

JAN 20 2017

A BILL FOR AN ACT

RELATING TO SOCIAL SECURITY NUMBER PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 487J, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§487J- Request for a social security number;
5 restrictions; data security. (a) Notwithstanding any law to
6 the contrary, a person or entity doing business in this State
7 may not request, collect, or mail to the individual the social
8 security number or the last four digits of the social security
9 number of an individual residing in this State unless one of the
10 following exceptions applies:

11 (1) The social security number or the last four digits of
12 the social security number of an individual are
13 expressly required by state or federal law or county
14 ordinance;

15 (2) The social security number or last four digits of the
16 social security number of an individual are requested,
17 collected, or mailed in connection with a request for



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1 credit or a credit transaction initiated by the
2 consumer or in connection with a lawful request for a
3 consumer credit report;

4 (3) The social security number or last four digits of the
5 social security number of an individual are requested,
6 collected, or mailed in connection with the opening of
7 a deposit account or in connection with an investment;

8 (4) The social security number or last four digits of the
9 social security number of an individual are requested,
10 collected, or mailed for purposes of employment,
11 including in the course of the administration of a
12 claim, benefit, or procedure related to the
13 individual's employment by the person, including the
14 individual's termination from employment, retirement
15 from employment, or injury suffered during the course
16 of employment; or to check on an unemployment
17 insurance claim of the individual;

18 (5) The social security number or last four digits of the
19 social security number of an individual are requested,
20 collected, or mailed for purposes of tax compliance;



1 (6) The social security number or last four digits of the
2 social security number of an individual are requested,
3 collected, or mailed for the purpose of: interaction
4 with a governmental law enforcement agency; the
5 collection of child or spousal support; or to
6 determine whether an individual has a criminal record;
7 or

8 (7) The social security number or last four digits of the
9 social security number of an individual are requested,
10 collected, or mailed by a health care organization for
11 the purpose of medical treatment or health insurance.

12 For purposes of this paragraph, "health care
13 organization" means any health care facility, as
14 defined in section 323D-2, or any person or entity
15 that issues an insurance policy subject to article 10A
16 of chapter 431 or chapter 432, 432D, or 432G.

17 (b) A person or entity collecting data on a person's
18 social security number, whether or not the collection is
19 authorized by law, shall ensure that the data is securely stored
20 in paper or electronic format.

21 (c) Nothing in this section:



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1 (1) Prohibits a person from voluntarily including the
2 person's own social security number on materials sent
3 through the mail; or

4 (2) Applies to the mailing of a copy of a public record
5 that contains a social security number.

6 (d) A person or entity who violates this section shall be
7 subject to the same penalties that apply to businesses under
8 section 487J-3."

9 SECTION 2. New statutory material is underscored.

10 SECTION 3. This Act shall take effect upon its approval.

11

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Report Title:

Social Security Number Protection

Description:

Clarifies the circumstances under which the individual's social security number or the last four digits of the social security number of an individual may be requested of the individual by certain persons or entities.

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