
By: **Senator Mooney**
Introduced and read first time: February 7, 2003
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law - Consumer Protection - The Social Security Number**
3 **Protection Act**

4 FOR the purpose of prohibiting a person from requesting, recording, or distributing
5 the Social Security number or a portion of the Social Security number of an
6 individual who is seeking to obtain consumer goods or consumer services as a
7 condition of providing the consumer goods or consumer services; authorizing the
8 Attorney General to institute a civil action against a person who violates this
9 Act to recover for the State a certain penalty; providing that each prohibited
10 request for a Social Security number or a portion of a Social Security number
11 shall be considered an independent violation; authorizing the Attorney General
12 to seek an injunction under certain circumstances; providing for the application
13 of this Act; defining certain terms; and generally relating to the Social Security
14 Number Protection Act.

15 BY adding to
16 Article - Commercial Law
17 Section 14-3201 through 14-3204, inclusive, to be under the new subtitle
18 "Subtitle 32. Social Security Number Protection Act"
19 Annotated Code of Maryland
20 (2000 Replacement Volume and 2002 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Commercial Law**

24 SUBTITLE 32. SOCIAL SECURITY NUMBER PROTECTION ACT.

25 14-3201.

26 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
27 INDICATED.

1 (B) "CONSUMER GOODS" MEANS GOODS WHICH ARE PRIMARILY FOR
2 PERSONAL, HOUSEHOLD, FAMILY, OR AGRICULTURAL PURPOSES.

3 (C) "CONSUMER SERVICES" MEANS SERVICES, INCLUDING BANKING AND
4 MEDICAL SERVICES, WHICH ARE PRIMARILY FOR PERSONAL, HOUSEHOLD, FAMILY,
5 OR AGRICULTURAL PURPOSES.

6 14-3202.

7 THIS SUBTITLE DOES NOT APPLY TO:

8 (1) A REQUEST FOR THE SOCIAL SECURITY NUMBER OR A PORTION OF
9 THE SOCIAL SECURITY NUMBER OF AN INDIVIDUAL WHO IS SEEKING FINANCIAL
10 ASSISTANCE FROM A UNIT OF FEDERAL, STATE, OR LOCAL GOVERNMENT; OR

11 (2) A REQUEST FOR THE SOCIAL SECURITY NUMBER OR A PORTION OF
12 THE SOCIAL SECURITY NUMBER OF AN INDIVIDUAL THAT IS REQUIRED OR
13 AUTHORIZED BY LAW.

14 14-3203.

15 AS A CONDITION OF PROVIDING CONSUMER GOODS OR CONSUMER SERVICES, A
16 PERSON MAY NOT REQUEST, RECORD, OR DISTRIBUTE THE SOCIAL SECURITY
17 NUMBER OR A PORTION OF THE SOCIAL SECURITY NUMBER OF AN INDIVIDUAL WHO
18 IS SEEKING TO OBTAIN THE CONSUMER GOODS OR CONSUMER SERVICES.

19 14-3204.

20 (A) (1) THE ATTORNEY GENERAL MAY INSTITUTE A CIVIL ACTION AGAINST
21 A PERSON WHO VIOLATES THIS SUBTITLE TO RECOVER FOR THE STATE A PENALTY
22 NOT LESS THAN \$1,000 AND NOT EXCEEDING \$10,000 FOR EACH VIOLATION.

23 (2) FOR THE PURPOSES OF THIS SUBSECTION, EACH PROHIBITED
24 REQUEST FOR A SOCIAL SECURITY NUMBER OR A PORTION OF THE SOCIAL SECURITY
25 NUMBER SHALL BE CONSIDERED AN INDEPENDENT VIOLATION.

26 (B) THE ATTORNEY GENERAL MAY SEEK AN INJUNCTION IN A CIVIL ACTION
27 TO PROHIBIT A PERSON WHO HAS ENGAGED OR IS ENGAGING IN A VIOLATION OF
28 THIS SUBTITLE FROM ENGAGING IN THE VIOLATION.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2003.