
HOUSE BILL 2184

State of Washington 60th Legislature 2007 Regular Session

By Representatives Schual-Berke, Morrell, Rolfes, P. Sullivan,
VanDeWege and Ormsby

Read first time 02/12/2007. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to social security account numbers; adding a new
2 chapter to Title 19 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Social security account number" means the number issued by the
7 federal social security administration and any number derived from the
8 number. "Social security account number" does not include any number
9 that has been encrypted.

10 (2) "Person" means an individual, a firm, a partnership, an
11 association, a corporation, or other entity. "Person" does not include
12 the state or any political subdivision of the state.

13 NEW SECTION. **Sec. 2.** (1) No person may do any of the following:

14 (a) Intentionally communicate to the general public or otherwise
15 make available to the general public in any manner an individual's
16 social security account number. This does not apply to an individual
17 intentionally communicating to the general public or otherwise making

1 available to the general public his or her social security account
2 number;

3 (b) Print an individual's social security account number on any
4 card or tag required for the individual to access products, services,
5 or benefits provided by the person;

6 (c) Require an individual to transmit his or her social security
7 account number over the internet, unless the connection is secure or
8 the social security account number is encrypted;

9 (d) Require an individual to use his or her social security
10 account number to access an internet web site, unless a password or
11 unique personal identification number or other authentication device
12 is also required to access the internet web site; and

13 (e) Print an individual's social security account number on any
14 materials that are mailed to the individual, unless state or federal
15 law requires the social security account number to be on the document
16 to be mailed. However, social security account numbers may be included
17 in applications and forms sent by mail, including documents sent as
18 part of an application or enrollment process, or to establish, amend,
19 or terminate an account, contract, or policy, or to confirm the
20 accuracy of the social security account number. A social security
21 account number that is permitted to be mailed under this section may
22 not be printed, in whole or part, on a postcard or other mailer not
23 requiring an envelope, or visible on the envelope or without the
24 envelope having been opened.

25 (2) This section does not prevent the collection, use, or release
26 of a social security account number as required by state or federal
27 law, the use of a social security account number for internal
28 verification, fraud investigation, or administrative purposes, or for
29 any business function specifically authorized by 15 U.S.C. Sec. 6802.

30 (3) Any person having possession of the social security account
31 number of any individual shall, to the extent that the number is
32 maintained for the conduct of business or trade, take reasonable
33 measures to:

34 (a) Ensure that no officer or employee has access to the number for
35 any purpose other than for a legitimate or necessary purpose related to
36 the conduct of the business or trade; and

37 (b) Provide safeguards necessary or appropriate to preclude

1 unauthorized access to the social security account number and to
2 protect the confidentiality of the number.

3 (4) Compliance with the requirements of chapter 19.215 RCW may
4 demonstrate a good faith effort to comply with the provisions of
5 subsection (3) of this section that apply to the disposal of social
6 security account numbers.

7 (5) Any waiver of the provisions of this section is contrary to
8 public policy, and is void and unenforceable.

9 NEW SECTION. **Sec. 3.** (1)(a) Violations of this chapter are
10 punishable by a fine of not more than one thousand dollars for each
11 violation and not more than one hundred thousand dollars for multiple
12 violations resulting from a single act or incident. This does not
13 apply to fines under (b) of this subsection.

14 (b) If a person has been fined under (a) of this subsection, any
15 subsequent violation is punishable by a fine of not more than one
16 thousand dollars for each violation and not more than one hundred
17 thousand dollars for multiple violations resulting from a single act or
18 incident.

19 (2) The attorney general may bring an action to enforce compliance
20 with this chapter.

21 (3) The remedies and penalties in this section are in addition to
22 any other penalties and remedies available to any person.

23 NEW SECTION. **Sec. 4.** The legislature finds that the practices
24 covered by this chapter are matters vitally affecting the public
25 interest for the purpose of applying the consumer protection act,
26 chapter 19.86 RCW. A violation of this chapter is not reasonable in
27 relation to the development and preservation of business and is an
28 unfair or deceptive act in trade or commerce and an unfair method of
29 competition for the purpose of applying the consumer protection act,
30 chapter 19.86 RCW.

31 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
32 a new chapter in Title 19 RCW.

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