

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 491

By: Taylor

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6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.
8 2011, Section 3111, as amended by Section 12, Chapter
9 14, O.S.L. 2018 (74 O.S. Supp. 2020, Section 3111),
10 which relates to the use of Social Security numbers
11 by state; providing exception to act; authorizing
12 Corporation Commission to collect social security
13 numbers in certain circumstances; and providing an
14 effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 74 O.S. 2011, Section 3111, as
17 amended by Section 12, Chapter 14, O.S.L. 2018 (74 O.S. Supp. 2020,
18 Section 3111), is amended to read as follows:

19 Section 3111. A. No state agency, board, commission or other
20 unit or subdivision of state government shall request or require,
21 except as otherwise required by law, that any person reveal the
22 Social Security number of such person in order to obtain services or
23 assistance, nor shall any state agency, board, commission or other
24 unit or subdivision of state government use, for any purpose,
25 numbers which correspond to the Social Security number of any
26 person, except as otherwise required by law. Provided that any

1 state agency, board, commission, unit or subdivision of state
2 government using Social Security numbers for a particular purpose
3 prior to January 1, 1974, may continue to use and require Social
4 Security numbers for that purpose only and provided, further, that
5 the provisions of Section 3101 et seq. of this title shall not be
6 construed to prohibit the use or requirement of disclosure of one's
7 Social Security number if the use of the number is related to the
8 Social Security Administration or benefits thereunder, or, subject
9 to the provisions of Section 1-311.1 of Title 63 of the Oklahoma
10 Statutes, to prohibit the use or requirement of disclosure of the
11 Social Security numbers of the mother and father by the Vital
12 Records Section of the State Department of Health in the
13 administration of the issuance of birth records.

14 B. The provisions of this section shall not be construed to
15 prohibit the Oklahoma Tax Commission from requiring the disclosure
16 by any person of his or her Social Security number in order to
17 administer any state tax law, as defined by Section 202 of Title 68
18 of the Oklahoma Statutes or in order for the State Treasurer to
19 administer any provision of the Uniform Unclaimed Property Act, if
20 such administration requires the Tax Commission or State Treasurer
21 to obtain the Social Security number of any person.

22 C. The provisions of this section shall not be construed to
23 prohibit the Oklahoma Employment Security Commission from requiring
24 the disclosure by any person of his or her Social Security number in
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1 order to administer any provision of the Employment Security Act of
2 1980.

3 D. The provisions of this section shall not be construed to
4 prohibit the Corporation Commission from requiring the disclosure by
5 any person of his or her Social Security Number when conducting
6 business activities within the jurisdiction of the Commission on
7 behalf of a business entity for which no Employer Identification
8 Number has been provided to the Commission in order for the
9 Commission to administer any provision of law within its
10 jurisdiction.

11 E. The provisions of this section shall not prohibit the State
12 Department of Education or a board of education of a school district
13 from requesting any student who wishes to enroll in or is enrolled
14 in any public school in this state to disclose the Social Security
15 number of the student in order for the Department to administer any
16 provision of the Oklahoma School Testing Program Act, for the
17 collection of appropriate and necessary data pursuant to the
18 Oklahoma Educational Indicators Program, for the purpose of
19 determining student enrollment, to establish a mobility rate or for
20 the allocation of State Aid Formula and midyear adjustment in
21 funding for student growth. The State Department of Education or a
22 board of education of a school district shall not deny to any
23 student any right, benefit, or privilege provided by law because of
24 the refusal by the student to disclose the Social Security number of

1 the student. If the State Department of Education or a board of
2 education of a school district requests a student to disclose the
3 student's Social Security number, the State Department of Education
4 or a board of education of a school district shall inform the
5 student by what statutory or other authority such number is
6 solicited and what uses will be made of the number.

7 ~~E.~~ F. The State Board of Education is authorized to develop an
8 alternative accountability system for tracking students to
9 administer any provision of the Oklahoma School Testing Program Act,
10 for the collection of appropriate and necessary data pursuant to the
11 Oklahoma Educational Indicators Program, for the purpose of
12 determining student enrollment, to establish a mobility rate or for
13 the allocation of State Aid Formula and midyear adjustment in
14 funding for student growth. The accountability system shall be
15 developed only if, in the determination of the Board, the provisions
16 of subsection ~~D~~ E of this section are not sufficient to allow for
17 the adequate implementation of the provisions of the Oklahoma School
18 Testing Program Act or the Oklahoma Educational Indicators Program.

19 SECTION 2. This act shall become effective November 1, 2021.
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