

AMENDED IN SENATE JULY 8, 2003
AMENDED IN ASSEMBLY JUNE 3, 2003
AMENDED IN ASSEMBLY MARCH 19, 2003
AMENDED IN ASSEMBLY MARCH 6, 2003
AMENDED IN ASSEMBLY JANUARY 22, 2003
CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 46

Introduced by Assembly Member Simitian

December 2, 2002

An act to add Section 1798.85.1 to the Civil Code, relating to identity theft.

LEGISLATIVE COUNSEL'S DIGEST

AB 46, as amended, Simitian. Identity theft.

Existing law prohibits any person or entity, not including a state or local agency, from using an individual's social security number in specified ways, including posting it publicly or requiring it for access to products or services. Existing law provides specified exceptions from the above provisions.

This bill would, in addition, prohibit any private or public university or college in California from using a student's social security number for identification in a manner that is available to the public or an unauthorized 3rd party. The bill would permit the use of a student's social security number for certain purposes, including, but not limited to, internal verification or nonpublic administration or identification for

communication with a 3rd party who is authorized by the student to receive it. Each university or college would be authorized to develop a system of personal identifiers other than social security numbers for students *and would be required to use existing resources to accomplish this.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1798.85.1 is added to the Civil Code, to
- 2 read:
- 3 1798.85.1. In addition to Section 1798.85, the following
- 4 restrictions on the use of social security numbers shall apply:
- 5 (a) A public or private university or college in California may
- 6 not use a student’s social security number for identification in a
- 7 manner that is available to the public or an unauthorized third
- 8 party, except that a public or private university or college in
- 9 California may use a student’s social security number for
- 10 identification for the following purposes:
- 11 (1) Internal verification or nonpublic administrative purposes.
- 12 (2) Communications with a third party who is authorized by the
- 13 student to receive it.
- 14 (3) As permitted under the federal Family Educational Rights
- 15 and Privacy Act (20 U.S.C. Sec. 1232g).
- 16 (4) As required by state or federal law.
- 17 (b) Each university or college may develop a system of
- 18 personal identifiers other than social security numbers for students
- 19 *and shall accomplish this using existing resources.*

