

State Laws Related to Privacy of Social Security Numbers Enacted in 2009 & 2010

State	Description of the Law	Treatment
<p>Alabama Signed by governor 5/20/09, Act 567</p> <p>Signed by governor 4/29/10, Act 707</p>	<p>Probate records - requires person recording documents with probate office to redact SSN or birth date appearing on documents under certain conditions; authorizes judge of probate to redact a SSN or birth date appearing in certain recorded documents; and authorizes judge of probate to make certain records available to public in electronic format and to publish certain records on Internet.</p> <p>Marriage licenses, military discharges - requires that a person recording documents with the probate office redact SSN or birth date appearing on marriage licenses or other documents, including military discharge forms, filed as a public record; and authorizes judge of probate to redact, remove, or otherwise make illegible a SSN or birth date appearing on marriage licenses or other documents, including military discharge forms, filed as a public record.</p>	<p>Do not display SSNs; redaction of SSNs by filers and probate court in records that are public</p> <p>Do not display SSNs; redaction of SSNs by filers and probate court in records that are public</p>
<p>Arizona Signed by governor 4/26/10, Chapter 155</p>	<p>Traffic tickets - prohibits a traffic complaint from containing a person's SSN</p>	<p>Cannot contain SSN</p>
<p>California Signed by governor 10/11/09, Chapter 552</p> <p>Signed by governor 10/11/09, Chapter 584</p>	<p>Public records - provides that a document containing more than the last four digits of a SSN is not entitled for recording; recorder deemed to be in compliance if uses due diligence to truncate SSNs in documents recorded; requires an abstract of judgment to contain only the last four digits of the SSN of the party who is ordered to pay.</p> <p>*California Public Records Act - intent of the Legislature that, in order to protect against the risk of identity theft, local agencies shall redact SSNs from records before disclosing them to the public pursuant to this chapter; local agency not required to disclose a SSN; does not apply to records maintained by a county recorder.</p>	<p>Public records cannot contain more than last 4 digits of SSN</p> <p>Do not display SSN; redaction of SSNs by agencies before disclosing records; requirement N/A to county records</p>
<p>Colorado Signed by governor 5/21/09, Chapter 289</p>	<p>Educator identifier system - Creates educator identifier system in Department of Education. Establishes confidentiality parameters and protections for educator identifiers; identifier may not use any</p>	<p>Cannot use SSNs; exceptions</p>

State	Description of the Law	Treatment
	personal identifying information, (SSNs) or contact information, except for alignment purposes in data processing.	
Delaware Signed by governor 7/8/09, Chapter 142	Public records - authorizes the Recorder for New Castle County, Kent County and Sussex County to establish administrative procedures that allow for redaction of sensitive identifying information from recorded instruments.	Authorizes redaction of SSNs (“sensitive identifying information”) by certain counties before disclosing public records
Florida Signed by governor 6/11/09, Chapter 169 Signed by governor 6/24/09, Chapter 237	USAs and judges and family - removes scheduled repeal under Open Government Sunset Review Act of exemptions from public records requirements for identification and location information of current or former U.S. attorneys, assistant U.S. attorneys, current or former judges of U.S. Courts of Appeal, federal district judges, and federal magistrates, and spouses and children thereof. Agency employees - provides that SSNs of current and former agency employees held by employing agency are confidential and exempt from public records requirements; provides for future review and repeal of exemption; requires that agency identify in writing specific federal or state laws governing collection, use, and release of SSNs and ensure compliance therewith.	SSNs confidential and exempt from public records SSNs confidential and exempt from public records; future review of exemption
Georgia Signed by governor 4/21/09, Act 12 Signed by governor 5/20/10, Act 409	EMTs, firefighters, nondisclosure other public records, account #s and passwords - relating to when public disclosure of public records is not required and disclosure of exempting legal authority, so as to clarify disclosure of federal records; limits the disclosure of certain private information of firefighters and emergency medical technicians; limits the disclosure of individual account numbers and passwords used to access accounts; provides that public disclosure may not be required for certain personal contact information of individuals obtained by a local government; provides for disclosure of certain information. Teachers, school employees - provides that certain personal information relating to teachers and employees of public and nonpublic schools are exempt from disclosure; provides that information relating to tests administered by the Professional Standards Commission is exempt from disclosure.	Limits disclosure of employees private information; no personal contact information disclosed (account #s, passwords) Personal information exempt from disclosure
Hawaii Signed by governor 4/16/09, Act 5	Land transactions records - requires redaction of first five digits of SSNs on judgments, decrees, and court orders when filing at the bureau of conveyances and land court.	Redaction first five digits of SSN
Illinois	Dentures and dental prosthesis - removes requirement that every	Removes requirement to provide SSN

