

SECOND REGULAR SESSION

# SENATE BILL NO. 1389

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR DOLAN.

Read 1st time March 1, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

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## AN ACT

To amend chapter 174, RSMo, by adding thereto one new section relating to the use of Social Security numbers, with an effective date.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 174, RSMo, is amended by adding thereto one new section, to be known as section 174.780, to read as follows:

**174.780. 1. Public institutions of higher education in this state shall not:**

**(1) Publicly post or display in any manner an individual's Social Security number;**

**(2) Require an individual to transmit his or her Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted;**

**(3) Require an individual to use his or her Social Security number to access an Internet website unless a password, unique personal identification number, or other authentication device is also required to access the website;**

**(4) Print an individual's Social Security number on any materials that are mailed to the individual, unless state or federal law requires that the number appear on the document; or**

**(5) Print an individual's Social Security number on any kind of student identification card.**

Notwithstanding the provisions of this subsection, Social Security numbers may be used in any transaction related to applications, including documents sent as part of the admissions application or enrollment process, contract, or policy, or to confirm the accuracy of the Social Security number.

2. Except as provided in subsection 3 of this section, the provisions of subsection 1 of this section apply only to the use of Social Security numbers on or after July 1, 2006.

3. Except as provided in subsection 7 of this section, public institutions of higher education that have used an individual's Social Security number prior to July 1, 2006, in a manner inconsistent with subsection 1 of this section, may continue using that individual's Social Security number in such manner on or after July 1, 2006, provided the individual is given an annual disclosure that informs the individual that he or she has the right to stop the use of his or her Social Security number in a manner prohibited by subsection 1 of this section and the individual fails to file a written request instructing the institution to cease using his or her Social Security number in such a manner.

4. A written request by an individual to stop the use of his or her Social Security number in a manner prohibited by subsection 1 of this section shall be implemented within thirty days of the receipt of such request. There shall be no fee or charge for implementing the request. A public institution of higher education shall not deny services to an individual because the individual makes a written request pursuant to this subsection.

5. This section does not prevent the collection, use, or release of a Social Security number as required by state or federal law or the use of a Social Security number for internal verification or administrative purposes.

6. This section does not apply to documents that are recorded or required to be open to the public under chapter 610, RSMo. 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.

7. If a federal law takes effect requiring the United States Department of Health and Human Services to establish a national patient health identifier program, any person or entity that complies with the federal law shall be deemed in compliance with this section.

Section B. Section A of this act shall become effective January 1, 2005.