



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/04/04, by Charles G. Morrow III

SYNOPSIS AS INTRODUCED:

815 ILCS 505/200 new

Amends the Consumer Fraud and Deceptive Business Practices Act. Makes it an unlawful practice to publicly post or display an individual's social security number, print an individual's social security number on any card required to access products or services, require an individual to transmit his or her social security number over the Internet, require an individual to use his or her social security number to access an Internet web site, or print an individual's social security number on materials that are mailed to the individual, subject to various exceptions. Effective July 1, 2005.

LRB093 19712 WGH 45453 b

1 AN ACT concerning consumer protection.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by adding Section 200 as follows:

6 (815 ILCS 505/200 new)

7 Sec. 200. Use of Social Security numbers.

8 (a) Except as otherwise provided in this Section, a person
9 may not do any of the following:

10 (1) Publicly post or publicly display in any manner an
11 individual's social security number. As used in this
12 Section, "publicly post" or "publicly display" means to
13 intentionally communicate or otherwise make available to
14 the general public.

15 (2) Print an individual's social security number on any
16 card required for the individual to access products or
17 services provided by the person or entity.

18 (3) Require an individual to transmit his or her social
19 security number over the Internet, unless the connection is
20 secure or the social security number is encrypted.

21 (4) Require an individual to use his or her social
22 security number to access an Internet web site, unless a
23 password or unique personal identification number or other
24 authentication device is also required to access the
25 Internet Web site.

26 (5) Print an individual's social security number on any
27 materials that are mailed to the individual, unless State
28 or federal law requires the social security number to be on
29 the document to be mailed. Notwithstanding any provision in
30 this Section to the contrary, social security numbers may
31 be included in applications and forms sent by mail,
32 including documents sent as part of an application or

1 enrollment process or to establish, amend, or terminate an
2 account, contract, or policy or to confirm the accuracy of
3 the social security number. A social security number that
4 may permissibly be mailed under this Section may not be
5 printed, in whole or in part, on a postcard or other mailer
6 that does not require an envelope or be visible on an
7 envelope or visible without the envelope having been
8 opened.

9 (b) A person that used, before July 1, 2005, an
10 individual's social security number in a manner inconsistent
11 with subsection (a) may continue using that individual's social
12 security number in the same manner on or after July 1, 2005 if
13 all of the following conditions are met:

14 (1) The use of the social security number is
15 continuous. If the use is stopped for any reason,
16 subsection (a) shall apply.

17 (2) The individual is provided an annual disclosure
18 that informs the individual that he or she has the right to
19 stop the use of his or her social security number in a
20 manner prohibited by subsection (a).

21 A written request by an individual to stop the use of his
22 or her social security number in a manner prohibited by
23 subsection (a) shall be implemented within 30 days of the
24 receipt of the request. There shall be no fee or charge for
25 implementing the request. A person shall not deny services to
26 an individual because the individual makes such a written
27 request.

28 (c) This Section does not apply to the collection, use, or
29 release of a social security number as required by State or
30 federal law or the use of a social security number for internal
31 verification or administrative purposes.

32 (d) This Section does not apply to documents that are
33 recorded or required to be open to the public under State or
34 federal law, applicable case law, Supreme Court Rule, or the
35 Constitution of the State of Illinois.

36 (e) If a federal law takes effect requiring the United

1 States Department of Health and Human Services to establish a
2 national unique patient health identifier program, any person
3 who complies with the federal law shall be deemed to be in
4 compliance with this Section.

5 (f) A person may not encode or embed a social security
6 number in or on a card or document, including, but not limited
7 to, using a bar code, chip, magnetic strip, or other
8 technology, in place of removing the social security number as
9 required by this Section.

10 (g) Any person who violates this Section commits an
11 unlawful practice within the meaning of this Act.

12 Section 99. Effective date. This Act takes effect July 1,
13 2005.