-2010 Regular Sessions

I N S E N A T E

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Introduced by Sens. C. JOHNSON, AUBERTINE, BRESLIN, DIAZ, DUANE, KLEIN, KRUEGER, MONTGOMERY, ONORATO, PARKER, SAMPSON, STAVISKY -- 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 social security number confidentiality

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. SOCIAL SECURITY NUMBER CONFIDENTIALITY. 1. AS USED IN THIS
4 SECTION:
5 (A) "PERSON" SHALL MEAN AN INDIVIDUAL, FIRM, COMPANY, PARTNERSHIP,
6 LIMITED LIABILITY COMPANY OR CORPORATION.
7 (B) "SOCIAL SECURITY NUMBER" SHALL MEAN THE UNIQUE NINE DIGIT NUMBER
8 ISSUED TO A PERSON BY THE FEDERAL SOCIAL SECURITY ADMINISTRATION.
9 2. NO PERSON SHALL MAKE THE ENTIRETY OF A SOCIAL SECURITY NUMBER
10 AVAILABLE TO THE GENERAL PUBLIC. THIS PROHIBITION SHALL INCLUDE BUT NOT
11 BE LIMITED TO:
12 (A) INTENTIONALLY COMMUNICATING A SOCIAL SECURITY NUMBER TO THE GENER-
13 AL PUBLIC;
14 (B) PRINTING A SOCIAL SECURITY NUMBER ON A CARD REQUIRED FOR THE
15 RECEIPT OF PRODUCTS OR SERVICES, INCLUDING CARDS ISSUED FOR RECEIPT OF
16 SERVICES FROM THE STATE OR ITS POLITICAL SUBDIVISIONS;
17 (C) REQUIRING USE OF A SOCIAL SECURITY NUMBER OVER THE INTERNET WITH-
18 OUT A SECURE CONNECTION OR ENCRYPTION SECURITY;
19 (D) REQUIRING USE OF A SOCIAL SECURITY NUMBER TO ACCESS AN INTERNET
20 ACCOUNT; OR
21 (E) PRINTING A SOCIAL SECURITY NUMBER ON MATERIALS MAILED TO A PERSON
22 UNLESS REQUIRED BY LAW.

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

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1 3. NO PERSON SHALL REQUIRE USE OF THE ENTIRETY OF A SOCIAL SECURITY
2 NUMBER FOR AN EMPLOYMENT APPLICATION, CREDIT APPLICATION OR OTHER TRANS-
3 ACTION, EXCEPT FOR LAW ENFORCEMENT, SOCIAL SECURITY, MEDICARE OR MEDI-
4 CAID PURPOSES.

5 4. NO PERSON SHALL REFUSE TO TRANSACT BUSINESS BECAUSE OF A REFUSAL TO
6 PROVIDE THE SOCIAL SECURITY NUMBER, UNLESS THE SOCIAL SECURITY NUMBER IS
7 REQUIRED BY FEDERAL OR STATE LAW.

8 5. NO PERSON SHALL TRANSMIT MATERIAL THAT ASSOCIATES A SOCIAL SECURITY
9 NUMBER WITH AN ACCOUNT NUMBER FOR A BANK, SAVINGS AND LOAN ASSOCIATION
10 OR CREDIT UNION, UNLESS BOTH NUMBERS ARE REQUIRED AS PART OF AN APPLICA-
11 TION OR ENROLLMENT PROCESS OR TO ESTABLISH, AMEND OR TERMINATE AN
12 ACCOUNT, CONTRACT OR POLICY OR TO CONFIRM THE ACCURACY OF THE SOCIAL
13 SECURITY, BANK, SAVINGS AND LOAN ASSOCIATION OR CREDIT UNION ACCOUNT
14 NUMBER.

15 6. A PERSON MAY USE A SOCIAL SECURITY NUMBER IF THE SOCIAL SECURITY
16 NUMBER:

17 (A) IS PART OF AN APPLICATION OR ENROLLMENT PROCESS OR TO ESTABLISH,
18 AMEND OR TERMINATE AN ACCOUNT, CONTRACT OR POLICY;

19 (B) WAS FURNISHED FOR A DOCUMENT GENERATED ON OR BEFORE DECEMBER THIR-
20 TY-FIRST, TWO THOUSAND NINE AND THE PERSON IS COPYING OR REPRODUCING
21 THAT DOCUMENT; OR

22 (C) EXISTS ON AN ORIGINAL DOCUMENT GENERATED ON OR BEFORE DECEMBER
23 THIRTY-FIRST, TWO THOUSAND NINE.

24 7. A PERSON MAY COLLECT, USE AND RELEASE A SOCIAL SECURITY NUMBER AS
25 REQUIRED BY LAW OR FOR INTERNAL VERIFICATION OR ADMINISTRATIVE PURPOSES.

26 S 2. This act shall take effect January 1, 2010.