

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1730

H.P. 1213

House of Representatives, March 26, 2007

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

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Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative WEBSTER of Freeport.  
Cosponsored by Senator BOWMAN of York, Senator SCHNEIDER of Penobscot and  
Representatives: CAIN of Orono, CRAVEN of Lewiston, GERZOFSKY of Brunswick, GILES  
of Belfast, SMITH of Monmouth, Senators: BROMLEY of Cumberland, TURNER of  
Cumberland.

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

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

4 **§1272-B. Refusal to provide social security number; use as customer identification**

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

8 **1-A. Use as customer identification; prohibition.** A business operating in this  
9 State that has received a person's social security number in order to complete an  
10 application for credit may not use the number as a form of customer identification and  
11 must restrict access to the social security number to the business's credit department.

12 **2. Exemptions.** This section does not apply to:

13 A. A person, corporation or other entity requesting disclosure of the social security  
14 number to obtain a consumer report for any purpose permitted under the Fair Credit  
15 Reporting Act or the United States Fair Credit Reporting Act;

16 B. A supervised lender as defined in Title 9-A, section 1-301;

17 C. A supervised financial organization as defined in Title 9-A, section 1-301;

18 D. An affiliate or subsidiary of a supervised lender as defined in Title 9-A, section  
19 1-301 or of a supervised financial organization as defined in Title 9-A, section 1-301;

20 E. A person, corporation or other entity that provides goods or services to the  
21 individual on behalf of or in conjunction with a supervised financial organization as  
22 defined in Title 9-A, section 1-301;

23 F. A person, corporation or other entity engaged in the business of insurance and all  
24 acts necessary or incidental to that business including insurance applications,  
25 enrollment, coverage and claims;

26 G. A person, corporation or other entity if the social security number is used in  
27 conjunction with the provision of and billing for health care or pharmaceutical-related  
28 services, including the issuance of identification cards and account numbers for users  
29 of health care or pharmaceutical-related services;

30 H. A person, corporation or other entity if the social security number is used in  
31 conjunction with a background check of the individual conducted by a landlord,  
32 lessor, employer or volunteer service organization; or

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

## SUMMARY

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