

## APPENDIX D

# SELECTED STATE SOCIAL SECURITY NUMBER PROTECTION LAWS<sup>1</sup>

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<sup>1</sup> Many of the laws listed in the following chart contain provisions that regulate more than SSN use. The summaries in the chart are limited to the SSN provisions only. In addition, the chart primarily addresses private sector restrictions on SSN use and disclosure. Certain SSN laws apply to government entities as well; the provisions related to government restrictions are not addressed in this chart.

<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p><b>ALASKA</b>  <b>Alaska Stat. §§ 45.48.400–45.48.480</b></p> <p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public an individual’s SSN;</li> <li>• printing an individual’s SSN on a card required for the individual to access products or services provided by the person;</li> <li>• requiring an individual to transmit the individual’s SSN over the Internet, unless the Internet connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use the SSN to access an Internet Web site, unless a password, a unique personal identification number, or another authentication device is also required to access the Web site; or</li> <li>• printing an individual’s SSN on material that is mailed to the individual.</li> </ul>	<p>A person may print an individual’s SSN on material that is mailed to the individual only if: (A) local, state, or federal law, including a regulation adopted under AS 45.48.470, expressly authorizes placement of the SSN on the material; or (B) the SSN is included on an application or other form, including a document sent as a part of an application process or an enrollment process, sent by mail to establish, amend, or terminate an account, a contract, or a policy, or to confirm the accuracy of the SSN; however, an SSN allowed to be mailed under this subparagraph may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope, or in a manner that makes the SSN visible on the envelope or without the envelope’s being opened.</p> <p>Does not apply if the person is engaging in the business of government and:</p> <ul style="list-style-type: none"> <li>• is authorized by law to communicate or otherwise make available to the general public the individual’s SSN; or</li> <li>• the communicating or otherwise making available of the individual’s SSN is required for the performance of the person’s duties or responsibilities as provided by law.</li> </ul>

A state or local governmental agency may disclose an individual's SSN to another state or local governmental agency or to an agency of the federal government if the disclosure is required in order for the agency to carry out the agency's duties and responsibilities.

Exception for employees, agents, and independent contractors:

- Notwithstanding the other provisions of the statute, a person may disclose an individual's SSN to an employee or agent of the person for a legitimate purpose established by and as directed by the person, but the employee or agent may not use the SSN for another purpose or make an unauthorized disclosure of the individual's personal information.
- Notwithstanding the other provisions of the statute, and except as provided for an agent under this section, a person may disclose an individual's SSN to an independent contractor of the person to facilitate the purpose or transaction for which the individual initially provided the SSN to the person, but the independent contractor may not use the SSN for another purpose or make an unauthorized disclosure of the individual's personal information. In this subsection, "independent contractor" includes a debt collector.

The provisions of the statute may not be construed to restrict a person's use or exchange of an individual's SSN:

- in the course of the administration of a claim, benefit, or procedure related to the individual's employment by the person,

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PRIVACY AND CYBERSECURITY LAW DESKBOOK

<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p>Prohibits persons who do business in the state, including the business of government, from:</p> <ul style="list-style-type: none"> <li>requesting or collecting from an individual the individual's SSN.</li> </ul>	<p>including the individual's termination from employment, retirement from employment, and injury suffered during the course of employment; or</p> <ul style="list-style-type: none"> <li>to check on an unemployment insurance claim of the individual.</li> </ul> <p>Does not apply:</p> <ul style="list-style-type: none"> <li>if the person is authorized by local, state, or federal law, including a regulation adopted under AS 45.48.470, to demand proof of the individual's SSN, to request or collect the individual's SSN, or to submit the individual's SSN to the local, state, or federal government;</li> <li>if the person is engaging in the business of government and (A) is authorized by law to request or collect the individual's SSN; or (B) the request or collection of the individual's SSN is required for the performance of the person's duties or responsibilities as provided by law;</li> <li>to a person subject to or a transaction regulated by the Gramm-Leach-Bliley Financial Modernization Act for a purpose authorized by the Gramm-Leach-Bliley Financial Modernization Act;</li> <li>to a person subject to or a transaction regulated by the Fair Credit Reporting Act for a purpose authorized by the Fair Credit Reporting Act;</li> <li>if the request or collection is for a background check on the individual, for fraud prevention, for medical treatment, for law enforcement or other government purposes, for the</li> </ul>

individual's employment, including employment benefits, or for verification of the individual's age;

- if the request or collection does not have independent economic value, is incidental to a larger transaction or a larger anticipated transaction, and is necessary to verify the identity of the individual;
- to an insurer regulated by AS 21; in this paragraph, "insurer" has the meaning given in AS 21.90.900; or
- to a hospital service corporation or a medical service corporation regulated under AS 21.87; in this paragraph, "hospital service corporation" and "medical service corporation" have the meanings given in AS 21.87.330.

A state or local governmental agency may disclose an individual's SSN to another state or local governmental agency or to an agency of the federal government if the disclosure is required in order for the agency to carry out the agency's duties and responsibilities.

Exception for employees, agents, and independent contractors:

- Notwithstanding the other provisions of the statute, a person may disclose an individual's SSN to an employee or agent of the person for a legitimate purpose established by and as directed by the person, but the employee or agent may not use the SSN for another purpose or make an unauthorized disclosure of the individual's personal information.

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>• selling, leasing, loaning, trading, or renting an individual's SSN to a third party.</li> </ul>	<ul style="list-style-type: none"> <li>• Notwithstanding the other provisions of the statute, and except as provided for an agent under this section, a person may disclose an individual's SSN to an independent contractor of the person to facilitate the purpose or transaction for which the individual initially provided the SSN to the person, but the independent contractor may not use the SSN for another purpose or make an unauthorized disclosure of the individual's personal information. In this subsection, "independent contractor" includes a debt collector.</li> </ul> <p>The provisions of the statute may not be construed to restrict a person's use or exchange of an individual's SSN:</p> <ul style="list-style-type: none"> <li>• in the course of the administration of a claim, benefit, or procedure related to the individual's employment by the person, including the individual's termination from employment, retirement from employment, and injury suffered during the course of employment; or</li> <li>• to check on an unemployment insurance claim of the individual.</li> </ul>
<p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>• selling, leasing, loaning, trading, or renting an individual's SSN to a third party.</li> </ul>	<p>Does not apply if the sale, lease, loan, trade, or rental is:</p> <ul style="list-style-type: none"> <li>• authorized by local, state, or federal law, including a regulation adopted under AS 45.48.470;</li> <li>• by a person subject to or for a transaction regulated by the Gramm-Leach-Bliley Financial Modernization Act for a purpose authorized by the Gramm-Leach-Bliley Financial Modernization Act;</li> </ul>

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- by a person subject to or for a transaction regulated by the Fair Credit Reporting Act for a purpose authorized by the Fair Credit Reporting Act; or
- part of a report prepared by a consumer credit reporting agency in response to a request by a person and the person submits the SSN as part of the request to the consumer credit reporting agency for the preparation of the report.

Does not prevent a business from transferring SSNs to another person if the transfer is part of the sale or other transfer of the business to the other person.

A transfer of an individual's SSN for the sole purpose of identifying a person about whom a report or database check is ordered, received, or provided is not a sale, lease, loan, trade, or rental of an SSN under this section.

A state or local governmental agency may disclose an individual's SSN to another state or local governmental agency or to an agency of the federal government if the disclosure is required in order for the agency to carry out the agency's duties and responsibilities.

Exception for employees, agents, and independent contractors:

- Notwithstanding the other provisions of AS 45.48.400–45.48.480, a person may disclose an individual's SSN to an employee or agent of the person for a legitimate

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<p><i>Prohibitions and Requirements</i></p>	<p><i>Exceptions</i></p> <p>purpose established by and as directed by the person, but the employee or agent may not use the SSN for another purpose or make an unauthorized disclosure of the individual’s personal information.</p> <ul style="list-style-type: none"> <li>• Notwithstanding the other provisions of AS 45.48.400–45.48.480, and except as provided for an agent under this section, a person may disclose an individual’s SSN to an independent contractor of the person to facilitate the purpose or transaction for which the individual initially provided the SSN to the person, but the independent contractor may not use the SSN for another purpose or make an unauthorized disclosure of the individual’s personal information. In this subsection, “independent contractor” includes a debt collector.</li> </ul> <p>The provisions of the statute may not be construed to restrict a person’s use or exchange of an individual’s SSN:</p> <ul style="list-style-type: none"> <li>• in the course of the administration of a claim, benefit, or procedure related to the individual’s employment by the person, including the individual’s termination from employment, retirement from employment, and injury suffered during the course of employment; or</li> <li>• to check on an unemployment insurance claim of the individual.</li> </ul>
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<p>Prohibits persons doing business, including the business of government, from:</p> <ul style="list-style-type: none"><li>• disclosing an individual's SSN to a third party.</li></ul>	<p>Does not apply if:</p> <ul style="list-style-type: none"><li>• the disclosure is authorized by local, state, or federal law, including a regulation adopted under AS 45.48.470;</li><li>• the person is engaging in the business of government and (A) is authorized by law to disclose the individual's SSN; or (B) the disclosure of the individual's SSN is required for the performance of the person's duties or responsibilities as provided by law;</li><li>• the disclosure is to a person subject to or for a transaction regulated by the Gramm-Leach-Bliley Financial Modernization Act, and the disclosure is for a purpose authorized by the Gramm-Leach-Bliley Financial Modernization Act or to facilitate a transaction of the individual;</li><li>• the disclosure is to a person subject to or for a transaction regulated by the Fair Credit Reporting Act, and the disclosure is for a purpose authorized by the Fair Credit Reporting Act;</li><li>• the disclosure is part of a report prepared by a consumer credit reporting agency in response to a request by a person and the person submits the SSN as part of the request to the consumer credit reporting agency for the preparation of the report; or</li><li>• the disclosure is for a background check on the individual, identity verification, fraud prevention, medical treatment,</li></ul>
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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
	<p>law enforcement or other government purposes, or the individual’s employment, including employment benefits.</p> <p>A state or local governmental agency may disclose an individual’s SSN to another state or local governmental agency or to an agency of the federal government if the disclosure is required in order for the agency to carry out the agency’s duties and responsibilities.</p> <p>Exception for employees, agents, and independent contractors:</p> <ul style="list-style-type: none"> <li>• Notwithstanding the other provisions of the statute, a person may disclose an individual’s SSN to an employee or agent of the person for a legitimate purpose established by and as directed by the person, but the employee or agent may not use the SSN for another purpose or make an unauthorized disclosure of the individual’s personal information.</li> <li>• Notwithstanding the other provisions of the statute, and except as provided for an agent under this section, a person may disclose an individual’s SSN to an independent contractor of the person to facilitate the purpose or transaction for which the individual initially provided the SSN to the person, but the independent contractor may not use the SSN for another purpose or make an unauthorized disclosure of the individual’s personal information. In this subsection, “independent contractor” includes a debt collector.</li> </ul>

