

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by changing Section 2RR as follows:

6 (815 ILCS 505/2RR)

7 Sec. 2RR. Use of Social Security numbers.

8 (a) Except as otherwise provided in this Section, a person
9 may not do any of the following:

10 (1) Publicly post or publicly display in any manner an
11 individual's social security number. As used in this
12 Section, "publicly post" or "publicly display" means to
13 intentionally communicate or otherwise make available to
14 the general public.

15 (2) Print an individual's social security number on any
16 card required for the individual to access products or
17 services provided by the person or entity, or on a
18 wristband or on the outside of any file associated with the
19 products or services provided by the person or entity;
20 however, a person or entity that provides an insurance card
21 must print on the card an identification number unique to
22 the holder of the card in the format prescribed by Section
23 15 of the Uniform Prescription Drug Information Card Act.

1 (3) Require an individual to transmit his or her social
2 security number over the Internet, unless the connection is
3 secure or the social security number is encrypted.

4 (4) Require an individual to use his or her social
5 security number to access an Internet web site, unless a
6 password or unique personal identification number or other
7 authentication device is also required to access the
8 Internet Web site.

9 (5) Print an individual's social security number on any
10 materials that are mailed to the individual, unless State
11 or federal law requires the social security number to be on
12 the document to be mailed. Notwithstanding any provision in
13 this Section to the contrary, social security numbers may
14 be included in applications and forms sent by mail,
15 including documents sent as part of an application or
16 enrollment process or to establish, amend, or terminate an
17 account, contract, or policy or to confirm the accuracy of
18 the social security number. A social security number that
19 may permissibly be mailed under this Section may not be
20 printed, in whole or in part, on a postcard or other mailer
21 that does not require an envelope or be visible on an
22 envelope or visible without the envelope having been
23 opened.

24 (b) A person that used, before July 1, 2005, an
25 individual's social security number in a manner inconsistent
26 with subsection (a) may continue using that individual's social

1 security number in the same manner on or after July 1, 2005 if
2 all of the following conditions are met:

3 (1) The use of the social security number is
4 continuous. If the use is stopped for any reason,
5 subsection (a) shall apply.

6 (2) The individual is provided an annual disclosure
7 that informs the individual that he or she has the right to
8 stop the use of his or her social security number in a
9 manner prohibited by subsection (a).

10 A written request by an individual to stop the use of his
11 or her social security number in a manner prohibited by
12 subsection (a) shall be implemented within 30 days of the
13 receipt of the request. There shall be no fee or charge for
14 implementing the request. A person shall not deny services to
15 an individual because the individual makes such a written
16 request.

17 (c) This Section does not apply to the collection, use, or
18 release of a social security number as required by State or
19 federal law or the use of a social security number for internal
20 verification or administrative purposes. This Section does not
21 apply to the collection, use, or release of a social security
22 number by the State, a subdivision of the State, or an
23 individual in the employ of the State or a subdivision of the
24 State in connection with his or her official duties.

25 (d) This Section does not apply to documents that are
26 recorded or required to be open to the public under State or

1 federal law, applicable case law, Supreme Court Rule, or the
2 Constitution of the State of Illinois.

3 (e) If a federal law takes effect requiring the United
4 States Department of Health and Human Services to establish a
5 national unique patient health identifier program, any person
6 who complies with the federal law shall be deemed to be in
7 compliance with this Section.

8 (f) A person may not encode or embed a social security
9 number in or on a card or document, including, but not limited
10 to, using a bar code, chip, magnetic strip, or other
11 technology, in place of removing the social security number as
12 required by this Section.

13 (g) Any person who violates this Section commits an
14 unlawful practice within the meaning of this Act.

15 (Source: P.A. 95-331, eff. 8-21-07.)