State	Description of the Law	Treatment
<p>Signed by governor 8/24/09, Public Act 96-0617</p> <p>Signed by governor with amendatory veto 1/22/10, Public Act 96-0874</p> <p>Sent to governor 6/2/10</p>	<p>complete upper and lower denture and removable dental prosthesis fabricated by a dentist be marked with SSN of the patient.</p> <p>Creates the Identity Protection Act. In provisions concerning public inspection and copying of information and documents, provides that a person or state or local government agency must redact SSNs from information or documents containing all or any portion of an individual's SSN. Requires each state or local government agency to develop and approve an identity-protection policy within 12 months after the effective date of the Act. Deletes provisions requiring each state and local government agency to include in their respective identity-protection policy penalties for violating the policy and a description of how to properly dispose of information and documents that contain SSNs.</p> <p>Creates the Reciprocal Tax Collection Act. Provides that secretary of state may disclose SSNs to the Illinois Department of Revenue solely for use by the department in the collection of any tax or debt that the department is authorized or required by law to collect. Provides that the department may not disclose the SSN to any person or entity outside of the department.</p>	<p>Redaction SSNs by all state and local government agencies before public disclosure; agency development of ID-protection policy; remove requirement of penalties</p> <p>Secretary of State may share SSNs with IRS only for tax or debt collection; prohibited from disclosing outside department</p>
<p>Indiana</p> <p>Signed by governor 5/12/09, Public Law 142</p> <p>Signed by governor 5/6/09, Public Law 87</p>	<p>Gaming commission – authorizes requiring individual to submit SSN in course of an investigation.</p> <p>Standard deduction - provides that an applicant for a standard deduction must include either last five digits of the applicant's SSN or, if the individual does not have a SSN, the last five digits of the individual's driver's license number or state identification card number, or of a control number that is on a document issued to the individual by the federal government and determined by the department of local government finance to be acceptable.</p>	<p>May require SSN for investigation</p> <p>Must provide last five digits of SSN for standard deduction; other ID forms if no SSN</p>
<p>Iowa</p> <p>Signed by governor 5/18/09, Chapter 112</p>	<p>Real estate transactions - relates to declaration of value forms for the conveyance of real estate by making SSNs and tax identification numbers confidential.</p> <p>Temporary disability permits - allows Department of</p>	<p>SSNs and tax IDs confidential</p> <p>Provision of SSN in application waived</p>

State	Description of the Law	Treatment
Signed by governor 3/10/10	Transportation to waive requirement that applicant for a persons with disabilities parking permit furnish applicant's SSN, driver's license number, or nonoperator's identification card number when the application is for a temporary permit and is made on behalf of a person who is less than one year old.	
Kansas Signed by governor 4/8/10, Chapter 90	Victim/witness information - amends the Criminal Procedure Act by clarifying that except for when it is court ordered, a prosecuting attorney would not be required to provide vehicle identification numbers or other personal information of any victim or witness in documents to the defendant's counsel.	No personal information to defendant's counsel unless court-ordered
Maryland Signed by governor 5/4/10, Chapter 452	Internet posting by courts, legislature and executive agencies - prohibits on or after June 1, 2010, specified courts, Maryland General Assembly, and specified departments and specified units of the executive branch of state government from publicly posting or displaying on specified Internet websites an individual's personal information under specified circumstances; authorizes specified persons to request that specified official custodians mask specified personal information in the Internet version of specified records.	Prohibits posting and requires masking of personal information in certain records posted on Internet
Mississippi Signed by governor 4/2/09, Chapter 481	Traffic tickets - provides that a traffic ticket shall contain a space to include the current address and current telephone number of the person being charged; it shall not contain a space to include the SSN of the person being charged; this provision does not affect the right a person may have under other law to use the person's SSN as person's driver's license number.	Prohibits collection of SSN
Missouri Signed by governor 7/10/09 Sent to governor 5/25/10	Court documents - requires only the last four digits of a person's SSN to be listed on certain court filing documents and the full number to be kept confidential. Liens for unpaid support - requires a lien on real estate that is obtained based on a judgment or order for unpaid child support or maintenance to state only the last four digits of the obligor's Social SSN.	Requires collection of only last four digits SSN; full SSN confidential Requires collection only last four digits SSN
Montana Signed by governor 4/6/09, Chapter 163	Protection by state agencies; breach policy - requires state agencies to protect certain personal information; requires state agencies to develop procedures to protect SSNs; and provides a notification procedure for state agencies or third parties regarding a breach suspected of compromising certain personal information.	Protect SSNs; policy for breach personal info
Nebraska	Unclaimed property - changes provisions related to unclaimed	Records with SSNs (and other personal

