

By: Vo

H.B. No. 2213

A BILL TO BE ENTITLED

AN ACT

relating to the use and disclosure of social security numbers by institutions of higher education.

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

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.981 to read as follows:

Sec. 51.981. USE AND DISCLOSURE OF STUDENT'S SOCIAL SECURITY NUMBER. (a) In this section:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Institution of higher education" means:

(A) an institution of higher education as defined by Section 61.003; or

(B) a private or independent institution of higher education as defined by Section 61.003.

(b) An institution of higher education may not:

(1) use a student's social security number, or another number that includes four or more consecutive digits of a student's social security number, as the student's identification number;

(2) print or include in electronic, magnetic, or other machine-readable form a student's social security number on a card or document required for a student to use or access the institution's services, information, or facilities;

(3) require a student, former student, or applicant

1 for admission to the institution to use or transmit the
2 individual's social security number over the telephone or Internet
3 to obtain information or access services, unless the connection is
4 secure or the number is encrypted in a manner approved by rule of
5 the coordinating board;

6 (4) post or display a student or former student's
7 social security number, with or without the individual's name, in
8 any place or manner accessible to the public or to students or
9 personnel of the institution generally; or

10 (5) include the social security number of a student,
11 former student, or applicant for admission to the institution in
12 any information that is mailed to the student, former student, or
13 applicant.

14 (c) This section does not prohibit an institution of higher
15 education from:

16 (1) requiring a student or applicant for admission to
17 the institution to disclose the individual's social security number
18 to the institution in person or in an application;

19 (2) maintaining a confidential record of a student's
20 social security number if the institution:

21 (A) holds the social security number in a secure
22 storage facility or location; and

23 (B) provides access to the facility or location
24 by approved personnel only;

25 (3) using social security numbers to comply with state
26 or federal law; or

27 (4) disclosing a student's social security number with

1 the student's express consent to enable the student to participate
2 in a program or activity conducted by another person who requires
3 disclosure of the student's social security number.

4 (d) The coordinating board may adopt rules for the
5 administration of this section. The coordinating board by rule may
6 permit institutions of higher education to use a student's social
7 security number in a manner otherwise prohibited by this section
8 that the coordinating board determines is necessary to enable an
9 institution to carry out its mission or programs effectively. In a
10 rule adopted under this subsection, the coordinating board shall
11 attempt to minimize the risk of disclosure of a student's social
12 security number to unauthorized persons.

13 (e) Not later than September 1, 2011, an institution of
14 higher education must be in compliance with this section and any
15 rules of the coordinating board adopted under this section.

16 SECTION 2. This Act takes effect September 1, 2007.