

SENATE BILL No. 818

October 30, 2003, Introduced by Senators BRATER, GOSCHKA, BASHAM, CHERRY, BIRKHOLZ, SCOTT, JOHNSON, JELINEK, OLSHOVE and SWITALSKI and referred to the Committee on Judiciary.

A bill to establish the social security number disclosure act in the state of Michigan; to prescribe penalties and civil sanctions; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "social security number disclosure act".

3 Sec. 2. As used in this act, "person" means an individual,
4 partnership, limited liability company, trust, custodian, estate,
5 association, corporation, public or private elementary or
6 secondary school, trade school, vocational school, community or
7 junior college, college, university, or other governmental or
8 legal entity.

9 Sec. 3. A person shall not do any of the following:

10 (a) Publicly post or publicly display in any manner an
11 individual's social security number. As used in this

1 subdivision, "publicly post" or "publicly display" means to
2 intentionally communicate or otherwise make available to the
3 general public.

4 (b) Print an individual's social security number on any card
5 required for the individual to access products or services
6 provided by the person or entity.

7 (c) Require an individual to transmit his or her social
8 security number over the internet, unless the connection is
9 secure or the social security number is encrypted.

10 (d) Require an individual to use his or her social security
11 number to access an internet website, unless a password or unique
12 personal identification number or other authentication device is
13 also required to access the internet website.

14 (e) Print an individual's social security number on a
15 document mailed to an individual, unless 1 of the following
16 applies:

17 (i) State or federal law requires that the social security
18 number appear on the document.

19 (ii) The document is sent as part of an application or
20 enrollment process or the document is an application or form.

21 (iii) The document is sent to establish, amend, or terminate
22 an account, contract, or policy or to confirm the accuracy of the
23 social security number.

24 Sec. 4. (1) A person who violates this act is responsible
25 for the payment of a civil fine of not more than \$2,000.00.

26 (2) A person who knowingly violates this act is guilty of a
27 misdemeanor punishable by imprisonment for not more than 93 days

1 or a fine of not more than \$1,000.00, or both.

2 (3) An individual may bring a civil action against a person
3 who violates this act and may recover actual damages or
4 \$2,000.00, whichever is greater, plus reasonable attorney fees.