State	Description of the Law	Treatment
Signed by governor 5/26/09	property; requires records concerning SSN, date of birth, amount due, and last known address to be treated as confidential.	information) confidential
<p>Nevada Signed by governor 6/1/09, Chapter 403</p> <p>Signed by governor 6/1/09, Chapter 428</p>	<p>DMHDS and DHHS certificates - provides that application of a natural person who applies for issuance of a certificate from Division of Mental Health and Development Services of the Department of Health and Human Services must include SSN of applicant.</p> <p>Intermediary service organization certificate - provides that an application for issuance of a certificate to operate an intermediary service organization must include the SSN of applicant.</p>	<p>Must include SSN to agency</p> <p>Must include SSN to agency</p>
<p>New Hampshire Signed by governor 6/9/09, Chapter 75</p> <p>Signed by governor 7/16/09, Chapter 238</p> <p>S.B. 367 Enrolled 5/19/10</p>	<p>Driver licenses - requires that a driver's license display the licensee's mailing address and not display the licensee's SSN.</p> <p>Driver license applications - authorizes Department of Safety to omit certain options that are currently required to be on the driver's license application form.</p> <p>Racing and charitable gaming members - removes requirement that racing and charitable gaming commission obtain SSNs from charitable organization members.</p>	<p>SSN may not be displayed</p> <p>Omit certain options on applications (SSN?)</p> <p>Removes requirement SSN be collected</p>
<p>North Dakota Signed by governor 3/19/09, Chapter 328</p> <p>Signed by governor 4/21/09, Chapter 380</p>	<p>Driver licenses - operator's license may not be issued with a distinguishing number that is, contains, can be converted to, or is an encrypted version of the applicant's SSN.</p> <p>Application to Secretary of State - provides that SSN or federal tax identification number disclosed or contained in an application filed with secretary of state under this chapter is confidential; secretary of state shall delete or obscure any SSN or federal tax identification number before a copy of an application is released to the public.</p>	<p>SSN may not be displayed</p> <p>SSN in application confidential; redaction by secretary of state before released to public</p>
<p>Oregon Signed by governor 6/18/09, Chapter 363</p> <p>Signed by governor 6/4/09,</p>	<p>Trust proceedings - provides that only last four digits of settlor's SSN need be provided in certain trust related proceedings.</p> <p>Application to Construction Contractors Board - makes personal identifier information contained in license or certificate</p>	<p>Only last four digits of SSN collected</p> <p>Personal identifier information confidential; no disclosure; exceptions</p>

