

2011 -- S 0654

LC00684

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- SOCIAL SECURITY NUMBER  
PRIVACY

Introduced By: Senators Perry, Miller, Metts, and Jabour

Date Introduced: March 10, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND  
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 154

4 THE SOCIAL SECURITY NUMBER PRIVACY ACT

5 **42-154-1. Short title.** – This chapter shall be known and may be cited as the “Social  
6 Security Number Privacy Act.”

7 **42-154-2. Social security number privacy recognition.** – (a) It shall be unlawful for  
8 any state or local government agency to deny to any individual any right, benefit, or privilege  
9 provided by law because of such individual’s refusal to disclose his or her social security number.

10 (b) The prohibition contained in subsection (a) shall not apply with respect to:

11 (1) Any disclosure which is required by federal or state statute at any time;

12 (2) Any disclosure of a social security number to any state or local agency maintaining a  
13 system of records in existence and operating before January 1, 1975, if such disclosure was  
14 required under statute or regulation adopted prior to such date to verify the identity of an  
15 individual;

16 (3) Any disclosure of a social security number to any state or local agency maintaining a  
17 system of records if such disclosure: (i) Is authorized pursuant to federal statute for the lawful  
18 administration of any tax law, general public assistance law, driver’s license law, motor vehicle

1 registration law; and (ii) Is made pursuant to a state or local agency practice lawfully in existence  
2 before May 1, 2011; or

3 (4) Any disclosure of a social security number to any state or local agency directly  
4 authorized by state statute.

5 **42-154-3. Reason for required disclosure requirement.** – Any state or local  
6 government agency which requests an individual to disclose his or her social security number  
7 shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory  
8 or other authority it is solicited, and what uses will be made of it.

9 **42-154-4. Remedies.** – In any civil action alleging a violation of this chapter, the court  
10 may award injunctive relief against any agency that commits or proposes to commit a violation of  
11 this chapter, along with reasonable attorneys’ fees and costs to a prevailing plaintiff.

12 **42-154-5. Exemptions.** – For the purposes of this chapter, “state or local government  
13 agency” does not include the legislature or the courts as defined by subsection 42-35-1(a).

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- SOCIAL SECURITY NUMBER  
PRIVACY

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1           This act would make it unlawful for a state or local government agency to deny any  
2 individual any right, benefit or privilege because of that individual's refusal to disclose his or her  
3 social security number.

4           This act would take effect upon passage.

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