

1 AN ACT concerning consumer protection.

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

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

6 (815 ILCS 505/200 new)

7 Sec. 200. Use of Social Security numbers.

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

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

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

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

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

30 (5) Print an individual's social security number on any
31 materials that are mailed to the individual, unless State
32 or federal law requires the social security number to be on

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

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

18 (1) The use of the social security number is
19 continuous. If the use is stopped for any reason,
20 subsection (a) shall apply.

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

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

32 (c) This Section does not apply to the collection, use, or
33 release of a social security number as required by State or
34 federal law or the use of a social security number for internal
35 verification or administrative purposes. This Section does not
36 apply to the collection, use, or release of a social security

1 number by the State, a subdivision of the State, or an
2 individual in the employ of the State or a subdivision of the
3 State in connection with his or her official duties.

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

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

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

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

20 Section 99. Effective date. This Act takes effect July 1,
21 2006.