

By: Campbell

H.B. No. 1806

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prohibiting a person from requiring an individual to
3 provide a social security number to obtain goods or services or
4 enter into a business transaction; providing a civil penalty.

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

6 SECTION 1. Subchapter D, Chapter 35, Business & Commerce
7 Code, is amended by adding Section 35.62 to read as follows:

8 Sec. 35.62. REQUIRING DISCLOSURE OF SOCIAL SECURITY NUMBER
9 PROHIBITED. (a) A person may not require an individual to disclose
10 the individual's social security number to obtain goods or services
11 or enter into a business transaction with the person unless federal
12 or state law authorizes the person to require the disclosure of the
13 individual's social security number.

14 (b) This section does not apply to a governmental entity and
15 does not prevent the collection of a social security number as
16 required by state or federal law.

17 (c) A person who violates this section is liable to the
18 state for a civil penalty not to exceed \$1,000 for each violation.
19 The attorney general or the prosecuting attorney in the county in
20 which the violation occurs may bring suit to recover the civil
21 penalty imposed under this section. The attorney general may bring
22 an action in the name of the state to restrain or enjoin a person
23 from violating this section.

24 SECTION 2. This Act takes effect September 1, 2005.