	<p>The provisions of the statute may not be construed to restrict a person's use or exchange of an individual's SSN:</p> <ul style="list-style-type: none"> <li>• in the course of the administration of a claim, benefit, or procedure related to the individual's employment by the person, including the individual's termination from employment, retirement from employment, and injury suffered during the course of employment; or</li> <li>• to check on an unemployment insurance claim of the individual.</li> </ul>
<p><b>ARIZONA</b>  <b>Ariz. Rev. Stat. §§ 44-1373 to 44-1373.3</b></p> <p>Prohibits persons or entities from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making an individual's SSN available to the general public;</li> <li>• printing an individual's full SSN (or any sequence of more than five numbers that are reasonably identifiable as being part of an individual's SSN) on any card required for the individual to receive products or services provided by the person or entity;</li> <li>• requiring the transmission of an individual's SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> </ul>	<p>If a person or entity receives a number from a third party, the person or entity has no duty to inquire or otherwise determine if the number is or includes that individual's SSN. The person or entity may print that number on materials that are mailed to the individual, unless the person or entity that received the number has actual knowledge that the number is or includes the individual's SSN.</p> <p>There is no prohibition on mailing to the individual of any copy or reproduction of a document that includes an SSN if the SSN was included on the original document before January 1, 2005.</p>

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<p><i>Prohibitions and Requirements</i></p>	<ul style="list-style-type: none"> <li>• requiring the use of an individual’s SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the site;</li> <li>• printing a number that the person or entity knows to be an individual’s full SSN (or any sequence of more than 5 numbers that are reasonably identifiable as being part of an individual’s SSN) on any materials that are mailed to the individual; or</li> <li>• displaying more than five numbers of an SSN that are reasonably identifiable as being part of an individual’s SSN in any document or records that are recorded and made available on the recording entity’s public Web site.</li> </ul>
<p><i>Exceptions</i></p>	<p>A person or entity that before January 1, 2005, used an individual’s SSN in a manner inconsistent with the statute may continue using that individual’s SSN in that manner on and after January 1, 2005, subject to the following conditions: (1) the use of the SSN is continuous; (2) beginning in 2005, the person or entity must provide the individual with an annual written disclosure of the individual’s right to stop the use of the SSN in a manner prohibited by the statute; (3) if the individual requests in writing, the person or entity must stop using the SSN in a manner prohibited by the statute within 30 days after receiving the request, must not impose a fee or charge for implementing the request, and must not deny services to the individual because of the request.</p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN as required by the laws of Arizona or the United States or for internal verification or administrative purposes;</li> <li>• documents or records that are recorded or required to be open to the public pursuant to the constitution or laws of Arizona or by court rule or order;</li> <li>• an individual’s SSN that is printed or caused to be printed on a document by the individual;</li> </ul>

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	<ul style="list-style-type: none"> <li>the use of SSNs by an “interested party,” as defined by Ariz. Rev. Stat. § 23-901 on documents or records related to a worker’s compensation claim under state law, except for the prohibitions on intentionally communicating or making the SSN available to the general public, printing a full SSN on a card required to receive products or services, requiring the transmission of the SSN over the Internet, or requiring the SSN to access an Internet Web site; or</li> <li>documents mailed to the individual that include SSNs or any sequence of numbers contained in an SSN that is sent 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 SSN or sequence of numbers.</li> </ul>
<p><b>ARKANSAS</b>  <b>Ark. Code Ann. § 4-86-107</b></p> <p>Prohibits individuals, corporations, partnerships, organizations, or other entities from:</p> <ul style="list-style-type: none"> <li>intentionally communicating or otherwise making available to the general public in any manner an individual’s SSN;</li> <li>printing an individual’s SSN on any card required for the individual to access products or services provided by the person or entity;</li> </ul>	<p>Does not prevent the collection, use, or release of an SSN:</p> <p>(1) as required or explicitly authorized by federal or state law; or (2) pursuant to state or federal court rules.</p> <p>Does not apply to an entity providing an electronic communications service to the public that is used by another person to violate this section, unless the entity: (1) conspires with another person to violate this section; or</p>

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<p><i>Prohibitions and Requirements</i></p> <ul style="list-style-type: none"> <li>• printing an individual’s SSN on a postcard or mailer not requiring an envelope or in a manner in which the SSN is visible on an envelope or without the envelope’s being opened; or</li> <li>• requiring transmission of an individual’s SSN over the Internet, unless the connection is secure or the SSN is encrypted.</li> </ul>	<p><i>Exceptions</i></p> <p>(2) intentionally aids and abets another person in the violation of this section.</p>
<p><b>CALIFORNIA</b> <b>Cal. Civ. Code § 1798.85</b></p> <p>Prohibits persons or entities from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public in any manner an individual’s SSN;</li> <li>• printing an individual’s SSN on any card required for the individual to access products or services provided by the person or entity;</li> <li>• requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site;</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN as required by state or federal law or the use of an SSN for internal verification or administrative purposes;</li> <li>• documents that are recorded or required to be open to the public pursuant to specified provisions of the Cal. Gov’t Code;</li> <li>• records that are required by statute, case law, or California Rule of Court to be made available to the public by entities provided for in Article VI of the California Constitution; or</li> <li>• materials that are mailed to the individual if state or federal law requires the SSN to be on the mailed document, or applications and forms sent by mail, including documents</li> </ul>

<ul style="list-style-type: none"> <li>• printing an individual's SSN on any materials that are mailed to the individual; or</li> <li>• encoding or embedding an SSN in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, or other technology, in place of removing the SSN, as required by this statute.</li> </ul>	<p>sent 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 SSN. An SSN that is permitted to be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened.</p>
<p><b>COLORADO</b>  <b>Colo. Rev. Stat. § 6-1-715</b></p>	
<p>Prohibits persons or entities from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public in any manner an individual's SSN;</li> <li>• printing an individual's SSN on any card required for the individual to access products or services provided by the person or entity;</li> <li>• requiring transmission of an individual's SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring the use of an individual's SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site; or</li> </ul>	<p>Persons or entities that used an individual's SSN in a manner inconsistent with this statute prior to January 1, 2007, may continue using that individual's SSN in that manner on and after January 1, 2007, subject to the following conditions: (1) the use of the SSN is continuous; and (2) the person or entity provides the individual with an annual disclosure that informs the individual that he or she has the right to stop the use of his or her SSN in a manner prohibited by the statute. The person or entity must implement a written request by an individual to stop the use of his or her SSN in a manner prohibited by the statute within 30 days after the receipt of the request, may not impose a fee or charge for implementing the request, and may not deny services to an individual because the individual made such a written request.</p>

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<p><i>Prohibitions and Requirements</i></p>	<ul style="list-style-type: none"> <li>• printing an individual’s SSN on any materials mailed to the individual.</li> </ul>
<p><i>Exceptions</i></p>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN as required, permitted, or authorized by state or federal law or the use of an SSN for internal verification or administrative purposes, including by the department of revenue;</li> <li>• documents or records that are recorded or required to be open to the public pursuant to the constitution or laws of this state or by court rule or order;</li> <li>• an entity that is subject to the federal “Health Insurance Portability and Accountability Act of 1996,” as amended, 42 U.S.C. §§ 1320d to 1320d-8; or</li> <li>• materials that are mailed to the individual if state or federal law requires, permits, or authorizes the SSN to be on the document to be mailed, or applications and forms sent by mail, including documents sent 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 SSN. An SSN that is permitted to be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened.</li> </ul>

<p><b>CONNECTICUT</b>  <b>Conn. Gen. Stat. §§ 42-470 to 42-471</b></p>	<p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public in any manner an individual's SSN;</li> <li>• printing an individual's SSN on any card required for the individual to access products or services provided by such persons;</li> <li>• requiring an individual to transmit such individual's SSN over the Internet, unless the connection is secure or the SSN is encrypted; or</li> <li>• requiring an individual to use such individual's SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site.</li> </ul> <p>Any person who collects SSNs in the course of business shall create a privacy protection policy which shall be published or publicly displayed. For purposes of this subsection, "publicly displayed" includes, but is not limited to, posting on an Internet Web page. Such policy shall:</p> <ul style="list-style-type: none"> <li>• protect the confidentiality of SSNs;</li> <li>• prohibit unlawful disclosure of SSNs; and</li> <li>• limit access to SSNs.</li> </ul>
	<p>Does not apply to the collection, use, or release of an SSN as required by state or federal law or the use of an SSN for internal verification or administrative purposes.</p> <p>With respect to certain group and individual health insurance policies, applies only to those policies that are delivered, issued for delivery, amended, renewed, or continued on and after July 1, 2005.</p> <p>Does not apply to any agency or political subdivision of the state.</p>

