

By: Guillen

H.B. No. 2598

A BILL TO BE ENTITLED

AN ACT

relating to regulating the use and disclosure of social security numbers by state agencies and institutions of higher education.

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

SECTION 1. Chapter 559, Government Code, is amended by adding Section 559.006 to read as follows:

Sec. 559.006. USE AND DISCLOSURE OF SOCIAL SECURITY NUMBER.

(a) In this section:

(1) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(2) "State agency" includes an institution of higher education.

(b) For purposes of this section, a state agency rule is considered to be a law that requires the use or disclosure of a person's social security number only if a state statute specifically requires the agency to adopt rules that require the use or disclosure of social security numbers for a particular purpose.

(c) A state agency may not use the social security number of a person, including a student in the case of an institution of higher education, as the agency's primary identification number for the person and shall, if the agency needs to use a numerical identifier for any group of persons, develop an identification system that is not based on social security numbers.

1 (d) A state agency may not use or maintain a person's social
2 security number for any purpose unless the state agency is
3 registering the person for a program or service and the agency is
4 required by law to obtain and use the person's social security
5 number to register the person.

6 (e) A state agency may not disclose a person's social
7 security number unless the agency is required by law or a court
8 order to do so.

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