House File 2504 - Introduced

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

A BILL FOR

1 An Act relating to social security numbers in public records,
2   establishing a procedure for redaction, and providing a
3   penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6303YH 82
6 md/nh/14

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1 1   Section 1. NEW SECTION.   22.15   SOCIAL SECURITY NUMBERS IN
1 2 PUBLIC RECORDS == RIGHT OF REDACTION.
1 3   1. a.   To the greatest extent feasible, a government body
1 4 shall not disclose an individual's social security number,
1 5 unless the disclosure is authorized by law.
1 6   b.   If a public record contains a social security number,
1 7 the government body shall determine a method to redact the
1 8 social security number prior to releasing the record if such
1 9 redaction does not materially affect the value of the public
1 10 record and is permitted by law. The redaction of a social
1 11 security number from a public record shall not delay public
1 12 access to the public record except for the time required to
1 13 perform the actual redaction. As used in this section,
1 14 "redact" means to render the social security number unreadable
1 15 or to truncate the social security number so that no more than
1 16 the last four digits are accessible.
1 17   2. A government body shall make reasonable efforts to
1 18 exclude social security numbers from public records, as
1 19 follows:
1 20   a.   Exclude social security numbers on licenses, permits,
1 21 or other documents that may be readily observed by the public.
1 22   b.   Give individuals the option to not submit a social
1 23 security number to the government body.
1 24   c.   Remove an individual's social security number from a
1 25 public record following a request for redaction submitted
1 26 pursuant to subsection 3.
1 27   d.   Any other efforts to prevent social security numbers
1 28 from being included in public records and protect such numbers
1 29 from disclosure.
1 30   3. a.   An individual has the right to request that a
1 31 government body redact the individual's social security number
1 32 from a public record, an image or copy of a public record
1 33 available to the general public, or on a web site available to
1 34 the general public.
1 35   b.   The request shall be made in writing, except as
2 1 provided under paragraph "c", legibly signed by the requester,
2 2 and delivered by mail, facsimile, or electronic transmission,
2 3 or delivered in person to the citizens' aide. A request must
2 4 specify the social security number to be redacted and the
2 5 location of the document that contains the social security
2 6 number. The citizens' aide shall receive all requests under
2 7 this subsection and forward each request to the lawful
2 8 custodian of the public record.
2 9   c.   The citizens' aide shall create and maintain a web site
2 10 where individuals may electronically request that the
2 11 individual's social security number be redacted from a public
2 12 record. Except for the requestor's signature, an electronic
2 13 request received through the web site shall contain the same
2 14 information required under paragraph "b". The citizens' aide

2 15 shall forward each electronic request to the public record's
2 16 lawful custodian in the same manner as provided in paragraph
2 17 "b".
2 18   d.   After receiving a forwarded request from the citizens'
2 19 aide, the lawful custodian of the public record shall have no
2 20 duty to inquire beyond the request to verify the identity of
2 21 the individual requesting the redaction.   A fee shall not be
2 22 charged for a redaction pursuant to this subsection.
2 23   e.   Any person who requests a redaction under this section
2 24 without proper authority to do so shall be guilty of a simple
2 25 misdemeanor.
2 26   4.   Nothing in this section shall be construed to limit any
2 27 duty of a county recorder under section 331.606A.
2 28   EXPLANATION
2 29   This bill directs government bodies to make reasonable
2 30 efforts to exclude social security numbers from public records
2 31 by excluding social security numbers from documents that may
2 32 be readily observed by the public, by giving individuals the
2 33 option to not submit a social security number to the
2 34 government body, and by removing a social security number from
2 35 a public record following a request by the individual.
3 1   The bill provides that an individual has the right to
3 2 request that a government body redact the individual's social
3 3 security number from a public record available to the general
3 4 public or on a web site available to the general public.   The
3 5 bill requires each request to specify the social security
3 6 number to be redacted and the location of the document that
3 7 contains the number.   The bill directs the citizens' aide to
3 8 receive all requests and forward each request to the lawful
3 9 custodian of the public record for redaction.   The bill
3 10 provides that the lawful custodian of the public record has no
3 11 duty to inquire beyond the request to verify the identity of
3 12 the individual requesting the redaction.   The bill prohibits
3 13 the collection of a fee for the redaction of a social security
3 14 number.   The bill does not limit the duties of a county
3 15 recorder under Code section 331.606A.
3 16   The bill provides that any person who requests a redaction
3 17 of a social security number without proper authority to do so
3 18 is guilty of a simple misdemeanor.   A simple misdemeanor is
3 19 punishable by confinement for no more than 30 days or a fine
3 20 of at least $65 but not more than $625 or by both.
3 21 LSB 6303YH 82
3 22 md/nh/14