

SENATE BILL 1573

By Herron

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7, Part 5; Title 39 and Title 47, Chapter 18, relative to identity theft deterrence.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 21, is amended by inserting the following as a new, appropriately designated section thereto:

(a) On and after January 1, 2008, any nonprofit or for profit business entity in this state, including but not limited to any sole proprietorship, partnership, limited liability company, or corporation, engaged in any business, including but not limited to health care, as well as the state and any political subdivision of the state, that has obtained a federal social security number for a legitimate business or governmental purpose shall make reasonable efforts to protect that social security number from disclosure to the public. Such social security numbers shall not:

(1) Be posted or displayed in public;

(2) Be printed or written on identification cards;

(3) Be required to be transmitted over the Internet, unless the Internet connection used is secure or the social security number is encrypted;

(4) Be required to log onto or access an Internet web site, unless used in combination with a password or other authentication device;

(5) Be printed on any materials mailed to a consumer, unless such disclosure is required by law or the document is a form or application; or

(6) Be used as an identifier in electronic information systems.

(b) On and after January 1, 2009, it is an offense for any person, any nonprofit business entity or for profit business entity in this state, including but not limited to any

sole proprietorship, partnership, limited liability company, or corporation, engaged in any business, including but not limited to health care, as well as the state and any political subdivision of the state, to knowingly use or require the disclosure of a federal social security number for the purpose of personal identification, for the purpose of engaging in any business transaction, or for the purpose of an application for credit or for a driver license.

(c) A violation of subsection (b) is a Class B misdemeanor. Each violation of subsection (b) shall constitute a separate offense.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.