

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas

As Engrossed: S2/23/05 S3/7/05

85th General Assembly

A Bill

Regular Session, 2005

SENATE BILL 335

By: Senator Broadway

For An Act To Be Entitled

AN ACT TO PREVENT THE MISAPPROPRIATION OF SOCIAL
SECURITY NUMBERS; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO PREVENT THE MISAPPROPRIATION
OF SOCIAL SECURITY NUMBERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 4, Chapter 86, Subchapter 1 is amended
to add an additional section to read as follows:

4-86-107. Prohibiting the misappropriation of social security numbers.

(a) As used in this section:

(1) "Person" means an individual, corporation, partnership,
organization, or any other entity; and

(2) "Publicly post" or "publicly display" means to intentionally
communicate or otherwise make available to the general public.

(b) Except as provided in subsection (c) of this section, a person may
not do any of the following:

(1) Publicly post or publicly display in any manner an
individual's social security number;

(2) Print an individual's social security number on any card
required for the individual to access products or services provided by the
person or entity;

(3) Print an individual's social security number on a postcard
or other mailer not requiring an envelope or in a manner in which the social
security number is visible on the envelope or without the envelope being



1 opened; or

2 (4) Require an individual to transmit his or her social security
3 number over the Internet unless the connection is secure or the social
4 security number is encrypted.

5 (c) This section does not prevent the collection, use, or release of a
6 social security number as required or explicitly authorized by federal or
7 state law, or pursuant to state or federal court rules.

8 (d) This section does not apply to an entity providing an electronic
9 communications service to the public that is used by another person to
10 violate this section unless the entity conspires with another person to
11 violate this section or intentionally aids and abets another person in the
12 violation of this section.

13 (e) The Attorney General may:

14 (1) Bring suit against any person for violating the provisions
15 of this section;

16 (2) Collect civil penalties of up to two hundred fifty dollars
17 (\$250) per violation along with attorney's fees and costs incurred in the
18 investigation and prosecution of the matter; and

19 (3) Seek appropriate injunctive relief.

20 (f) This section shall become effective on January 1, 2007, and apply
21 to acts occurring on or after January 1, 2007.

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23 /s/ Broadway
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