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p><b>DELAWARE</b>  <b>Del. Code Ann. tit. 18 § 3353</b></p> <p>Prohibits persons and entities from:</p> <ul style="list-style-type: none"> <li>• using an individual's SSN as an identification number on an insurance card.</li> </ul>	
<p><b>GEORGIA</b>  <b>Ga. Code. Ann. § 10-1-393.8</b></p>	
<p>Prohibits persons, firms, or corporations from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public in any manner an individual's SSN;</li> <li>• requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted; or</li> <li>• requiring an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site.</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• the collection, release, or use of an individual's SSN as required by state or federal law;</li> <li>• the inclusion of an individual's SSN in an application, form, or document sent by mail, electronically transmitted, or transmitted by facsimile as part of an application or enrollment process, to establish, amend, or terminate an account, contract, or policy, or to confirm the accuracy of the individual's SSN;</li> <li>• the use of an individual's SSN for internal verification or administrative purposes; or</li> <li>• an interactive computer service provider's or a telecommunications provider's transmission or routing of, or intermediate temporary storage or caching of, an individual's SSN. An interactive computer service provider</li> </ul>

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	<p>or a telecommunications provider has no duty under this statute to actively monitor its service or to affirmatively seek evidence of the transmission of SSNs on its service.</p>
<p><b>HAWAII</b>  <b>Haw. Rev. Stat. §§ 487J-2 TO 487J-3</b></p>	
<p>Prohibits businesses and government agencies from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public an individual’s entire SSN;</li> <li>• intentionally printing or imbedding an individual’s entire SSN on any card required for the individual to access products or services provided by the business or government agency;</li> <li>• requiring an individual to transmit the individual’s entire SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use the individual’s entire SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site; or</li> <li>• printing an individual’s entire SSN on any materials that are mailed to the individual, unless the materials are</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• the inclusion of an SSN in documents that are mailed and: (A) are specifically requested by the individual identified by the SSN; (B) required by state or federal law to be on the document to be mailed; (C) required as part of an application or enrollment process; (D) used to establish, amend, or terminate an account, contract, or policy; or (E) used to confirm the accuracy of the SSN for the purpose of obtaining a credit report pursuant to 15 U.S.C. § 1681(b). An SSN that is permitted to be mailed under this paragraph may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened;</li> <li>• the opening of an account or the provision of payment for a product or service authorized by an individual;</li> <li>• the collection, use, or release of an SSN to investigate or prevent fraud; conduct background checks; conduct social or scientific research; collect a debt; obtain a credit report</li> </ul>

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p>employer-to-employee communications, or where specifically requested by the individual.</p> <ul style="list-style-type: none"> <li>• Requires reasonable efforts to cooperate, through systems testing and other means, to ensure that the requirements of this statute are complied with.</li> </ul>	<p>from or furnish data to a consumer reporting agency pursuant to the Fair Credit Reporting Act, 15 U.S.C. §§ 1681 to 1681x, as amended; undertake a permissible purpose enumerated under the federal Gramm-Leach-Bliley Act, 15 U.S.C. §§ 6801 to 6809, as amended; locate an individual who is missing or due a benefit, such as a pension, insurance, or unclaimed property benefit; or locate a lost relative;</p> <ul style="list-style-type: none"> <li>• a business or government agency acting pursuant to a court order, warrant, subpoena, or when otherwise required by law;</li> <li>• a business or government agency providing the SSN to a federal, state, or local government entity, including a law enforcement agency or court, or their agents or assigns;</li> <li>• the collection, use, or release of an SSN in the course of administering a claim, benefit, or procedure relating to an individual's employment, including an individual's termination from employment, retirement from employment, injuries suffered during the course of employment, and other related claims, benefits, or procedures;</li> <li>• the collection, use, or release of an SSN as required by state or federal law;</li> <li>• the sharing of the SSN by business affiliates;</li> <li>• the use of an SSN for internal verification or administrative purposes;</li> <li>• an SSN that has been redacted; or</li> </ul>

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	<ul style="list-style-type: none"> <li>documents or records that are recorded or required to be open to the public pursuant to the constitution or laws of the state or court rule or order.</li> </ul>
<p><b>IDAHO</b> <b>Idaho Code § 28-52-108</b></p>	
<p>Prohibits a person from:</p> <ul style="list-style-type: none"> <li>intentionally communicating an individual's SSN to the general public.</li> </ul>	
<p><b>ILLINOIS</b> <b>815 ILCS 505/2QQ</b></p>	
<p>Prohibits a person or entity from printing an individual's Social Security number on an insurance card.</p>	
<p><b>ILLINOIS</b> <b>815 Ill. Comp. Stat. § 505/2RR</b></p>	
<p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>intentionally communicating or otherwise making available to the general public in any manner an individual's SSN;</li> </ul>	<p>A person that used, before July 1, 2005, an individual's SSN in a manner inconsistent with the statute may continue using that individual's SSN in the same manner on or after July 1, 2005, if all of the following conditions are met: (1) the use of the SSN is continuous; and (2) the individual is provided an annual disclosure that informs the individual that he or</p>

(continues)

<p><i>Prohibitions and Requirements</i></p>	<p><i>Exceptions</i></p>
<ul style="list-style-type: none"> <li>• printing an individual’s SSN on any card required for the individual to access products or services provided by the person or entity;</li> <li>• requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site;</li> <li>• printing an individual’s SSN on any materials that are mailed to the individual; or</li> <li>• encoding or embedding an SSN in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, or other technology, in place of removing the SSN as required by this statute.</li> </ul>	<p>she has the right to stop the use of his or her SSN in a manner prohibited by the statute. A written request by an individual to stop the use of his or her SSN in a manner prohibited by the statute shall be implemented within 30 days of the receipt of the request, there shall be no fee or charge for implementing the request, and a person shall not deny services to an individual because the individual makes such a written request.</p> <p>A person or entity that provides an insurance card must print on the card an identification number unique to the holder of the card in the format prescribed by section 15 of the Uniform Prescription Drug Information Card Act.</p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• materials that are mailed to the individual, if state or federal law requires the SSN to be on the document to be mailed, or applications and forms sent by mail, including documents sent 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 SSN.</li> </ul> <p>An SSN that may permissibly be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope or visible without the envelope having been opened;</p>

**APPENDIX D**

	<ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN as required by state or federal law;</li> <li>• the use of an SSN for internal verification or administrative purposes;</li> <li>• the collection, use, or release of an SSN by the state, a subdivision of the state, or an individual in the employ of the state or a subdivision of the state in connection with his or her official duties; or</li> <li>• documents that are recorded or required to be open to the public under state or federal law, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois.</li> </ul>
<p><b>KANSAS</b>  <b>Kan. Stat. Ann. § 75-3520</b></p> <p>Prohibits any person from:</p> <ul style="list-style-type: none"> <li>• soliciting, requiring, or using for commercial purposes an individual's SSN unless the number is necessary for such person's normal course of business and there is a specific use for the number for which no other identifying number may be used.</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• documents or records that are recorded or required to be open to the public pursuant to state or federal law, or by court rule or order, and this paragraph does not limit access to these documents or records;</li> <li>• the collection, use, or release of SSNs for the following purposes:</li> <li>• the mailing of documents that include SSNs sent as part of an application or enrollment process or to establish,</li> </ul>

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p><b>MAINE</b>  <b>10 Me. Rev. Stat. Ann. §§ 1271–1273</b></p> <p>Except as otherwise provided in federal or state law, prohibits persons, corporations, or other entities from denying goods or services to an individual because the individual refuses to provide an SSN.</p>	<p>amend, or terminate an account, contract, or policy or to confirm the accuracy of the SSN;</p> <ul style="list-style-type: none"> <li>• internal verification or administrative purposes;</li> <li>• to investigate or prevent fraud, conduct background checks, conduct social or scientific research, collect a debt, obtain a credit report from or furnish data to a consumer reporting agency pursuant to the Fair Credit Reporting Act, undertake a permissible purpose enumerated under the Gramm-Leach Bliley Act, or locate an individual who is missing, a lost relative, or due a benefit, such as a pension, insurance or unclaimed property benefit; or</li> <li>• as otherwise required by state or federal law.</li> </ul>
<p>Except as otherwise provided in federal or state law, prohibits persons, corporations, or other entities from denying goods or services to an individual because the individual refuses to provide an SSN.</p>	<p>Except “as otherwise provided in federal or state law.” Does not apply to:</p> <ul style="list-style-type: none"> <li>• a person, corporation, or other entity requesting disclosure of the SSN to obtain a consumer report for any purpose permitted under the Maine Fair Credit Reporting Act or the United States Fair Credit Reporting Act;</li> <li>• a supervised lender as defined in Title 9-A, § 1-301;</li> <li>• a supervised financial organization as defined in Title 9-A, § 1-301;</li> </ul>

