



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB3000

Introduced 1/20/2006, by Sen. Peter J. Roskam - Dave Syverson -
Larry K. Bomke - Christine Radogno

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2RR

Amends the Consumer Fraud and Deceptive Business Practices Act. Prohibits a person from requiring an individual's social security number in order for the individual to obtain a service, including, but not limited to, the provision of satellite television and wireless telecommunications service, unless the person: (i) presents the individual with a written notice stating that the individual's social security number will be used only for purposes of conducting a credit check and detailing all of the measures that the person has taken to protect the individual's social security number; and (ii) provides an alternative to provision of the individual's social security number as a requirement for service, such as requiring a higher security deposit amount. Prohibits the use of an individual's social security number as a personal identification number or account number.

LRB094 18893 MKM 54337 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning business.

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 changing and re-numbering Section
6 2QQ as follows:

7 (815 ILCS 505/2RR)

8 (This Section may contain text from a Public Act with a
9 delayed effective date)

10 Sec. 2RR ~~2QQ~~. Use of Social Security numbers.

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

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

18 (2) Print an individual's social security number on any
19 card required for the individual to access products or
20 services provided by the person or entity; however, a
21 person or entity that provides an insurance card must print
22 on the card an identification number unique to the holder
23 of the card in the format prescribed by Section 15 of the
24 Uniform Prescription Drug Information Card Act.

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

28 (4) Require an individual to use his or her social
29 security number to access an Internet web site, unless a
30 password or unique personal identification number or other
31 authentication device is also required to access the
32 Internet Web site.

1 (5) Print an individual's social security number on any
2 materials that are mailed to the individual, unless State
3 or federal law requires the social security number to be on
4 the document to be mailed. Notwithstanding any provision in
5 this Section to the contrary, social security numbers may
6 be included in applications and forms sent by mail,
7 including documents sent as part of an application or
8 enrollment process or to establish, amend, or terminate an
9 account, contract, or policy or to confirm the accuracy of
10 the social security number. A social security number that
11 may permissibly be mailed under this Section may not be
12 printed, in whole or in part, on a postcard or other mailer
13 that does not require an envelope or be visible on an
14 envelope or visible without the envelope having been
15 opened.

16 (6) Require an individual's social security number in
17 order for the individual to obtain a service, including,
18 but not limited to, the provision of satellite television
19 and wireless telecommunications service, unless the
20 person: (i) presents the individual with a written notice
21 stating that the individual's social security number will
22 be used only for purposes of conducting a credit check and
23 detailing all of the measures that the person has taken to
24 protect the individual's social security number; and (ii)
25 provides an alternative to provision of the individual's
26 social security number as a requirement for service, such
27 as requiring a higher security deposit amount.

28 (7) Use an individual's social security number as a
29 personal identification number or account number.

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

35 (1) The use of the social security number is
36 continuous. If the use is stopped for any reason,

1 subsection (a) shall apply.

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

6 A written request by an individual to stop the use of his
7 or her social security number in a manner prohibited by
8 subsection (a) shall be implemented within 30 days of the
9 receipt of the request. There shall be no fee or charge for
10 implementing the request. A person shall not deny services to
11 an individual because the individual makes such a written
12 request.

13 (c) This Section does not apply to the collection, use, or
14 release of a social security number as required by State or
15 federal law or the use of a social security number for internal
16 verification or administrative purposes. This Section does not
17 apply to the collection, use, or release of a social security
18 number by the State, a subdivision of the State, or an
19 individual in the employ of the State or a subdivision of the
20 State in connection with his or her official duties.

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

25 (e) If a federal law takes effect requiring the United
26 States Department of Health and Human Services to establish a
27 national unique patient health identifier program, any person
28 who complies with the federal law shall be deemed to be in
29 compliance with this Section.

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

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

1 (Source: P.A. 93-739, eff. 7-1-06; revised 11-10-04.)

2 Section 95. No acceleration or delay. Where this Act makes
3 changes in a statute that is represented in this Act by text
4 that is not yet or no longer in effect (for example, a Section
5 represented by multiple versions), the use of that text does
6 not accelerate or delay the taking effect of (i) the changes
7 made by this Act or (ii) provisions derived from any other
8 Public Act.