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**HOUSE BILL NO. 633**

Offered January 9, 2008

Prefiled January 8, 2008

*A BILL to amend and reenact § 59.1-443.2 of the Code of Virginia, relating to the Personal Information Privacy Act; access to social security numbers.*

Patrons—May, Athey, Carrico, Cole, Cosgrove, Crockett-Stark, Gilbert, Lingamfelter, Massie, Merricks, Morgan, Nutter, Poindexter, Rust and Sherwood

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:****1. That § 59.1-443.2 of the Code of Virginia is amended and reenacted as follows:**

§ 59.1-443.2. Restricted use of social security numbers.

A. Except as otherwise specifically provided by law, a person shall not:

1. Intentionally communicate ~~an~~ *another* individual's social security number to the general public;

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

3. Require an individual to use his social security number to access an Internet website, unless a password, unique personal identification number or other authentication device is also required to access the site; or

4. Send or cause to be sent or delivered any letter, envelope, or package that displays a social security number on the face of the mailing envelope or package, or from which a social security number is visible, whether on the outside or inside of the mailing envelope or package.

B. This section does not prohibit the collection, use, or release of a social security number as permitted by the laws of the Commonwealth or the United States, or the use of a social security number for internal verification or administrative purposes unless such use is prohibited by a state or federal statute, rule, or regulation.

C. In the case of any (i) health care provider as defined in § 8.01-581.1, (ii) manager of a pharmacy benefit plan, (iii) insurer as defined in § 38.2-100, (iv) corporation providing a health services plan, (v) health maintenance organization providing a health care plan for health care services, or (vi) contractor of any such person, the prohibition contained in subdivision 2 of subsection A shall become effective on January 1, 2006.

D. This section shall not apply to ~~(i) public bodies as defined in § 2.2-3701 or (ii) records required by law to be open to the public, and shall not be construed to limit access to records pursuant to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).~~

E. No person shall embed an encrypted or unencrypted social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, or other technology, in place of removing the social security number as required by this section.

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