

Senate Bill No. 447

Passed the Senate August 29, 2012

Secretary of the Senate

Passed the Assembly August 28, 2012

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend, repeal, and add Section 11019.7 of, and to add Section 11019.75 to, the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

SB 447, DeSaulnier. State agencies: communications: social security numbers.

Existing law prohibits a state agency, as defined, from sending any outgoing United States mail to an individual that contains personal information about that individual, including, among other things, the individual's social security number, unless that personal information is contained within sealed correspondence and cannot be viewed from the outside of that sealed correspondence.

This bill would, on and after January 1, 2015, prohibit a state agency, unless required by federal law, from sending any communication to any individual that contains more than the last 4 digits of the social security number of that individual, as specified. The bill would also make conforming changes.

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

SECTION 1. Section 11019.7 of the Government Code is amended to read:

11019.7. (a) No state agency shall send any outgoing United States mail to an individual that contains personal information about that individual, including, but not limited to, the individual's social security number, telephone number, driver's license number, or credit card account number, unless that personal information is contained within sealed correspondence and cannot be viewed from the outside of that sealed correspondence.

(b) "Outgoing United States mail" for the purposes of this section includes correspondence sent via a common carrier, including, but not limited to, a package express service and a courier service.

(c) Notwithstanding subdivision (a) of Section 11000, "state agency" includes the California State University.

(d) This section shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

SEC. 2. Section 11019.7 is added to the Government Code, to read:

11019.7. (a) No state agency shall send any outgoing United States mail to an individual that contains personal information about that individual, including, but not limited to, the individual's social security number, telephone number, driver's license number, or credit card account number, unless that personal information is contained within sealed correspondence and cannot be viewed from the outside of that sealed correspondence.

(b) "Outgoing United States mail" for the purposes of this section includes correspondence sent via a common carrier, including, but not limited to, a package express service and a courier service.

(c) Notwithstanding subdivision (a) of Section 11000, "state agency" includes the California State University.

(d) For purposes of this section, "social security number" means a full social security number, only when required by federal law, or the last four digits of a social security number.

(e) This section shall become operative on January 1, 2015.

SEC. 3. Section 11019.75 is added to the Government Code, to read:

11019.75. (a) Unless required by federal law, a state agency shall not send any communication to any individual that contains more than the last four digits of the social security number of that individual.

(b) With respect to a communication sent by mailing, this section shall only apply to a mailing that is sent to a natural person.

(c) Notwithstanding subdivision (a) of Section 11000, for purposes of this section, "state agency" includes the California State University.

(d) This section shall become operative on January 1, 2015.

Approved _____, 2012

Governor