State	Description of the Law	Treatment
<p>Chapter 226</p> <p>Signed by governor 6/4/09, Chapter 230</p> <p>Signed by governor 5/21/09, Chapter 113</p>	<p>application to Construction Contractors Board confidential; prohibits board from disclosing personal identifier information contained in application; creates exceptions.</p> <p>Court documents - provides that certain documents in judicial proceedings contain only last four digits of debtor's SSN and driver license number; allows garnishor or garnishor's attorney to provide full SSN to garnishee if garnishee requests number for purpose of identifying debtor; provides that garnishee is not liable to any person by reason of using all or part of debtor's SSN for purpose of identifying debtor.</p> <p>Victim/witness information - prohibits disclosure of certain personal identifiers of victim or witness to youth or youth offender in juvenile proceedings unless court orders disclosure.</p>	<p>Display only last four digits of SSN in certain documents; disclosure SSN to garnishee to identify debtor allowed; no liability</p> <p>No personal information to youth offender unless court-ordered</p>
<p>South Dakota</p> <p>Signed by governor 2/11/09, Chapter 3</p> <p>Signed by governor 3/30/09, Chapter 10</p>	<p>Secretary of State documents - requires the secretary of state to redact certain numbers before furnishing copies of information.</p> <p>Access - provides for public access to public records, provides certain exemptions, and provides for judicial remedies for noncompliance.</p>	<p>Redaction SSNs required before releasing</p> <p>Access to public records; exemptions remedies</p>
<p>Tennessee</p> <p>Signed by governor 5/21/09, Public Chapter 269</p> <p>Signed by governor 6/12/09, Public Chapter 433</p> <p>Signed by governor 5/18/09, Public Chapter 219</p>	<p>Consumer - prohibits a business or other entity from printing a consumer's SSN on a card or badge if consumer has to display card in order to obtain goods or services to which consumer is entitled.</p> <p>Handgun safety applicant - prohibits Department of Safety from requiring applicant to include SSN on form used to show proof of completion of handgun safety course; prohibits course instructor from withholding proof of completion based solely on applicant not providing SSN.</p> <p>Veterans' records - authorizes veterans to request removal of their SSNs from war records.</p>	<p>Prohibits SSN on consumer identification card</p> <p>Prohibits SSN on application for proof of completion</p> <p>Removal SSNs from war records upon request</p>

State	Description of the Law	Treatment
<p>Signed by governor 5/20/09, Public Chapter 260</p> <p>Signed by governor 6/9/10, Public Chapter 1017</p>	<p>County records - allows register in Knox, Blount, Shelby, and Sevier counties to redact SSNs on recorded documents maintained on computers or removable computer storage media.</p> <p>Unemployment checks - requires that, if unemployment benefits are paid by check, then claimant's SSN must be omitted from the check and check stub and from any other document in the envelope that contains check.</p>	<p>Allows redaction SSNs on certain counties' records</p> <p>SSNs must be omitted</p>
<p>Texas Signed by governor 6/19/09, Chapter 1117</p> <p>Signed by governor 6/19/09, Chapter 961</p>	<p>Pharmacy identification cards - amends Insurance Code to require information on a pharmacy benefit identification card to include the enrollee's identification number, which cannot be the enrollee's SSN, and bank's identification number for electronic billing and to specify that certain information on card be located on the front of the card.</p> <p>Motor vehicle title applicant - amends Transportation Code to repeal provisions relating to Texas Department of Transportation requiring the provision of a SSN by an applicant for a motor vehicle certificate of title.</p>	<p>SSN cannot be used for identification</p> <p>SSN cannot be required</p>
<p>Utah Signed by governor 3/24/09, Chapter 174</p> <p>Signed by governor 5/21/09, Chapter 2</p>	<p>Enacts the Employment Selection Procedures Act - defines terms; imposes restrictions on collection of information or testing; addresses use of information collected; imposes requirements related to retention, disposition, access, and confidentiality of information; and provides for enforcement, including: providing for a complaint process; and authorizing rulemaking; and makes technical and conforming amendments.</p> <p>Modifies the Employment Selection Procedures Act to modify conditions under which identifying information may be requested and when information may be disclosed; permits an employer, if certain conditions are met, to request information when the employer conducts an internal review for employment related actions; permits an employer, if certain conditions are met, to request information for purposes related to a government service, benefit, or program; clarifies when information may be disclosed by an employer as required by law or for purposes related to a government service, benefit, or program; and makes technical</p>	<p>Restrictions on collecting information and disposition and access to confidential information</p> <p>Modifications to disclosure identifying information</p>

