S T A T E O F N E W Y O R K

4672

2011-2012 Regular Sessions

I N S E N A T E

April 14, 2011

Introduced by Sen. FLANAGAN -- 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:

Section 1. The public officers law is amended by adding a new section 96-b to read as follows:

S 96-B. USE OF SOCIAL SECURITY NUMBERS FOR IDENTIFICATION PURPOSES. (1) NO AGENCY SHALL USE THE SOCIAL SECURITY NUMBERS OF ITS EMPLOYEES AS A MEANS OF IDENTIFYING SAID EMPLOYEES UNLESS SPECIFICALLY AUTHORIZED OR REQUIRED BY LAW.

(2) AN AGENCY WHICH REQUESTS OR REQUIRES AN EMPLOYEE TO DISCLOSE HIS OR HER SOCIAL SECURITY NUMBER, OR TO PLACE HIS OR HER SOCIAL SECURITY NUMBER ON ANY DOCUMENT, SHALL INFORM THE EMPLOYEE IN WRITING WHETHER SUCH DISCLOSURE IS VOLUNTARY OR MANDATORY;

(A) IF SUCH DISCLOSURE IS VOLUNTARY, THE AGENCY SHALL ADVISE THE EMPLOYEE WHAT USES WILL BE MADE OF SUCH NUMBER.

(B) IF SUCH DISCLOSURE IS MANDATORY, THE AGENCY SHALL:

(I) BE STATUTORILY AUTHORIZED TO REQUIRE THE EMPLOYEE'S SOCIAL SECURITY NUMBER;

(II) ADVISE THE EMPLOYEE OF THE STATUTORY OR OTHER AUTHORITY UNDER WHICH SUCH NUMBER IS REQUIRED; AND

(III) ADVISE THE EMPLOYEE WHAT USES WILL BE MADE OF SUCH NUMBER.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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