

# MAINE STATE LEGISLATURE

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R.O.S.

L.D. 692

DATE: 12/31/03

(Filing No. H- 627)

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Majority

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 509, L.D. 692, Bill, "An Act To Protect Consumer Privacy Rights"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 10 MRSA §1272-B is enacted to read:

§1272-B. Refusal to provide social security number

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.

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;

COMMITTEE AMENDMENT

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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 amendment, which is the majority report of the committee, restricts the ability of a person, corporation or other entity to deny goods or services to a consumer on the basis of that consumer's failure to provide a social security number, except when otherwise permitted or required by state or federal law or when the purpose of the request for the social security number is to permit the requesting party to obtain a credit report for a "permissible purpose" under the state Fair Credit Reporting Act or the United States Fair Credit Reporting Act. The amendment exempts banks and credit unions and their agents, subsidiaries and affiliates; licensed supervised lenders; companies engaged in the business of insurance; health care and pharmaceutical companies; companies that conduct necessary background checks; and companies that must

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COMMITTEE AMENDMENT "B" to H.P. 509, L.D. 692

2 ensure the identity of the individuals for whom they are  
providing a good or service.

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**FISCAL NOTE REQUIRED**  
(See attached)

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Approved: 11/18/03 *MAC*

**121st Maine Legislature  
Office of Fiscal and Program Review**

**LD 692**

**An Act to Protect Consumer Privacy Rights**



**LR 1363(05)**

**Fiscal Note for Bill as Amended by Committee Amendment " "**

**Committee: Business, Research and Economic Development**

**Fiscal Note Required: Yes**

**Majority Report**

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**Fiscal Note**

Minor cost increase - Other Special Revenue Funds

**Fiscal Detail and Notes**

Additional costs to the Department of Professional and Financial Regulation can be absorbed utilizing existing budgeted resources.