<ul style="list-style-type: none"><li>• an affiliate or subsidiary of a supervised lender as defined in Title 9-A, § 1-301, or of a supervised financial organization as defined in Title 9-A, § 1-301;</li><li>• a person, corporation, or other entity that provides goods or services to the individual on behalf of or in conjunction with a supervised financial organization as defined in Title 9-A, § 1-301;</li><li>• a person, corporation, or other entity engaged in the business of insurance and all acts necessary or incidental to that business, including insurance applications, enrollment, coverage, and claims;</li><li>• a person, corporation, or other entity if the SSN is used in conjunction with the provision of and billing for health care or pharmaceutical-related services, including the issuance of identification cards and account numbers for users of health care or pharmaceutical-related services;</li><li>• a person, corporation, or other entity if the SSN is used in conjunction with a background check of the individual conducted by a landlord, lessor, employer, or volunteer service organization; or</li><li>• a person, corporation, or other entity if the SSN is necessary to verify the identity of the individual to effect, administer, or enforce a specific transaction requested or authorized by the individual or to prevent fraud.</li></ul>	
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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p><b>MAINE</b></p> <p>Prohibits businesses operating in Maine from displaying an SSN on a credit card, customer service card, or debit card issued or distributed by that business on or after January 1, 1994.</p> <p><b>MARYLAND</b></p> <p><b>Md. Code Ann., Com. Law. §§ 14-3401 to 14-3403</b></p> <p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public an individual’s SSN, including intentionally communicating or otherwise making it available to the general public;</li> <li>• printing an individual’s SSN on a card required for the individual to access products or services provided by the person;</li> <li>• requiring an individual to transmit the individual’s SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• initiating the transmission of an individual’s SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> </ul>	<p>SSNs may be used as identification for medical insurance, including health insurance, dental insurance, or prescription drug coverage, except that a number other than an SSN must be used for insurance-related identification purposes upon the written request of an individual.</p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• the collection, release, or use of an individual’s SSN as required by state or federal law;</li> <li>• the inclusion of an individual’s SSN in an application, form, or document sent by mail, electronically transmitted, or transmitted by facsimile as part of an application or enrollment process, to establish, amend, or terminate an account, contract, or policy; or to confirm the accuracy of the individual’s SSN;</li> <li>• the use of an individual’s SSN for internal verification or administrative purposes; or</li> <li>• an interactive computer provider’s or telecommunications provider’s transmission or routing of, or intermediate temporary storage or caching of, an individual’s SSN.</li> </ul>

**APPENDIX D**

<ul style="list-style-type: none"> <li>• requiring an individual to use the individual's SSN to access an Internet Web site, unless a password, unique personal identification number, or other authentication device is also required to access the Web site;</li> <li>• printing an individual's SSN on any material mailed to the individual, unless required by federal or state law;</li> <li>• including an individual's SSN in any material that is electronically transmitted to the individual, unless the connection is secure or the individual's SSN is encrypted, unless required otherwise by federal or state law; or</li> <li>• including an individual's SSN in any material that is transmitted by facsimile to the individual, unless required by federal or state law.</li> </ul>	<p>The statute does not impose a duty on an interactive computer service provider or a telecommunications provider to actively monitor its service or affirmatively to seek evidence of the transmission of SSNs on its service.</p>
<p><b>MASSACHUSETTS Mass. Gen. Laws Ch. 167B, § 14</b></p>	
<p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>• using a consumer's SSN as a central information file number, personal identification number, primary financial account number, or a subpart thereof; or</li> <li>• using such SSN to electronically identify the consumer to any financial institution or organization.</li> </ul>	<p>A consumer's SSN may be used to assist a financial institution or organization in verifying the identity of a consumer, provided that such SSN is not used to circumvent or evade the prohibition of this section.</p>

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p><b>MICHIGAN</b>  <b>Mich. Comp. Laws §§ 445.81–445.87, 445.903</b></p> <p>Prohibits persons from intentionally doing any of the following with the SSN of an employee, student, or other individual:</p> <ul style="list-style-type: none"> <li>• publicly displaying all or more than four sequential digits of the SSN;</li> <li>• using all or more than four sequential digits of the SSN as the primary account number for an individual;</li> <li>• visibly printing all or more than four sequential digits of the SSN on any identification badge or card, membership card, permit, or license;</li> <li>• requiring an individual to use or transmit all or more than four sequential digits of his or her SSN over the Internet or a computer system or network, unless the connection is secure or the transmission is encrypted;</li> <li>• requiring an individual to use or transmit all or more than four sequential digits of his or her SSN to gain access to an Internet Web site or computer system or network, unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification number or authentication device is also required to gain access to the Internet Web site or computer system or network;</li> <li>• including all or more than four sequential digits of the SSN in or on any document or information mailed or</li> </ul>	<p>All or more than four sequential digits of the SSN may be included in any document or information mailed to a person if any of the following apply:</p> <ul style="list-style-type: none"> <li>• state or federal law, rule, regulation, or court order or rule authorizes, permits, or requires that an SSN appear in the document;</li> <li>• the document is sent as part of an application or enrollment process initiated by the individual;</li> <li>• the document is sent to establish, confirm the status of, service, amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of an SSN of an individual who has an account, contract, policy, or employee or health insurance benefit;</li> <li>• the document or information is mailed by a public body under any of the following circumstances: (A) the document or information is a public record and is mailed in compliance with the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246; (B) the document or information is a copy of a public record filed or recorded with a county clerk or register of deeds office and is mailed by that office to a person entitled to receive that record; (C) the document or information is a copy of a</li> </ul>

<p>otherwise sent to an individual if it is visible on or, without manipulation, from the outside of the envelope or packaging;</p> <ul style="list-style-type: none"> <li>• including all or more than four sequential digits of the SSN in or on any document or information mailed or otherwise sent to an individual if it is visible on or, without manipulation, from the outside of the envelope or packaging; or</li> <li>• including all or more than four sequential digits of the SSN in any document or information mailed to a person.</li> </ul> <p>Requires a person who obtains one or more SSNs in the ordinary course of business to create a privacy policy that:</p> <ul style="list-style-type: none"> <li>• ensures to the extent practicable the confidentiality of the SSNs;</li> <li>• prohibits unlawful disclosure of the SSNs;</li> <li>• limits who has access to information or documents that contain the SSNs;</li> <li>• describes how to properly dispose of documents that contain the SSNs;</li> <li>• establishes penalties for violation of the privacy policy; and</li> <li>• is published in an employee handbook, in a procedures manual, or in one or more similar documents, which may be made available electronically.</li> </ul>	<p>vital record recorded as provided by law and is mailed to a person entitled to receive that record;</p> <ul style="list-style-type: none"> <li>• the document or information is mailed by or at the request of an individual whose SSN appears in the document or information or his or her parent or legal guardian; or</li> <li>• the document or information is mailed in a manner or for a purpose consistent with subtitle A of title V of the Gramm-Leach-Bliley Act, 15 U.S.C. §§ 6801 to 6809; with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191; or with section 537 or 539 of the Insurance Code of 1956, 1956 PA 218, MCL 500.537 and 500.539.</li> </ul> <p>The statute's prohibitions do not apply to the following:</p> <ul style="list-style-type: none"> <li>• a use of all or more than four sequential digits of an SSN that is authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process; or</li> <li>• a use of all or more than four sequential digits of an SSN by a title IV-D agency, law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution, or providing all or more than four sequential digits of an SSN to a title IV-D agency, law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution.</li> </ul>
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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p>All or more than four sequential digits of an SSN contained in a public record are exempt from disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, pursuant to section 13(1)(d) of the Freedom of Information Act, 1976 PA 442, MCL 15.243</p> <p>Unfair, unconscionable, or deceptive methods, acts, or practices include requiring a consumer to disclose his or her SSN as a condition to selling or leasing goods or providing a service to the consumer.</p>	<p>It is not a violation of the statute to use all or more than four sequential digits of an SSN as the primary account number for an individual, or to include all or more than four sequential digits of an SSN in any document or information mailed to a person, if the use is any of the following:</p> <ul style="list-style-type: none"> <li>• an administrative use of all or more than four sequential digits of the SSN in the ordinary course of business, by a person or a vendor or contractor of a person, to do any of the following: (1) verify an individual's identity, identify an individual, or do another similar administrative purpose related to an account, transaction, product, service, or employment or proposed account, transaction, product, service, or employment; (2) investigate an individual's claim, credit, criminal, or driving history; (3) detect, prevent, or deter identity theft or another crime; (4) lawfully pursue or enforce a person's legal rights, including, but not limited to, an audit, collection, investigation, or transfer of a tax, employee benefit, debt, claim, receivable, or account or an interest in a receivable or account; (5) lawfully investigate, collect, or enforce a child or spousal support obligation or tax liability; (6) provide or administer employee or health insurance or membership benefits, claims, or retirement programs or to administer the ownership of shares of stock or other investments; or</li> </ul>

- a use of all or more than four sequential digits of an SSN as a primary account number that meets both of the following: (1) the use began before the effective date of this act; and (2) the use is ongoing, continuous, and in the ordinary course of business. If the use is stopped for any reason, this subdivision no longer applies.

