

BILL ANALYSIS

Senate Research Center
79R12392 JRD-F

H.B. 1952
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State Affairs
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Identity theft is one of the fastest-growing crimes in the United States, and often all that an individual needs in order to perpetrate identity theft is the victim's name, his or her date of birth, and his or her social security number. Without a change in the law, individuals are at higher risk of having their identity stolen.

H.B. 1952 prohibits the disclosure of a person's social security number to a member of the public by a governmental entity under certain circumstances without that person's written consent. The bill will allow an individual's social security number to be released to a private or public vendor who is under contract with a governmental entity and needs the number in order to perform requirements of a service contract with the governmental body.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 552, Government Code, by adding Section 552.147, as follows:

Sec. 552.147. PROHIBITION ON DISCLOSURE OF SOCIAL SECURITY NUMBER.

(a) Prohibits a person's social security number, notwithstanding any other law, from being disclosed to a member of the public by a governmental body in response to a request for the information made under this chapter or another law of this state without the person's written consent. Requires the consent to be given on a clear and understandable form that the attorney general shall prescribe for that purpose. Requires the consent form to be a separate page of the larger document and requires the person's signature to appear on that page if the consent form is part of a larger document.

(b) Sets forth purposes for which Subsection (a) does not prohibit the disclosure of a person's social security number without the person's consent.

(c) Authorizes a private vendor that receives a social security number from a governmental body under Subsection (b)(4) to only disclose the social security number as necessary to allow the vendor to perform a service for the governmental body under the contract with the governmental body.

SECTION 2. Amends Section 552.024, Government Code, by adding Subsection (g), to provide that Subsection (d) does not authorize the release of a person's social security number to the extent that the person's social security number is protected from required disclosure under Section 552.147 or other law.

SECTION 3. Effective date: upon passage or September 1, 2005.