

Senate Engrossed House Bill

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 139

HOUSE BILL 2382

AN ACT

AMENDING SECTIONS 44-1373 AND 44-1373.01, ARIZONA REVISED STATUTES; RELATING TO SOCIAL SECURITY NUMBERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 44-1373, Arizona Revised Statutes, is amended to
3 read:

4 44-1373. Restricted use of social security numbers; definition

5 A. Except as otherwise specifically provided by law, beginning on
6 January 1, 2005, a person or entity shall not:

7 1. Intentionally communicate or otherwise make an individual's social
8 security number available to the general public.

9 2. Print an individual's social security number on any card required
10 for the individual to receive products or services provided by the person or
11 entity.

12 3. Require the transmission of an individual's social security number
13 over the internet unless the connection is secure or the social security
14 number is encrypted.

15 4. Require the use of an individual's social security number to access
16 an internet web site, unless a password or unique personal identification
17 number or other authentication device is also required to access the site.

18 5. Print an individual's social security number on any materials that
19 are mailed to the individual, unless state or federal law requires the social
20 security number to be on the document to be mailed. This paragraph does not
21 prohibit the mailing of documents that include social security numbers sent
22 as part of an application or enrollment process or to establish, amend or
23 terminate an account, contract or policy or to confirm the accuracy of the
24 social security number.

25 B. Notwithstanding subsection A, a person or entity that before
26 January 1, 2005 used an individual's social security number in a manner
27 inconsistent with subsection A may continue using that individual's social
28 security number in that manner on and after January 1, 2005 subject to the
29 following conditions:

30 1. The use of the social security number must be continuous. If the
31 use is stopped for any reason, subsection A applies.

32 2. Beginning in 2005, the person or entity must provide the individual
33 with an annual written disclosure of the individual's right to stop the use
34 of the social security number in a manner prohibited by subsection A.

35 3. If the individual requests in writing, the person or entity must
36 stop using the social security number in a manner prohibited by subsection
37 A within thirty days after receiving the request. No fee or charge is
38 allowed for implementing the request, and the person or entity shall not deny
39 services to the individual because of the request.

40 C. This section does not prohibit the collection, use or release of
41 a social security number as required by the laws of this state or the United
42 States or for internal verification or administrative purposes.

1 D. Beginning on January 1, 2005, this state or any political
2 subdivision of this state shall not use an individual's social security
3 number on state issued or political subdivision issued forms of
4 identification.

5 E. THIS SECTION DOES NOT PROHIBIT AN AGENCY OF THIS STATE OR A COUNTY,
6 CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE FROM DISSEMINATING
7 OR USING THE LAST FOUR NUMBERS OF AN INDIVIDUAL'S SOCIAL SECURITY NUMBER.

8 F. A GOVERNMENT AGENCY SHALL NOT TRANSMIT TO AN INDIVIDUAL MATERIAL
9 THAT CONTAINS BOTH AN INDIVIDUAL'S SOCIAL SECURITY NUMBER AND BANK, SAVINGS
10 AND LOAN ASSOCIATION OR CREDIT UNION ACCOUNT NUMBER. THIS PARAGRAPH DOES NOT
11 PROHIBIT THE TRANSMITTING OF DOCUMENTS THAT INCLUDE SOCIAL SECURITY AND BANK,
12 SAVINGS AND LOAN ASSOCIATION OR CREDIT UNION ACCOUNT NUMBERS AS A PART OF AN
13 APPLICATION OR ENROLLMENT PROCESS OR TO ESTABLISH, AMEND OR TERMINATE AN
14 ACCOUNT, CONTRACT OR POLICY OR TO CONFIRM THE ACCURACY OF THE SOCIAL
15 SECURITY, BANK, SAVINGS AND LOAN ASSOCIATION OR CREDIT UNION ACCOUNT NUMBER.

16 G. For purposes of this section, "individual" means a resident of
17 this state.

18 Sec. 2. Section 44-1373.01, Arizona Revised Statutes, is amended to
19 read:

20 44-1373.01. Exceptions

21 This article does not apply to:

22 1. The use of social security numbers by ~~an agency of this state~~ THE
23 DEPARTMENT OF REVENUE or by a LAW ENFORCEMENT AGENCY OF THIS STATE OR A LAW
24 ENFORCEMENT AGENCY OF A county, city, town or other political subdivision of
25 this state, except that ~~all THESE agencies of this state and all political~~
26 ~~subdivisions~~ must comply with section 44-1373, subsection A, paragraphs 2
27 and 5.

28 2. THE USE OF SOCIAL SECURITY NUMBERS BY AN AGENCY OF THIS STATE IN
29 ITS ADMINISTRATION OF EMPLOYEE PAYROLL, EMPLOYEE BENEFITS AND WORKERS'
30 COMPENSATION MATTERS, EXCEPT THAT THE AGENCY SHALL COMPLY WITH SECTION
31 44-1373, SUBSECTION A, PARAGRAPHS 1, 2, 4 AND 5.

32 ~~3.~~ 3. Documents or records that are recorded or required to be open
33 to the public pursuant to the constitution or laws of this state or by court
34 rule or order, and this article does not limit access to these documents or
35 records.

36 4. THE USE OF SOCIAL SECURITY NUMBERS BY THE INDUSTRIAL COMMISSION OF
37 ARIZONA OR AN INTERESTED PARTY AS DEFINED IN SECTION 23-901, ON DOCUMENTS OR
38 RECORDS RELATED TO A WORKERS' COMPENSATION CLAIM UNDER TITLE 23, CHAPTER 6,
39 EXCEPT THAT THE INDUSTRIAL COMMISSION OR THE INTERESTED PARTY SHALL COMPLY
40 WITH SECTION 44-1373, SUBSECTION A, PARAGRAPHS 1, 2, 3 AND 4.

APPROVED BY THE GOVERNOR APRIL 23, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 23, 2004.

Passed the House March 2, 2004,

Passed the Senate April 6, 2004,

by the following vote: 56 Ayes,
3 Nays, 1 Not Voting

by the following vote: 27 Ayes,
3 Nays, 0 Not Voting

Jake Flake
Speaker of the House
Norman L. Moore
Chief Clerk of the House

Ken Bennett
President of the Senate
Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

H.B. 2382

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 19, 2004,

by the following vote: 53 Ayes,

3 Nays, 4 Not Voting

Jake Flake
Speaker of the House
Norman L. Moore
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
19th day of April, 2004.

at 2:30 o'clock P. M.

Jennifer Upbarra
Secretary to the Governor

Approved this 23 day of

April, 2004,

at 2⁰⁰ o'clock P. M.

J. N. ...
Governor of Arizona

H.B. 2382

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 23 day of April, 2004,

at 3:05 o'clock P. M.

Janice K. Brewer
Secretary of State