## MAINE STATE LEGISLATURE

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1	L.D. 2093
2	Date: $4/2/08$ (Filing No. H-905)
3	JUDICIARY
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7 ·	123RD LEGISLATURE
8	FIRST SPECIAL SESSION
9 10	COMMITTEE AMENDMENT "A" to H.P. 1479, L.D. 2093, Bill, "An Act To Help Prevent Identity Theft"
11 12	Amend the bill by inserting after the title and before the enacting clause the following:
13 14 15 16 17	'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'
18 19	Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:
20	'Sec. 1. 33 MRSA §651-B is enacted to read:
21	§651-B. Privacy protection
22 23	1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.
24 25 26	A. "Personal information" means an individual's first name or first initial and last name in combination with any one or more of the data elements described in this paragraph:
27	(1) Social security number;
28	(2) Driver's license number or state identification card number;
29 30 31	(3) Account number, credit card number or debit card number if circumstances exist such that the number could be used without additional identifying information, access codes or passwords;

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# **COMMITTEE AMENDMENT**

	COMMITTEE AMENDMENT " to H.P. 1479, L.D. 2093
1 2	(4) Account passwords or personal identification numbers or other access codes or
3	(5) Any of the data elements contained in subparagraphs (1) to (4) when not in
4	connection with the individual's first name, or first initial, and last name if the
5	information included would be sufficient to permit a person to fraudulently
6	assume or attempt to assume the identity of the person whose information was
7	included.
8 9 10 11 12 13 14	2. Personal information on registry's website. If a document that includes an individual's personal information is recorded with a register of deeds and is available or the registry's publicly accessible website, the individual may request that the register of deeds redact that personal information from the record available on the website. The register shall establish a procedure by which individuals make such requests at no fee to the requesting individual. The register shall comply with an individual's request to redact personal information.'
16	This amendment replaces the bill.
	•
17	This amendment revises the listing of the data elements that are considered "personal
18	information" to be consistent with current state law concerning data breaches.
19	This amendment allows an individual to request that that individual's persona
20	information included in a document recorded with a register of deeds and available on the
21	registry's publicly accessible website be redacted from the record available online.

This amendment includes a mandate preamble.

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FISCAL NOTE REQUIRED (See attached)

## **COMMITTEE AMENDMENT**



### 123rd MAINE LEGISLATURE

LD 2093

LR 2932(02)

An Act To Help Prevent Identity Theft

Fiscal Note for Bill as Amended by Committee Amendment "H'
Committee: Judiciary
Fiscal Note Required: Yes

### **Fiscal Note**

State Mandate - Exempted

#### **State Mandates**

Required Activity

Requiring the register of deeds to comply with an individual's request to redact personally identifiable information is a state mandate under the Constitution of Maine. Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs.

Unit Affected

Costs

County

Insignificant