



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB0445

Introduced 2/16/2005, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

New Act

110 ILCS 305/30
110 ILCS 520/16
110 ILCS 660/5-125
110 ILCS 665/10-125
110 ILCS 670/15-125
110 ILCS 675/20-130
110 ILCS 680/25-125
110 ILCS 685/30-135
110 ILCS 690/35-130
110 ILCS 805/3-60
815 ILCS 505/2QQ rep.
30 ILCS 805/8.29 new

Creates the Social Security Numbers Limited Use Act. Prohibits the use of social security numbers by persons or entities except for certain uses. Provides that an individual's social security number may not be printed on an insurance card. Prohibits private universities and colleges and private business and vocational schools from printing an individual's social security number on any card or other document required for the individual to access products or services provided by the institution. Provides criminal penalties. Amends the University of Illinois Act, the Southern Illinois University Management Act, the Chicago State University Law, the Eastern Illinois University Law, the Governors State University Law, the Illinois State University Law, the Northeastern Illinois University Law, the Northern Illinois University Law, the Western Illinois University Law, and the Public Community College Act to prohibit the printing of an individual's social security number on any card or other document required for the individual to access products or services provided by the institution. Amends the Consumer Fraud and Deceptive Business Practices Act to repeal a Section prohibiting the use of an individual's social security number on an insurance card. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately, except certain provisions effective July 1, 2006.

LRB094 10325 LJB 40595 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning social security numbers.

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

4 Section 1. Short title. This Act may be cited as the Social
5 Security Numbers Limited Use Act.

6 Section 5. Use of social security numbers.

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

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

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

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

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

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

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

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

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

19 (2) The individual is provided an annual disclosure
20 that informs the individual that he or she has the right to
21 stop the use of his or her social security number in a
22 manner prohibited by subsection (a). A written request by
23 an individual to stop the use of his or her social security
24 number in a manner prohibited by subsection (a) shall be
25 implemented within 30 days after the receipt of the
26 request. There shall be no fee or charge for implementing
27 the request. A person or entity shall not deny services to
28 an individual because the individual makes a written
29 request.

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

1 State in connection with his or her official duties.

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

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

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

16 (g) The provisions of this Section shall take effect on
17 July 1, 2006.

18 Section 10. Insurance cards; social security numbers.

19 (a) As used in this Section, "insurance card" means a card
20 that a person or entity provides to an individual so that the
21 individual may present the card to establish the eligibility of
22 the individual or his or her dependents to receive health,
23 dental, optical, or accident insurance benefits, prescription
24 drug benefits, or benefits under a managed care plan or a plan
25 provided by a health maintenance organization, a health
26 services plan corporation, or a similar entity.

27 (b) A person or entity may not print an individual's social
28 security number on an insurance card. A person or entity that
29 provides an insurance card must print on the card an
30 identification number unique to the holder of the card in the
31 format prescribed by Section 15 of the Uniform Prescription
32 Drug Information Card Act.

33 (c) An insurance card issued to an individual before
34 January 1, 2005, that does not comply with subsection (b) of
35 this Section must be replaced by January 1, 2006 with an

1 insurance card that complies with subsection (b) if the
2 individual's eligibility for benefits continues after January
3 1, 2005.

4 Section 15. Educational institutions. No private college
5 or university or private business and vocational school located
6 or doing business in this State may print an individual's
7 social security number on any card or other document required
8 for the individual to access products or services provided by
9 the institution.

10 Section 20. Violations. Each use of a social security
11 number in violation of this Act constitutes a separate
12 violation of this Act. A violation of any provision of Section
13 5 or 10 of this Act is a Class A misdemeanor.

14 Section 100. The University of Illinois Act is amended by
15 changing Section 30 as follows:

16 (110 ILCS 305/30)

17 Sec. 30. Provision of student and social security
18 information prohibited.

19 (a) The University may not provide a student's name,
20 address, telephone number, social security number, e-mail
21 address, or other personal identifying information to a
22 business organization or financial institution that issues
23 credit or debit cards, unless the student is 21 years of age or
24 older.

25 (b) The University may not print an individual's social
26 security number on any card or other document required for the
27 individual to access products or services provided by the
28 University.

29 (Source: P.A. 93-549, eff. 8-19-03.)

30 Section 105. The Southern Illinois University Management
31 Act is amended by changing and renumbering Section 15, as added

1 by Public Act 93-549, as follows:

2 (110 ILCS 520/16)

3 Sec. 16 ~~15~~. Provision of student and social security
4 information prohibited.

5 (a) The University may not provide a student's name,
6 address, telephone number, social security number, e-mail
7 address, or other personal identifying information to a
8 business organization or financial institution that issues
9 credit or debit cards, unless the student is 21 years of age or
10 older.

11 (b) The University may not print an individual's social
12 security number on any card or other document required for the
13 individual to access products or services provided by the
14 University.

15 (Source: P.A. 93-549, eff. 8-19-03; revised 9-24-03.)

16 Section 110. The Chicago State University Law is amended by
17 changing and renumbering Section 5-120, as added by Public Act
18 93-549, as follows:

19 (110 ILCS 660/5-125)

20 Sec. 5-125 ~~5-120~~. Provision of student and social security
21 information prohibited.

22 (a) The University may not provide a student's name,
23 address, telephone number, social security number, e-mail
24 address, or other personal identifying information to a
25 business organization or financial institution that issues
26 credit or debit cards, unless the student is 21 years of age or
27 older.

28 (b) The University may not print an individual's social
29 security number on any card or other document required for the
30 individual to access products or services provided by the
31 University.

32 (Source: P.A. 93-549, eff. 8-19-03; revised 9-24-03.)

