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

430

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. WRIGHT, MAYERSOHN, ROBINSON -- Multi-Sponsored by -- M. of A. BOYLAND, CAHILL, FARRELL, GLICK, GOTTFRIED, HOOPER, LAVINE, MAGEE, PEOPLES-STOKES, PERRY, J. RIVERA, N. RIVERA, TITUS, TOWNS, ZEBROWSKI -- read once and referred to the Committee on Governmental Operations

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:

Section 1. The civil rights law is amended by adding a new section 50-f to read as follows:

S 50-F. SOCIAL SECURITY NUMBER CONFIDENTIALITY. 1. AS USED IN THIS SECTION:

(A) "PERSON" SHALL MEAN AN INDIVIDUAL, FIRM, COMPANY, PARTNERSHIP, LIMITED LIABILITY COMPANY OR CORPORATION.

(B) "SOCIAL SECURITY NUMBER" SHALL MEAN THE UNIQUE NINE DIGIT NUMBER ISSUED TO A PERSON BY THE FEDERAL SOCIAL SECURITY ADMINISTRATION.

2. NO PERSON SHALL MAKE THE ENTIRETY OF A SOCIAL SECURITY NUMBER AVAILABLE TO THE GENERAL PUBLIC. THIS PROHIBITION SHALL INCLUDE BUT NOT BE LIMITED TO:

(A) INTENTIONALLY COMMUNICATING A SOCIAL SECURITY NUMBER TO THE GENERAL PUBLIC;

(B) PRINTING A SOCIAL SECURITY NUMBER ON A CARD REQUIRED FOR THE RECEIPT OF PRODUCTS OR SERVICES, INCLUDING CARDS ISSUED FOR RECEIPT OF SERVICES FROM THE STATE OR ITS POLITICAL SUBDIVISIONS;

(C) REQUIRING USE OF A SOCIAL SECURITY NUMBER OVER THE INTERNET WITHOUT A SECURE CONNECTION OR ENCRYPTION SECURITY;

(D) REQUIRING USE OF A SOCIAL SECURITY NUMBER TO ACCESS AN INTERNET ACCOUNT; OR

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

LBD02779-01-1

(E) PRINTING A SOCIAL SECURITY NUMBER ON MATERIALS MAILED TO A PERSON UNLESS REQUIRED BY LAW.

3. NO PERSON SHALL REQUIRE USE OF THE ENTIRETY OF A SOCIAL SECURITY NUMBER FOR AN EMPLOYMENT APPLICATION, CREDIT APPLICATION OR OTHER TRANSACTION, EXCEPT FOR LAW ENFORCEMENT, SOCIAL SECURITY, MEDICARE OR MEDICAID PURPOSES.

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

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

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

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

(B) WAS FURNISHED FOR A DOCUMENT GENERATED ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN AND THE PERSON IS COPYING OR REPRODUCING THAT DOCUMENT; OR

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

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

S 2. This act shall take effect January 1, 2012.