

Introduced by Senator MorrellFebruary 19, 2016

An act to add Division 6.5 (commencing with Section 13500) to the Unemployment Insurance Code, relating to employment administration.

LEGISLATIVE COUNSEL'S DIGEST

SB 1409, as introduced, Morrell. Employment Development Department: administration: social security numbers: report.

Existing law requires the Employment Development Department within the Labor and Workforce Development Agency to administer various programs, including the state unemployment and disability compensation programs, and perform duties relating to income tax withholding, which require the furnishing of social security numbers of employees or other individuals.

This bill would require, if the department discovers that more than one individual is using a social security number, the department to determine which user is legally issued that number within 60 days of discovery, and to provide a notification containing specified information to the other users of that number within 30 days of making that determination. This bill would also require the department to keep a record of those numbers and dates of discoveries and notices, as specified, and would require the department to submit a report to the Legislature on or before January 1, 2018, and annually thereafter regarding that record, as specified.

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

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

1 SECTION 1. Division 6.5 (commencing with Section 13500)
2 is added to the Unemployment Insurance Code, to read:

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4 DIVISION 6.5. ADDITIONAL DUTIES OF THE

5 EMPLOYMENT DEVELOPMENT DEPARTMENT

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7 CHAPTER 1. DUPLICATE USE OF SOCIAL SECURITY NUMBERS

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9 13500. (a) If the Employment Development Department
10 discovers that more than one individual is using a social security
11 number, the department shall determine which user is the individual
12 legally issued that social security number within 60 days of that
13 discovery.

14 (b) Within 30 days of a determination made pursuant to
15 subdivision (a), the department shall notify the nonlegal user or
16 users of that social security number who are not the individual
17 legally issued that social security number that they must cease and
18 desist in using that social security number and that willful use of
19 that social security number after receipt of the notification may
20 violate state law. Additionally, the department shall notify that
21 user that he or she can obtain a social security number from the
22 Social Security Administration to continue to pursue benefits he
23 or she may be legally entitled.

24 (c) The Director of the Employment Development Department
25 shall keep a record of social security numbers that have been used
26 by more than one individual, the date of discovery of duplicate
27 use, the date a notice was issued pursuant to subdivision (b), and
28 any further discoveries by the department of additional uses of
29 that social security number by more than one user after a notice
30 was issued. That list shall be updated every six months.

31 (d) (1) The department shall submit a report to the Legislature
32 on or before January 1, 2018, and on or before January 1 each year
33 thereafter that contains the information in the record described in
34 subdivision (c), except that social security numbers shall be
35 redacted.

1 (2) A report to be submitted pursuant to paragraph (1) shall be
2 submitted in compliance with Section 9795 of the Government
3 Code.

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