1 Section 115. The Eastern Illinois University Law is amended
2 by changing and renumbering Section 10-120, as added by Public
3 Act 93-549, as follows:

4 (110 ILCS 665/10-125)

5 Sec. 10-125 ~~10-120~~. Provision of student and social
6 security information prohibited.

7 (a) The University may not provide a student's name,
8 address, telephone number, social security number, e-mail
9 address, or other personal identifying information to a
10 business organization or financial institution that issues
11 credit or debit cards, unless the student is 21 years of age or
12 older.

13 (b) The University may not print an individual's social
14 security number on any card or other document required for the
15 individual to access products or services provided by the
16 University.

17 (Source: P.A. 93-549, eff. 8-19-03; revised 9-24-03.)

18 Section 120. The Governors State University Law is amended
19 by changing and renumbering Section 15-120, as added by Public
20 Act 93-549, as follows:

21 (110 ILCS 670/15-125)

22 Sec. 15-125 ~~15-120~~. Provision of student and social
23 security information prohibited.

24 (a) The University may not provide a student's name,
25 address, telephone number, social security number, e-mail
26 address, or other personal identifying information to a
27 business organization or financial institution that issues
28 credit or debit cards, unless the student is 21 years of age or
29 older.

30 (b) The University may not print an individual's social
31 security number on any card or other document required for the
32 individual to access products or services provided by the
33 University.

1 (Source: P.A. 93-549, eff. 8-19-03; revised 9-24-03.)

2 Section 125. The Illinois State University Law is amended
3 by changing and renumbering Section 20-125, as added by Public
4 Act 93-549, as follows:

5 (110 ILCS 675/20-130)

6 Sec. 20-130 ~~20-125~~. Provision of student and social
7 security information prohibited.

8 (a) The University may not provide a student's name,
9 address, telephone number, social security number, e-mail
10 address, or other personal identifying information to a
11 business organization or financial institution that issues
12 credit or debit cards, unless the student is 21 years of age or
13 older.

14 (b) The University may not print an individual's social
15 security number on any card or other document required for the
16 individual to access products or services provided by the
17 University.

18 (Source: P.A. 93-549, eff. 8-19-03; revised 9-24-03.)

19 Section 130. The Northeastern Illinois University Law is
20 amended by changing and renumbering Section 25-120, as added by
21 Public Act 93-549, as follows:

22 (110 ILCS 680/25-125)

23 Sec. 25-125 ~~25-120~~. Provision of student and social
24 security information prohibited.

25 (a) The University may not provide a student's name,
26 address, telephone number, social security number, e-mail
27 address, or other personal identifying information to a
28 business organization or financial institution that issues
29 credit or debit cards, unless the student is 21 years of age or
30 older.

31 (b) The University may not print an individual's social
32 security number on any card or other document required for the

1 individual to access products or services provided by the
2 University.

3 (Source: P.A. 93-549, eff. 8-19-03; revised 9-24-03.)

4 Section 135. The Northern Illinois University Law is
5 amended by changing and renumbering Section 30-130, as added by
6 Public Act 93-549, as follows:

7 (110 ILCS 685/30-135)

8 Sec. 30-135 ~~30-130~~. Provision of student and social
9 security information prohibited.

10 (a) The University may not provide a student's name,
11 address, telephone number, social security number, e-mail
12 address, or other personal identifying information to a
13 business organization or financial institution that issues
14 credit or debit cards, unless the student is 21 years of age or
15 older.

16 (b) The University may not print an individual's social
17 security number on any card or other document required for the
18 individual to access products or services provided by the
19 University.

20 (Source: P.A. 93-549, eff. 8-19-03; revised 9-24-03.)

21 Section 140. The Western Illinois University Law is amended
22 by changing and renumbering Section 35-125, as added by Public
23 Act 93-549, as follows:

24 (110 ILCS 690/35-130)

25 Sec. 35-130 ~~35-125~~. Provision of student and social
26 security information prohibited.

27 (a) The University may not provide a student's name,
28 address, telephone number, social security number, e-mail
29 address, or other personal identifying information to a
30 business organization or financial institution that issues
31 credit or debit cards, unless the student is 21 years of age or
32 older.

1 (b) The University may not print an individual's social
2 security number on any card or other document required for the
3 individual to access products or services provided by the
4 University.

5 (Source: P.A. 93-549, eff. 8-19-03; revised 9-24-03.)

6 Section 145. The Public Community College Act is amended by
7 changing Section 3-60 as follows:

8 (110 ILCS 805/3-60)

9 Sec. 3-60. Provision of student and social security
10 information prohibited.

11 (a) A community college may not provide a student's name,
12 address, telephone number, social security number, e-mail
13 address, or other personal identifying information to a
14 business organization or financial institution that issues
15 credit or debit cards, unless the student is 21 years of age or
16 older.

17 (b) A community college may not print an individual's
18 social security number on any card or other document required
19 for the individual to access products or services provided by
20 the community college.

21 (Source: P.A. 93-549, eff. 8-19-03.)

22 (815 ILCS 505/2QQ rep.)

23 Section 150. The Consumer Fraud and Deceptive Business
24 Practices Act is amended by repealing Section 2QQ.

25 Section 900. The State Mandates Act is amended by adding
26 Section 8.29 as follows:

27 (30 ILCS 805/8.29 new)

28 Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and 8
29 of this Act, no reimbursement by the State is required for the
30 implementation of any mandate created by this amendatory Act of
31 the 94th General Assembly.

1 Section 999. Effective date. This Act takes effect upon
2 becoming law, except that Sections 100, 105, 110, 115, 120,
3 125, 130, 135, 140, and 145 take effect on July 1, 2006.