Does not apply:

- if the selling, leasing, providing, terms of payment, or transaction includes an application for or an extension of credit to the consumer;
- if the disclosure is required or authorized by applicable state or federal statute, rule, or regulation;
- if the disclosure is requested by a person to obtain a consumer report for a permissible purpose described in section 604 of the Fair Credit Reporting Act, 15 U.S.C. § 1681b;
- if the disclosure is requested by a landlord, lessor, or property manager to obtain a background check of the individual in conjunction with the rent or leasing of real property;
- if the disclosure is requested from an individual to effect, administer, or enforce a specific telephonic or other electronic consumer transaction that is not made in person but is requested or authorized by the individual if it is to be

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**PRIVACY AND CYBERSECURITY LAW DESKBOOK**

<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p><b>MINNESOTA</b>  <b>Minn. Stat. § 325E.59</b></p> <p>Prohibits persons or entities, not including a government entity, from:</p> <ul style="list-style-type: none"> <li>intentionally communicating or otherwise making available to the general public in any manner an individual's SSN;</li> </ul>	<p>used solely to confirm the identity of the individual through a fraud prevention service database. The consumer good or service shall still be provided to the consumer upon verification of his or her identity if he or she refuses to provide his or her SSN but provides other information or documentation that can be used by the person to verify his or her identity. The person may inform the consumer that verification through other means than use of the SSN may cause a delay in providing the service or good to the consumer;</p> <ul style="list-style-type: none"> <li>to providing a service related to the administration of health-related or dental-related benefits or services to patients, including provider contracting or credentialing; or</li> <li>to an employer providing benefits or services to an employee.</li> </ul>
<p>Prohibits persons or entities, not including a government entity, from:</p> <ul style="list-style-type: none"> <li>intentionally communicating or otherwise making available to the general public in any manner an individual's SSN;</li> </ul>	<p><i>Selling</i> does not include the release of an individual's SSN if the release of the SSN is incidental to a larger transaction and is necessary to identify the individual in order to accomplish a legitimate business purpose. The release of an SSN for the purpose of marketing is not a legitimate business purpose under this paragraph.</p> <p>Does not apply to:</p>

<ul style="list-style-type: none"> <li>• printing an individual's SSN on any card required for the individual to access products or services provided by the person or entity;</li> <li>• requiring an individual to transmit the individual's SSN over the Internet, unless the connection is secure or the SSN is encrypted, except as required by titles XVIII and XIX of the Social Security Act and by Code of Federal Regulations, title 42, § 483.20;</li> <li>• requiring an individual to use the individual's SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site;</li> <li>• printing a number that the person or entity knows to be an individual's SSN on any materials that are mailed to the individual;</li> <li>• assigning or using a number as the primary account identifier that is identical to or incorporates an individual's complete SSN, except in conjunction with an employee or member retirement or benefit plan or human resources or payroll administration; or</li> <li>• selling SSNs obtained from individuals in the course of business.</li> </ul> <p>A person or entity, not including a government entity, must restrict access to individual SSNs it holds so that only its employees, agents, or contractors who require access to</p>	<ul style="list-style-type: none"> <li>• applications and forms sent by mail, including documents sent 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 SSN. Nothing in this paragraph authorizes inclusion of an SSN on the outside of a mailing or in the bulk mailing of a credit card solicitation offer;</li> <li>• the collection, use, or release of an SSN as required by state or federal law;</li> <li>• the collection, use, or release of an SSN for a purpose specifically authorized or specifically allowed by a state or federal law that includes restrictions on the use and release of information on individuals that would apply to SSNs;</li> <li>• the use of an SSN for internal verification or administrative purposes;</li> <li>• documents that are recorded or required to be open to the public under chapter 13 of the statute or by other law; or</li> <li>• materials that are mailed to the individual, if state or federal law requires the SSN to be on the document to be mailed. If, in connection with a transaction involving or otherwise relating to an individual, a person or entity receives a number from a third party, that person or entity is under no duty to inquire or otherwise determine whether the number is or includes that individual's SSN and may print that number on materials mailed to the individual,</li> </ul>
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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p>records containing the numbers in order to perform their job duties have access to the numbers, except as required by titles XVIII and XIX of the Social Security Act and by Code of Federal Regulations, title 42, § 483.20.</p>	<p>unless the person or entity receiving the number has actual knowledge that the number is or includes the individual's SSN.</p>
<p><b>MISSOURI</b> <b>Mo. Rev. Stat. § 407.1355</b></p>	
<p>Prohibits persons or entities, not including a state or local agency, from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public or to an individual's co-workers in any manner an individual's SSN;</li> <li>• requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use his or her SSN to access an Internet Web site, unless a password, unique personal identification number, or other authentication device is also required to access the Internet Web site; or</li> <li>• requiring an individual to use his or her SSN as an employee number for any type of employment-related activity.</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN as required by state or federal law or the use of an SSN for internal verification or administrative purposes; or</li> <li>• documents that are recorded or required to be open to the public pursuant to chapter 610, RS Mo. This section does not apply to records that are required by statute, case law, or Missouri court rules to be made available to the public.</li> </ul>

<p><b>MONTANA</b>  <b>Mont. Code Ann. § 32-6-306</b></p>	<p>Prohibits a financial institution from:</p> <ul style="list-style-type: none"> <li>• assigning a personal identification number to a customer which is identical to that customer's SSN.</li> </ul>
<p><b>NEBRASKA</b>  <b>Neb. Rev. Stat. § 48-237</b></p>	<p>Prohibits employers from:</p> <ul style="list-style-type: none"> <li>• publicly posting or publicly displaying in any manner more than the last four digits of an employee's SSN, including intentional communication of more than the last four digits of the SSN or otherwise making more than the last four digits of the SSN available to the general public or to an employee's co-workers;</li> <li>• requiring an employee to transmit more than the last four digits of his or her SSN over the Internet, unless the connection is secure or the information is encrypted;</li> <li>• requiring an employee to use more than the last four digits of his or her SSN to access an Internet Web site, unless a password, unique personal identification number, or other authentication device is also required to access the Internet Web site; or</li> </ul> <p>Except as provided below, an employer shall be permitted to use more than the last four digits of an employee's SSN only for:</p> <ul style="list-style-type: none"> <li>• compliance with state or federal laws, rules, or regulations;</li> <li>• internal administrative purposes, including provision of more than the last four digits of SSNs to third parties for such purposes as administration of personnel benefit provisions for the employer and employment screening and staffing; and</li> <li>• commercial transactions freely and voluntarily entered into by the employee with the employer for the purchase of goods or services.</li> </ul> <p>The following uses for internal administrative purposes described above shall not be permitted:</p>

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<ul style="list-style-type: none"> <li>requiring an employee to use more than the last four digits of his or her SSN as an employee number for any type of employment-related activity.</li> </ul>	<ul style="list-style-type: none"> <li>as an identification number for occupational licensing;</li> <li>as an identification number for drug-testing purposes except when required by state or federal law;</li> <li>as an identification number for company meetings;</li> <li>in files with unrestricted access within the company;</li> <li>in files accessible by any temporary employee, unless the temporary employee is bonded or insured under a blanket corporate surety bond or equivalent commercial insurance;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>for posting any type of company information.</li> </ul>
<p><b>NEW JERSEY</b>  <b>N.J. Stat. §§ 56:8-164, 47:1-16</b></p> <p>Prohibits persons, including any public or private entities, from:</p> <ul style="list-style-type: none"> <li>publicly posting or publicly displaying an individual’s SSN, or any four or more consecutive numbers taken from the individual’s SSN;</li> <li>printing an individual’s SSN on any materials that are mailed to the individual, unless state or federal law requires the SSN to be on the document to be mailed;</li> <li>printing an individual’s SSN on any card required for the individual to access products or services provided by the entity;</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>the use of an SSN for internal verification and administrative purposes, so long as the use does not require the release of the SSN to persons not designated by the entity to perform associated functions allowed or authorized by law;</li> <li>the collection, use, or release of an SSN, as required by state or federal law;</li> <li>the inclusion of an SSN in applications and forms sent by mail, including documents sent 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</li> </ul>

**APPENDIX D**

<ul style="list-style-type: none"> <li>intentionally communicating or otherwise making available to the general public an individual's SSN;</li> <li>requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted; or</li> <li>requiring an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site.</li> </ul>	<p>the SSN. An SSN that is permitted to be mailed under this subsection may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been open;</p> <ul style="list-style-type: none"> <li>documents that are recorded or required to be open to the public pursuant to Title 47 of the Revised Statutes;</li> <li>records that are required by statute, case law, or New Jersey Court Rules to be made available to the public by entities provided for in Article VI of the New Jersey Constitution; or</li> <li>an interactive computer service provider's transmissions or routing or intermediate temporary storage or caching of an image, information, or data that is otherwise subject to this section.</li> </ul>
<p><b>NEW MEXICO</b>  <b>N.M. Stat. §§ 57-12B-1 to 57-12B-4</b></p> <p>Prohibits businesses from requiring a consumer's SSN as a condition for the consumer to lease or purchase products, goods, or services from the business.</p> <p>Requires businesses that acquire SSNs from consumers to adopt internal policies that limit access to the SSNs to those employees authorized to have access to that information to</p>	<p>Does not prevent a business from:</p> <ul style="list-style-type: none"> <li>requiring or requesting a consumer's SSN if the number will be used in a manner consistent with state or federal law or as part of an application for credit or in connection with annuity or insurance transactions; or</li> </ul>

