

JAN 9 2001
STATE GOVERNMENT

HOUSE FILE 31
BY JACOBS, GIPP, and TYMESON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the use and dissemination of social security
2 numbers by government bodies and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 31

1 Section 1. NEW SECTION. 22.3B SOCIAL SECURITY NUMBERS --
2 GOVERNMENT DISCLOSURE.

3 1. Unless otherwise required in the performance of duty or
4 otherwise authorized by law, a government body shall not, to
5 the greatest extent feasible, disclose the social security
6 number of a person. To ensure that a person's social security
7 number is not disclosed, the government body shall, if such
8 nondisclosure is feasible and consistent with applicable legal
9 requirements, make all reasonable efforts not to include the
10 number, or give the person the ability to elect not to include
11 the number, on mailing labels, licenses, permits, or any other
12 public record which could be readily observed by the public.
13 If a public record contains the social security number of a
14 person, the government body shall make all reasonable efforts
15 to devise a method, if feasible, to delete the social security
16 number from the record prior to release of the record if such
17 deletion does not materially affect the value of the public
18 record and is otherwise permitted by law. The deletion of a
19 social security number from a public record shall not be cause
20 to delay the release of the public record except for the time
21 required to perform the actual deletion.

22 2. The requirement to restrict the disclosure of a social
23 security number of a person to the greatest extent feasible
24 shall not prohibit a government body from obtaining a social
25 security number from a person if the government body is
26 authorized or otherwise required to do so in the scope of the
27 government body's official duties.

28 3. A government body that solicits information containing
29 a social security number of a person or that is the lawful
30 custodian of public records containing social security numbers
31 shall develop rules or guidelines concerning the use and
32 disclosure of social security numbers consistent with the
33 requirements of this section.

34 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,
35 2002.

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EXPLANATION

This bill creates a new Code section within the public records chapter concerning the use and disclosure of social security numbers. The new Code section requires that a government body, to the greatest extent feasible, refrain from disclosing the social security number of a person unless required in the performance of duty or authorized by law. The new Code section provides that a government body should delete, in some manner, a social security number contained in a requested public record if authorized by law. The new Code section provides that the deletion of a number should not delay the release of the public record. The new Code section does not prohibit a government body from obtaining a person's social security number if necessary or authorized. Finally, the bill requires all government bodies which deal with social security numbers to develop rules or procedures to govern the use and disclosure of the numbers consistent with the requirements of the new Code section.

The bill takes effect January 1, 2002.