

COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed Senate Bill 287 because it conflicts with SEA 127-2012 without properly recognizing the existence of SEA 127-2012, has had Engrossed Senate Bill 287 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed Senate Bill 287 be corrected as follows:

- 1 Page 1, delete lines 1 through 15, begin a new paragraph and insert:
2 "SECTION 1. IC 4-1-10-5, AS AMENDED BY SEA 127-2012,
3 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 5. (a) A state agency may disclose the Social
5 Security number of an individual if any of the following apply:
6 (1) The disclosure of the Social Security number is expressly
7 required by state law, federal law, or a court order.
8 (2) The individual expressly consents in writing to the disclosure
9 of the individual's Social Security number.
10 (3) The disclosure of the Social Security number is:
11 (A) made to comply with:
12 (i) the USA Patriot Act of 2001 (P.L. 107-56); or
13 (ii) Presidential Executive Order 13224; or
14 (B) to a commercial entity for the permissible uses set forth in
15 the:
16 (i) Drivers Privacy Protection Act (18 U.S.C. 2721 et seq.);
17 (ii) Fair Credit Reporting Act (15 U.S.C. 1681 et seq.); or
18 (iii) Financial Modernization Act of 1999 (15 U.S.C. 6801
19 et seq.).
20 (4) The disclosure of the Social Security number is for the
21 purpose of administration of a state agency employee's or the state
22 agency employee's dependent's health benefits.
23 (5) The disclosure of the Social Security number is for the
24 purpose of administration of:
25 (A) a pension fund administered by the board of trustees of the

- 1 Indiana public retirement system;
- 2 (B) a deferred compensation plan or defined contribution plan
- 3 established under IC 5-10-1.1;
- 4 (C) a pension plan established by the state police department
- 5 under IC 10-12; ~~or~~
- 6 (D) the Uniform Commercial Code (IC 26-1) by the office of
- 7 the secretary of state; **or**
- 8 **(E) Title IV-D of the federal Social Security Act.**
- 9 (b) A state agency's disclosure of the Social Security number of an
- 10 individual in compliance with subsection (a) does not violate
- 11 IC 5-14-3-4(a)(12)."
- 12 Page 2, delete lines 1 through 21.
(Reference is to ESB 287 as printed February 24, 2012.)

Senator LONG, Chairperson

Senator SIMPSON, R.M.M.

Senator LAWSON C