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p>perform their duties, and that hold employees responsible if the SSNs are released to unauthorized persons.</p> <p>Prohibits businesses from:</p> <ul style="list-style-type: none"> <li>• making the entirety of an SSN available to the general public, including by intentionally communicating an SSN to the general public and by printing an SSN on a receipt issued for the purchase of products or services (including a receipt for the purchase of services from the state or its political subdivisions);</li> <li>• requiring the use of an SSN over the Internet without a secure connection or encryption security, or to access an Internet account, unless a password or unique personal identification number or other personal authentication device is also required to access the account;</li> <li>• printing an SSN on materials mailed to a consumer;</li> <li>• transmitting material that associates an SSN with an account number for a bank, savings and loan association, or credit union; or</li> <li>• refusing to transact business because of a refusal to provide the SSN for a use prohibited in this statute.</li> </ul>	<ul style="list-style-type: none"> <li>• acquiring or using a consumer's SSN if the consumer consents to the acquisition or use.</li> </ul> <p>Does not prohibit:</p> <ul style="list-style-type: none"> <li>• printing an SSN on materials mailed to a consumer if authorized or required by federal or state law;</li> <li>• requiring a consumer, 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 SSN, to enter an SSN on material to be mailed by the consumer as long as it is not required to be entered, in whole or in part: (a) on a postcard or other mailer not requiring an envelope; (b) on the envelope; or (c) in any other manner in which the number may be visible without the envelope being opened;</li> <li>• transmitting material that associates an SSN with an account number for a bank, savings and loan association, or credit union, if 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 SSN or, bank, savings and loan association, or credit union account number;</li> <li>• the use of an SSN by a business if the SSN: (a) was furnished for a document generated prior to January 1, 2006, and the business is copying or reproducing that</li> </ul>

**APPENDIX D**

	<p>document; or (b) exists on an original document generated prior to January 1, 2006;</p> <ul style="list-style-type: none"> <li>the collection, use, or release of an SSN by a business if the business complies with subsection D of section 5712B-3 NMSA 1978 and if the collection, use, or release: (a) is part of an application or enrollment process or is used to establish, amend, or terminate an account, contract, or policy; (b) is required or authorized by federal or state law or is required for the business to comply with federal or state law; or (c) is for internal verification or administrative purposes; or</li> <li>documents that are filed in court or public records or documents recorded in public records or required to be open to the public under federal law, state law, applicable case law, supreme court rule, or the constitution of New Mexico.</li> </ul>
<p><b>NEW YORK</b>  <b>N.Y. Gen. Bus. Law § 399-DD 4; N.Y. Lab. Law § 203-D</b></p> <p>SSN includes the number issued by the federal Social Security Administration and any number derived from such number. Such number shall not include any number that is encrypted.</p>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>any individual intentionally communicating to the general public or otherwise making available to the general public his or her SSN;</li> <li>printing an individual's SSN on any materials that are mailed to the individual, if state or federal law requires the</li> </ul>

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p>Prohibits persons, firms, partnerships, associations, or corporations, not including the state or its political subdivisions, from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating to the general public or otherwise making available to the general public in any manner an individual’s SSN;</li> <li>• printing an individual’s SSN on any card or tag required for the individual to access products, services, or benefits provided by the person, firm, partnership, association, or corporation;</li> <li>• requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site;</li> <li>• printing an individual’s SSN on any materials that are mailed to the individual, unless state or federal law requires the SSN to be on the document to be mailed. Notwithstanding this paragraph, SSNs may be included in applications and forms sent by mail, including documents sent 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</li> </ul>	<p>SSN to be on the document to be mailed, or including SSNs in applications and forms sent by mail, including documents sent 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 SSN. An SSN that is permitted to be mailed under this section may not be printed, in whole or part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened; or</p> <ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN as required by state or federal law, the use of an SSN for internal verification, fraud investigation, or administrative purposes, or for any business function specifically authorized by 15 U.S.C. § 6802.</li> </ul> <p>SSNs that are permitted to be mailed under this section may not be printed, in whole or part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened.</p>

SSN. An SSN that is permitted to be mailed under this section may not be printed, in whole or part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened;

- encoding or embedding an SSN in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, or other technology, in place of removing the SSN as required by this section; or
- filing any document available for public inspection with any state agency, political subdivision, or in any court of this state that contains an SSN of any other person, unless such other person is a dependent child, or has consented to such filing, except as required by federal or state law or regulation, or by court rule.

Any person, firm, partnership, association, or corporation having possession of the SSN of any individual shall, to the extent that such number is maintained for the conduct of business or trade, take reasonable measures to ensure that no officer or employee has access to such number for any purpose other than for a legitimate or necessary purpose related to the conduct of such business or trade and provide safeguards necessary or appropriate to preclude unauthorized access to the SSN and to protect the confidentiality of such number.

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p>Unless otherwise required by law, prohibits employers from:</p> <ul style="list-style-type: none"> <li>• publicly posting or displaying an employee’s SSN;</li> <li>• visibly printing an SSN on any identification badge or card, including any time card;</li> <li>• placing an SSN in files with unrestricted access; or</li> <li>• communicating an employee’s SSN to the general public.</li> </ul> <p>An SSN shall not be used as an identification number for purposes of any occupational licensing.</p>	
<p><b>NORTH CAROLINA</b>  <b>N.C. Gen. Stat. § 75-62</b></p>	
<p>Prohibits businesses from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public an individual’s SSN;</li> <li>• intentionally printing or imbedding an individual’s SSN on any card required for the individual to access products or services provided by the person or entity;</li> <li>• requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• printing an individual’s SSN on any materials that are mailed to the individual, if state or federal law requires the SSN to be on the document to be mailed;</li> <li>• an SSN included in an application or in documents related to an enrollment process, or to establish, amend, or terminate an account, contract, or policy; or to confirm the accuracy of the SSN for the purpose of obtaining a credit report pursuant to 15 U.S.C. § 1681(b)(2). An SSN that is permitted to be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer</li> </ul>

<p>identification number or other authentication device is also required to access the Internet Web site;</p> <ul style="list-style-type: none"> <li>• printing an individual's SSN on any materials that are mailed to the individual; or</li> <li>• selling, leasing, loaning, trading, renting, or otherwise intentionally disclosing an individual's SSN to a third party without written consent to the disclosure from the individual, when the party making the disclosure knows or in the exercise of reasonable diligence would have reason to believe that the third party lacks a legitimate purpose for obtaining the individual's SSN.</li> </ul> <p>Requires a business to make reasonable efforts to cooperate, through systems testing and other means, to ensure that the requirements of the statute are implemented.</p>	<p>not requiring an envelope, or visible on the envelope or without the envelope having been opened;</p> <ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN for internal verification or administrative purposes;</li> <li>• the opening of an account or the provision of or payment for a product or service authorized by an individual;</li> <li>• the collection, use, or release of an SSN to investigate or prevent fraud, conduct background checks, conduct social or scientific research, collect a debt, obtain a credit report from or furnish data to a consumer reporting agency pursuant to the Fair Credit Reporting Act, 15 U.S.C. §§ 1681 <i>et seq.</i>, undertake a permissible purpose enumerated under Gramm-Leach-Bliley, 12 C.F.R. § 216.13-15, or locate an individual who is missing, a lost relative, or due a benefit, such as a pension, insurance, or unclaimed property benefit;</li> <li>• a business acting pursuant to a court order, warrant, subpoena, or when otherwise required by law;</li> <li>• a business providing the SSN to a federal, state, or local government entity, including a law enforcement agency, court, or their agents or assigns; or</li> <li>• an SSN that has been redacted.</li> </ul>
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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p><b>OHIO</b>  <b>Ohio Rev. Code Ann. § 1349.17</b></p> <p>Prohibits a person from:</p> <ul style="list-style-type: none"> <li>• recording an SSN of the other party to a transaction, when payment is made by credit card charge agreement, check, bill of exchange, or other draft.</li> </ul>	<p>A person may record an SSN of the other party to a transaction if:</p> <ul style="list-style-type: none"> <li>• it is recorded for a legitimate business purpose, including collection purposes;</li> <li>• the party consents to the recording; or</li> <li>• it is not disclosed to any third party for any purposes other than collection purposes and is not used to market goods or services unrelated to the goods or services purchased in the transaction.</li> </ul>
<p><b>OKLAHOMA</b>  <b>Okla. Stat. Tit. 40, § 173.1</b></p> <p>Prohibits employing entities located in Oklahoma from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public in any manner the SSN of an employee;</li> <li>• printing the SSN of an employee on any card required for the employee to access information, products, or services provided by the employing entity;</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• printing the SSN of an employee on any materials that are mailed to the employee, if state or federal law requires the SSN to be on the document to be mailed, or including SSNs in applications and forms sent by mail, including documents sent 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 SSN;</li> <li>• the state or any political subdivision of the state; or</li> </ul>

<ul style="list-style-type: none"> <li>• requiring an employee to transmit their SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an employee to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site; or</li> <li>• printing the SSN of an employee on any materials that are mailed to the employee.</li> </ul>	<ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN as otherwise required by state or federal law or the use of an SSN for internal verification or administrative purposes. An employee may also provide an employing entity with written permission to use his or her SSN for any of the uses otherwise prohibited by this section.</li> </ul>
<p><b>OREGON</b>  <b>Or. Rev. Stat. § 646A.620</b></p>	
<p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>• printing a consumer’s SSN on any materials not requested by the consumer or part of the documentation of a transaction or service requested by the consumer that are mailed to the consumer unless redacted;</li> <li>• printing a consumer’s SSN on any card required for the consumer to access products or services provided by the person;</li> <li>• communicating or otherwise making available to the public a consumer’s SSN unless redacted; or</li> </ul>	<p>“Except as otherwise specifically provided by law.” Does not apply to:</p> <ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN as required by state or federal law, including statute, Oregon Rules of Civil Procedure, or rule adopted by the Chief Justice of the Supreme Court, the Chief Judge of the Court of Appeals, or the judge of the Oregon Tax Court, or the use or printing of an SSN for internal verification or administrative purposes or for enforcement of a judgment or court order;</li> <li>• records that are required by state or federal law, including statute, Oregon Rules of Civil Procedure, or rule adopted by the Chief Justice of the Supreme Court, the Chief Judge</li> </ul>