State	Description of the Law	Treatment
	changes.	
<p>Virginia Signed by governor 2/23/09, Chapter 27</p> <p>Signed by governor 5/6/09, Chapter 867</p> <p>Signed by governor 3/27/09, Chapter 213</p> <p>Signed by governor 3/30/09, Chapter 706</p> <p>Signed by governor 3/27/09, Chapter 312</p> <p>Signed by governor 4/7/10, Chapter 215</p>	<p>Waste management permits - eliminates requirement that applicants for permits issued under the Virginia Waste Management Act provide SSNs of their key personnel in disclosure statements that are submitted to Department of Environmental Quality.</p> <p>SSN collection - extends from July 1, 2009, to July 1, 2010, the implementation of the prohibition against collecting an individual's SSN unless collection of such number is (i) authorized or required by state or federal law and (ii) essential for the performance of that agency's duties.</p> <p>Public records - provides that the first five digits of a SSN contained in a public record are confidential and exempt from disclosure under the Freedom of Information Act. Releases a SSN under certain limited circumstances, including proper judicial order; to federal, state or local law-enforcement or correctional personnel; by one agency to another agency in Virginia or to an agency in another state, district, or territory of the United States; and to any data subject exercising his rights under the Government Data Collection and Dissemination Practices Act.</p> <p>Administrative support orders – amends to require orders contain ... the name, date of birth, and last four digits of the SSN of each child and each parent, unless Department finds that a protective order has been issued or there is reason to believe that a party is at risk of physical or emotional harm from other party.</p> <p>Land records - requires beginning July 1, 2012, that land records posted via secure remote access to Internet may contain only the last four digits of SSN of any party.</p> <p>Candidate petitions - provides that persons signing petitions for an independent candidate or candidate for nomination by primary will no longer be required to provide SSN, but will be permitted to include the last four digits of their SSN.</p>	<p>Eliminates requirement that personnel SSNs be provided in disclosure statements</p> <p>SSN collection prohibited, unless required by law or necessary for agency performance of duties</p> <p>First 5 digits of SSN in public record confidential and exempt from public disclosure; exceptions</p> <p>Last four digits of SSN required; exception</p> <p>Only last four digits of SSN permitted for records posted on Internet</p> <p>SSN not required; only last four digits SSN permitted</p>

State	Description of the Law	Treatment
Signed by governor 4/11/10, Chapter 513	<p>State Corporation Commission filings – requires person preparing or submitting a document or information that is filed with the clerk of the State Corporation Commission is responsible for ensuring that document or information does not contain any personal identifiable information, which includes a SSN or other number on a driver’s license, information on credit cards or other electronic billing and payment systems, an individual's date of birth or parent's maiden name, and financial account numbers; provision does not apply if the information is publicly available or is required or authorized by law to be included in the filed information; also authorizes the clerk of the Commission to remove, delete, or obliterate such information from a document, and to refuse to accept for filing any document that includes personal identifiable information; State Corporation Commission, its members, the clerk of the Commission, and any member of his staff are declared to be immune from liability for any acts or omissions in implementing these provisions.</p>	No SSN permitted in filing, unless information publicly available or required by law; redaction SSN by commission and refusal to file
<p>Wisconsin Signed by governor 5/12/10, Act 314</p> <p>Signed by governor 5/13/10, Act 347</p>	<p>Filings with register of deeds - counties may temporarily collect a \$30 fee for recording or filing instruments or for recording certain probate certificates or preparing and mailing certain probate documents if the county uses \$5 of each fee for purposes of redacting SSNs from certain electronic format records. The \$30 fee reverts to a \$25 fee upon the earliest of the following: 1) completion of redaction of SSNs from certain electronic format records; 2) January 1, 2012, unless an extension of time is granted by DOA; or 3) January 1, 2015. Also when the register of deeds transfers instruments filed with or recorded by the register of deeds before April 1, 2006, to an electronic format, is required to make a reasonable effort to redact SSNs from the instrument’s electronic format.</p> <p>UCC filings - prohibits SSNs on instruments under corporate registration system and on records under Article 9 of Uniform Commercial Code.</p>	<p>Fees for required redaction SSNs</p> <p>Prohibits SSNs on instruments recorded</p>

Information from NCSL websites: <http://www.ncsl.org/default.aspx?TabId=20297> and <http://www.ncsl.org/default.aspx?tabid=20634>

- Governments with general prohibition regarding collection of SSNs, with exceptions (i.e., required by law, necessary to perform work of agency); policies to protect/keep confidential and have breach responses
- Government units with unique prohibitions to collection SSNs and exceptions scattered throughout statutes
- Elimination of collection of SSNs for certain reasons for which they were once collected (tickets, applications for permits, licenses, etc.)
- Some collection of SSNs by government but redaction required before public access (copying, Internet posting); duty to redact sometimes on filer and sometimes on government (some fees)
- Some collection of SSNs by government and last 4-5 digits may be left in records accessible to public; some require total confidentiality of entire SSN