

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 281 (Delegate Kagan)
Commerce and Government Matters

Consumer Protection - Privacy of Social Security Numbers

This bill prohibits a person from: (1) requesting or requiring an individual to provide the individual's Social Security number; (2) selling or purchasing an individual's Social Security number; or (3) refusing to do business with an individual because the individual has refused to provide the individual's Social Security number. The bill exempts requests for Social Security numbers made because the law requires the use of a Social Security number.

Violation of the bill is an unfair and deceptive trade practice under the Maryland Consumer Protection Act.

Fiscal Summary

State Effect: Assuming that the Consumer Protection Division receives fewer than 50 complaints per year stemming from this bill, any additional workload could be handled with existing resources. Any cost recovery by the Attorney General resulting from actions brought under the unfair and deceptive trade practices provision cannot be quantified beforehand.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: No statutory provision applicable.

Background: As of July 1, 2001, the State, local governments, local school systems, and public institutions of higher education are prohibited from printing an employee's Social Security number on any type of identification card.

Various sections of the Code require the use of a Social Security number, including various licensing requirements and, if the testator's Social Security number is available, the deposit of a will with the local register of wills. Use of an individual's Social Security number may also be required under federal law, including in an application for federal student financial aid.

The Consumer Protection Division within the Office of the Attorney General is responsible for pursuing unfair and deceptive trade practice claims. The division may attempt conciliation, issue cease and desist orders, or seek action in court, including an injunction, to enforce the Maryland Consumer Protection Act.

Additional Information

Prior Introductions: An identical bill, HB 893, was introduced in the 2001 session and received an unfavorable report from the House Commerce and Government Matters Committee.

Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division), Department of Legislative Services

Fiscal Note History: First Reader - February 10, 2002
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