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<p><i>Prohibitions and Requirements</i></p> <ul style="list-style-type: none"> <li>• disposing of, or transferring to another person for disposal, material containing a consumer’s SSN unless the SSN is made unreadable or unrecoverable.</li> </ul>	<p><i>Exceptions</i></p> <p>of the Court of Appeals, or the judge of the Oregon Tax Court, to be made available to the public; or</p> <ul style="list-style-type: none"> <li>• an SSN in any of the following records or copies of records in any form or storage medium maintained or otherwise possessed by a court, the State Court Administrator, or the Secretary of State: (a) a record received on or before October 1, 2007; (b) a record received after October 1, 2007, if, by state or federal statute or rule, the person that submitted the record could have caused the record to be filed or maintained in a manner that protected the SSN from public disclosure; or (c) a record, regardless of the date created or received, that is an accusatory instrument charging a violation or crime, a record of oral proceedings in a court, an exhibit offered as evidence in a proceeding, or a judgment or court order.</li> </ul>
<p><b>PENNSYLVANIA</b> <b>74 Pa. Stat. Ann. §§ 201–204</b></p> <p>Prohibits persons, entities, state agencies, or political subdivisions from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public in any manner an individual’s SSN;</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• printing an individual’s SSN on any materials that are mailed to the individual, if federal or state law requires the SSN to be on the document to be mailed, or including SSNs in applications and forms sent by mail, including documents sent as part of an application or enrollment</li> </ul>

<ul style="list-style-type: none"> <li>• printing an individual's SSN on any card required for the individual to access products or services provided by the person, entity, or state agency or political subdivision;</li> <li>• requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Web site;</li> <li>• printing an individual's SSN on any materials that are mailed to the individual; or</li> <li>• disclosing in any manner, except to the agency issuing the license, the SSN of an individual who applies for a recreational license. For the purposes of this paragraph, a <i>recreational license</i> means a license issued pursuant to 30 Pa. C.S. (relating to fish) or 34 Pa. C.S. (relating to game).</li> </ul>	<p>process or to establish, amend, or terminate an account, contract, or policy, or to confirm the accuracy of the SSN. An SSN that is permitted to be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened;</p> <ul style="list-style-type: none"> <li>• a person or entity, not including a state agency or political subdivision, that has used, prior to the effective date of this section, an individual's SSN in a manner inconsistent with the statute may continue using that individual's SSN in that manner on or after the effective date of this section if all of the following conditions are met: (1) the use of the SSN is continuous, and (2) the individual is provided an annual disclosure, commencing in the year after the effective date of this section, that informs the individual that he or she has the right to stop the use of his or her SSN in a manner prohibited by the statute. An individual who receives such an annual disclosure has the right to stop the use of his or her SSN in a manner prohibited by the statute and must exercise that right by submitting a written request to the person or entity. The person or entity shall discontinue use of the individual's SSN within 30 days of the receipt of the request. There shall be no fee or charge for complying with the request. A person or entity shall not deny services to an individual because the</li> </ul>
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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
	<p>individual makes a written request pursuant to this subsection;</p> <ul style="list-style-type: none"> <li>• prevent the collection, use, or release of an SSN as required by federal or state law or the use of an SSN for internal verification, administrative purposes, or for law enforcement investigations;</li> <li>• a document that originated with or is filed with, is recorded in, or is maintained by any court component or part of the unified judicial system;</li> <li>• any document that: (1) is required by law to be open to the public; and (2) originates with or is filed, recorded, or maintained by any government agency, instrumentality, or taxing authority;</li> <li>• a financial institution, as defined by section 509(3) of the Gramm-Leach-Bliley Act (Public Law 106-102, 15 U.S.C. § 6809(3)) or regulations adopted by agencies as designated by section 504(a) of the Gramm-Leach-Bliley Act, subject to Title V of the Gramm-Leach-Bliley Act or a “licensee” as defined by 31 Pa. Code § 146a.2 (relating to definitions);</li> <li>• a covered entity, as defined by regulations promulgated at 45 C.F.R. pts. 160 (relating to general administrative requirements) and 164 (relating to security and privacy) pursuant to Subtitle F of the Health Insurance Portability</li> </ul>

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	<p>and Accountability Act of 1996 (Public Law 104-191, 110 Stat. 1936); or</p> <ul style="list-style-type: none"> <li>• an entity subject to the Fair Credit Reporting Act (Public Law 91-508, 15 U.S.C. §§ 1681 <i>et seq.</i>).</li> </ul>
<p><b>RHODE ISLAND</b> <b>R.I. Gen. Laws § 6-13-17</b></p> <p>Prohibits a person or entity from requiring a consumer of goods or services to disclose all or part of a Social Security number in connection with the sale of consumer goods or services.</p>	<p>This law does not apply to:</p> <ul style="list-style-type: none"> <li>• insurance companies and institutions licensed by the state or federal government for financial services, which may require applicants for those services to disclose their Social Security number;</li> <li>• the provision and billing of health care or pharmaceutical-related services, including the issuance of identification cards and account numbers for users of health care or pharmaceutical-related services; and</li> <li>• a consumer applying for a credit card for the purchase of goods or services.</li> </ul>
<p><b>RHODE ISLAND</b> <b>R.I. Gen. Laws § 6-48-8</b></p> <p>Prohibits persons or entities, including state or local agencies, from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public an individual’s SSN;</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• printing an individual’s SSN on any materials that are mailed to the individual, if state or federal law requires the SSN to be on the document to be mailed;</li> </ul>

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<p><i>Prohibitions and Requirements</i></p> <ul style="list-style-type: none"> <li>• printing an individual’s SSN on any card required for the individual to access products or services provided by the person or entity;</li> <li>• requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site; or</li> <li>• printing an individual’s SSN on any materials that are mailed to the individual.</li> </ul>	<p><i>Exceptions</i></p> <ul style="list-style-type: none"> <li>• including SSNs in applications and forms sent by mail, including documents sent 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 SSN. An SSN that is permitted to be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened;</li> <li>• documents that are recorded or required to be open to the public pursuant to the Rhode Island general laws chapter 42–46;</li> <li>• records that are by statute or case law required to be made available to the public by entities provided for in the Rhode Island Constitution; or</li> <li>• the collection, use, or release of an SSN as required by state or federal law or the use of an SSN for internal verification or administrative purposes.</li> </ul>
<p><b>SOUTH CAROLINA</b> <b>S.C. Code Ann. § 37-20-180</b></p>	
<p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>• publicly posting or publicly displaying or otherwise intentionally communicating or making available to the</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• selling, leasing, loaning, trading, renting, or otherwise intentionally disclosing a consumer’s SSN or a portion of</li> </ul>

<p>general public a consumer's SSN or a portion of it containing six digits or more;</p> <ul style="list-style-type: none"> <li>• intentionally printing or imbedding a consumer's SSN or any portion of it containing six digits or more on any card required for the consumer to access products or services provided by the person;</li> <li>• requiring a consumer to transmit his SSN or a portion of it containing six digits or more over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring a consumer to use his SSN or a portion of it containing six digits or more to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site;</li> <li>• printing a consumer's SSN or a portion of it containing six digits or more on materials that are mailed to the individual, unless state or federal law requires the SSN to be on the document to be mailed; or</li> <li>• selling, leasing, loaning, trading, renting, or otherwise intentionally disclosing a consumer's SSN or a portion of it containing six digits or more to a third party without written consent to the disclosure from the consumer.</li> </ul>	<p>it containing six digits or more to a third party without written consent to the disclosure from the consumer, if the third party seeking disclosure of the SSN does so for a legitimate business or government purpose or unless authorized or specifically permitted by law to do so or unless the disclosure is otherwise imperative for the performance of the person's duties and responsibilities as prescribed by law. A legitimate business purpose of the third party includes, but is not limited to, locating an individual to provide a benefit to that individual, such as a pension, insurance, or unclaimed property benefit, or to find an individual who is missing or a lost relative, or to serve civil process. A legitimate purpose of the third party does not include the bulk purchase or rental of SSNs or use in marketing;</p> <ul style="list-style-type: none"> <li>• an SSN included in an application or in documents related to an enrollment process, or to establish, amend, or terminate an account, contract, or policy, or to confirm the accuracy of the SSN for the purpose of obtaining a credit report pursuant to the federal Fair Credit Reporting Act. An SSN that is permitted to be mailed pursuant to this section may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope or may not be visible on or through the envelope;</li> <li>• the collection, use, or release of an SSN for internal verification or administrative purposes;</li> </ul>
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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
	<ul style="list-style-type: none"> <li>• the opening of an account or the provision of or payment for a product or service authorized by a consumer;</li> <li>• the collection, use, or release of an SSN to investigate or prevent fraud, conduct background checks, conduct social or scientific research, collect a debt, including a debt collected pursuant to the Setoff Debt Collection Act, § 12-56-10, and the Governmental Enterprise Accounts Receivable Collections program, § 12-4-580, or to obtain a credit report from or furnish data to a consumer reporting agency, pursuant to the federal Fair Credit Reporting Act or to undertake a purpose permissible pursuant to the Gramm-Leach-Bliley Act or Driver's Privacy Protection Act;</li> <li>• a person acting pursuant to a court order, warrant, subpoena, or other legal process;</li> <li>• a person providing the SSN to a federal, state, or local government entity, including a law enforcement agency or court, or their agents or assigns;</li> <li>• a financial institution as defined in the Gramm-LeachBliley Act;</li> <li>• the submission and use of an SSN or other personal identifying information as part of the maintenance and reporting of employment records, employment verification, or in the course of the administration or provision of employee benefits programs, claims, and procedures related to employment, including, but not limited to, termination</li> </ul>

