

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Protect Citizens from Identity Theft through Restriction of the Disclosure of Confidential Information

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §1272-B, as enacted by PL 2003, c. 512, §1, is amended to read:

§ 1272-B. Refusal to provide social security number; use as customer identification

1. No denial of goods or services. Except as otherwise provided in federal or state law, a person, corporation or other entity may not deny goods or services to an individual because the individual refuses to provide a social security number.

1-A. Use as customer identification; prohibition. A business operating in this State that has received a person's social security number in order to complete an application for credit may not use the number as a form of customer identification and must restrict access to the social security number to the business's credit department.

2. Exemptions. This section does not apply to:

- A. A person, corporation or other entity requesting disclosure of the social security number to obtain a consumer report for any purpose permitted under the Fair Credit Reporting Act or the United States Fair Credit Reporting Act;
- B. A supervised lender as defined in Title 9-A, section 1-301;
- C. A supervised financial organization as defined in Title 9-A, section 1-301;
- D. An affiliate or subsidiary of a supervised lender as defined in Title 9-A, section 1-301 or of a supervised financial organization as defined in Title 9-A, section 1-301;
- E. A person, corporation or other entity that provides goods or services to the individual on behalf of or in conjunction with a supervised financial organization as defined in Title 9-A, section 1-301;
- F. A person, corporation or other entity engaged in the business of insurance and all acts necessary or incidental to that business including insurance applications, enrollment, coverage and claims;
- G. A person, corporation or other entity if the social security number is used in conjunction with the provision of and billing for health care or pharmaceutical-related services, including the issuance of identification cards and account numbers for users of health care or pharmaceutical-related services;
- H. A person, corporation or other entity if the social security number is used in conjunction with a background check of the individual conducted by a landlord, lessor, employer or volunteer service organization; or

I. A person, corporation or other entity if the social security number is necessary to verify the identity of the individual to effect, administer or enforce a specific transaction requested or authorized by the individual or to prevent fraud.

SUMMARY

This bill prohibits a business operating in this State that has received a person's social security number in order to complete an application for credit from using the number as a form of customer identification and requires the business to restrict access to the social security number to the business's credit department.