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	<p>from employment, retirement from employment, injuries suffered during the course of employment, and other such claims, benefits, and procedures;</p> <ul style="list-style-type: none"> <li>• a recorded document in the official records of a county; or</li> <li>• a document filed in the official records of the court.</li> </ul>
<p><b>TENNESSEE</b> <b>Tenn. Code Ann. § 47-18-2110</b></p>	
<p>Any entity to which the statute applies that has obtained a federal SSN for a legitimate business or governmental purpose shall make reasonable efforts to protect that SSN from disclosure to the public.</p> <p>Prohibits persons and nonprofit or for-profit business entities in Tennessee, including, but not limited to, any sole proprietorships, partnerships, limited liability companies, or corporations, engaged in any business, including, but not limited to, health care, from:</p> <ul style="list-style-type: none"> <li>• posting or displaying SSNs in public;</li> <li>• requiring SSNs to be transmitted over the Internet, unless the Internet connection used is secure or the SSN is encrypted;</li> <li>• requiring an SSN to log onto or access an Internet Web site, unless used in combination with a password or other authentication device; or</li> <li>• printing SSNs on any materials mailed to a consumer.</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• printing SSNs on any materials mailed to a consumer, if the disclosure is required by law, or the document is a form or application;</li> <li>• the disclosure of a federal SSN by an entity so long as the disclosure is for a legitimate business or governmental purpose and occurs pursuant to the terms of a business or governmental contract or other lawful legal obligation; or</li> <li>• any state agency or nonprofit or for-profit business entity engaged in the provision of health care services under Title XIX, including determining eligibility for Title XIX services.</li> </ul>

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
<p><b>TEXAS</b>  <b>Tex. Bus. &amp; Com. Code §§ 501.001–501.102</b></p> <p>Prohibits persons, other than governments or governmental subdivisions or agencies, from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the public an individual’s SSN;</li> <li>• displaying an individual’s SSN on a card or other device required to access a product or service provided by the person;</li> <li>• requiring an individual to transmit the individual’s SSN over the Internet, unless the Internet connection is secure or the SSN is encrypted;</li> <li>• requiring an individual’s SSN for access to an Internet Web site, unless a password or unique personal identification number or other authentication device is also required for access;</li> <li>• printing an individual’s SSN on any material sent by mail; or</li> <li>• printing an individual’s SSN on a card or other device required to access a product or service provided by the person.</li> </ul> <p>Prohibits persons from:</p>	<p>A person using an individual’s SSN before January 1, 2005, in a manner prohibited by subsection (a) may continue that use if the use is continuous, and the person provides to the individual an annual disclosure stating that, on written request from the individual, the person will stop using the individual’s SSN in a manner prohibited by the statute.</p> <p>A person, other than a government or a governmental subdivision or agency, may not deny a service to an individual because the individual makes a written request under this subsection. If a person receives a written request from an individual directing the person to stop using the individual’s SSN in a manner prohibited by the statute, the person shall comply with the request not later than the 30th day after the date the request is received. The person may not impose a fee for complying with the request.</p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• printing an individual’s SSN on any material sent by mail, unless state or federal law requires that SSN to be included in the material, or including an SSN in an application or form sent by mail, including a document sent: (1) as part of an application or enrollment process; (2) to establish,</li> </ul>

## APPENDIX D

- requiring an individual to disclose the individual's SSN to obtain goods or services from or enter into a business transaction with the person.

- amend, or terminate an account, contract, or policy; or (3) to confirm the accuracy of an SSN;
- printing an individual's SSN on a card or other device required to access a product or service provided by the person, if the individual has requested in writing that printing. The person may not require a request for that printing as a condition of receipt of or access to a product or service provided by the person;
- printing an individual's SSN on a card or other device required to access a product or service provided by the person, where the collection, use, or release of an SSN is required by state or federal law or where an SSN is used for internal verification or administrative purposes;
- the collection, use, or release of an SSN required by state or federal law, including Chapter 552, Government Code;
- the use of an SSN for internal verification or administrative purposes;
- a document that is recorded or required to be open to the public under Chapter 552, Government Code;
- a court record; or
- an institution of higher education if the use of an SSN by the institution is regulated by Chapter 51, Education Code, or another provision of the Education Code.

Does not apply if:

- the person adopts a privacy policy as provided below, and makes the privacy policy available to the individual, and

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<i>Prohibitions and Requirements</i>	<i>Exceptions</i>
	<p>maintains under the privacy policy the confidentiality and security of the SSN disclosed to the person;</p> <p>A privacy policy adopted under this section must include: (1) how personal information is collected; (2) how and when the personal information is used; (3) how the personal information is protected; (4) who has access to the personal information; and (5) the method of disposal of the personal information.</p>
<p><b>UTAH</b> <b>Utah Code Ann. § 13-45-301</b></p>	
<p>Prohibits persons from displaying an SSN in a manner or location that is likely to be open to public view.</p>	<p>Except as otherwise allowed by law.</p>
<p><b>VERMONT</b> <b>Vt. Stat. Ann. Tit. 9, § 2440</b></p>	
<p>Prohibits businesses from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating or otherwise making available to the general public an individual's SSN;</li> <li>• intentionally printing or imbedding an individual's SSN on any card required for the individual to access products or services provided by the person or entity;</li> </ul>	<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• printing an individual's SSN on any materials that are mailed to the individual, if state or federal law requires the SSN to be on the document to be mailed;</li> <li>• an SSN included in an application or in documents related to an enrollment process, or to establish, amend, or terminate an account, contract, or policy; or to confirm the</li> </ul>

<ul style="list-style-type: none"> <li>• requiring an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted;</li> <li>• requiring an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site;</li> <li>• printing an individual's SSN on any materials that are mailed to the individual; or</li> <li>• selling, leasing, lending, trading, renting, or otherwise intentionally disclosing an individual's SSN to a third party without written consent to the disclosure from the individual, when the party making the disclosure knows or in the exercise of reasonable diligence would have reason to believe that the third party lacks a legitimate purpose for obtaining the individual's SSN.</li> </ul>	<p>accuracy of the SSN for the purpose of obtaining a credit report pursuant to 15 U.S.C. § 1681(b)(2). An SSN that is permitted to be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on an envelope without the envelope having been opened;</p> <ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN reasonably necessary for administrative purposes or internal verification;</li> <li>• the opening of an account or the provision of or payment for a product or service authorized by an individual;</li> <li>• the collection, use, or release of an SSN to investigate or prevent fraud; conduct background checks; conduct social or scientific research; collect a debt; obtain a credit report from or furnish data to a consumer reporting agency pursuant to the Fair Credit Reporting Act, 15 U.S.C. §§ 1681 <i>et seq.</i>; undertake a permissible purpose enumerated under Gramm-Leach-Bliley, 12 C.F.R. § 216.13-15; or locate an individual who is missing, is a lost relative, or is due a benefit, such as a pension, insurance, or unclaimed property benefit;</li> <li>• a business acting pursuant to a court order, warrant, subpoena, or when otherwise required by law, or in response to a facially valid discovery request pursuant to rules applicable to a court or administrative body that has jurisdiction over the disclosing entity;</li> </ul>
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<p><i>Prohibitions and Requirements</i></p>	<p><i>Exceptions</i></p> <ul style="list-style-type: none"> <li>• a business providing the SSN to a federal, state, or local government entity, including a law enforcement agency, the department of public safety, and a court, or their agents or assigns;</li> <li>• an SSN that has been redacted;</li> <li>• a business that has used, prior to January 1, 2007, an individual's SSN in a manner inconsistent with the statute, which may continue using that individual's SSN in that manner on or after January 1, 2007, if all of the following conditions are met: (1) the use of the SSN is continuous; (2) the individual is provided an annual disclosure that informs the individual that he or she has the right to stop the use of his or her SSN in a manner prohibited by the statute; (3) a written request by an individual to stop the use of his or her SSN in a manner prohibited by the statute is implemented within 30 days of the receipt of the request (and there shall not be a fee or charge for implementing the request); and (4) the person or entity does not deny services to an individual because the individual makes a written request pursuant to this subsection;</li> <li>• information obtained from a recorded document in the official records of the town clerk or municipality; or</li> <li>• information obtained from a document filed in the official records of the courts.</li> </ul>
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<p><b>VIRGINIA</b>  <b>Va. Code. Ann. § 59.1-443.2</b></p>	<p>Prohibits persons from:</p> <ul style="list-style-type: none"> <li>• intentionally communicating another individual’s SSN to the general public;</li> <li>• printing an individual’s SSN on any card required for the individual to access or receive products or services provided by the person;</li> <li>• requiring an individual to use his SSN to access an Internet Web site, unless a password, unique personal identification number, or other authentication device is also required to access the site;</li> <li>• sending or causing to be sent or delivered any letter, envelope, or package that displays an SSN on the face of the mailing envelope or package, or from which an SSN is visible, whether on the outside or inside of the mailing envelope or package; or</li> <li>• embedding an encrypted or unencrypted SSN in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, or other technology, in place of removing the SSN as required by this section.</li> </ul>	<p>“Except as otherwise specifically provided by law.” Does not apply to:</p> <ul style="list-style-type: none"> <li>• the collection, use, or release of an SSN as permitted by the laws of the Commonwealth or the United States;</li> <li>• the use of an SSN for internal verification or administrative purposes, unless such use is prohibited by a state or federal statute, rule, or regulation;</li> <li>• public bodies as defined in § 2.2-3701.</li> </ul>
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