

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 391 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 motor vehicles and labor.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 4-1-8-1, AS AMENDED BY P.L.1-2007,
- 7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2009]: Sec. 1. (a) No individual may be compelled by any
- 9 state agency, board, commission, department, bureau, or other entity of
- 10 state government (referred to as "state agency" in this chapter) to
- 11 provide the individual's Social Security number to the state agency
- 12 against the individual's will, absent federal requirements to the
- 13 contrary. However, the provisions of this chapter do not apply to the
- 14 following:
- 15 (1) Department of state revenue.
- 16 (2) Department of workforce development.
- 17 (3) The programs administered by:
- 18 (A) the division of family resources;
- 19 (B) the division of mental health and addiction;
- 20 (C) the division of disability and rehabilitative services;
- 21 (D) the division of aging; and
- 22 (E) the office of Medicaid policy and planning;
- 23 of the office of the secretary of family and social services.
- 24 (4) Auditor of state.

- 1 (5) State personnel department.
 2 (6) Secretary of state, with respect to the registration of
 3 broker-dealers, agents, and investment advisors.
 4 (7) The legislative ethics commission, with respect to the
 5 registration of lobbyists.
 6 (8) Indiana department of administration, with respect to bidders
 7 on contracts.
 8 (9) Indiana department of transportation, with respect to bidders
 9 on contracts.
 10 (10) Indiana professional licensing agency.
 11 (11) Department of insurance, with respect to licensing of
 12 insurance producers.
 13 (12) The department of child services.
 14 (13) A pension fund administered by the board of trustees of the
 15 public employees' retirement fund.
 16 (14) The Indiana state teachers' retirement fund.
 17 (15) The state police benefit system.
 18 (16) The alcohol and tobacco commission.
 19 (17) The state department of health, for purposes of licensing
 20 radiologic technologists under IC 16-41-35-29(c).
 21 (b) The bureau of motor vehicles may, notwithstanding this chapter,
 22 require the following:
 23 (1) That an individual include the individual's Social Security
 24 number in an application for an official certificate of title for any
 25 vehicle required to be titled under IC 9-17.
 26 (2) That an individual include the individual's Social Security
 27 number on an application for registration.
 28 (3) That a corporation, limited liability company, firm,
 29 partnership, or other business entity include its federal tax
 30 identification number on an application for registration.
 31 (c) The Indiana department of administration, the Indiana
 32 department of transportation, and the Indiana professional licensing
 33 agency may require an employer to provide its federal employer
 34 identification number.
 35 (d) The department of correction may require a committed offender
 36 to provide the offender's Social Security number for purposes of
 37 matching data with the Social Security Administration to determine
 38 benefit eligibility.
 39 (e) The Indiana gaming commission may, notwithstanding this
 40 chapter, require the following:
 41 (1) That an individual include the individual's Social Security
 42 number in any application for a riverboat owner's license,
 43 supplier's license, or occupational license.
 44 (2) That a sole proprietorship, a partnership, an association, a
 45 fiduciary, a corporation, a limited liability company, or any other
 46 business entity include its federal tax identification number on an

1 application for a riverboat owner's license or supplier's license.

2 (f) Notwithstanding this chapter, the department of education
3 established by IC 20-19-3-1 may require an individual who applies to
4 the department for a license or an endorsement to provide the
5 individual's Social Security number. The Social Security number may
6 be used by the department only for conducting a background
7 investigation, if the department is authorized by statute to conduct a
8 background investigation of an individual for issuance of the license or
9 endorsement.

10 **(g) This chapter:**

- 11 **(1) applies to an applicant for employment with a state agency**
12 **if the applicant applies for employment with the state agency**
13 **through the Internet, as provided in IC 22-5-6; and**
14 **(2) does not apply to an individual who has been offered**
15 **employment with a state agency."**

16 Page 7, after line 35, begin a new paragraph and insert:

17 "SECTION 6. IC 22-5-6 IS ADDED TO THE INDIANA CODE AS
18 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
19 1, 2009]:

20 **Chapter 6. Request for Social Security Number on a Job**
21 **Application**

22 **Sec. 1. As used in this chapter, "employer" has the meaning set**
23 **forth in IC 22-3-6-1(a).**

24 **Sec. 2. An employer may not require an applicant for**
25 **employment to furnish the Social Security number of the applicant**
26 **at the time of an application for employment if the application is**
27 **made by means of the Internet.**

28 **Sec. 3. This chapter shall not be construed to prohibit an**
29 **employer from requesting the Social Security number of an**
30 **applicant upon the hiring of the applicant by the employer.**

31 **Sec. 4. An employer that violates this chapter commits a Class**
32 **A infraction. An action for a violation of this chapter shall be**
33 **prosecuted by the prosecuting attorney of the county, or with the**
34 **assistance of the attorney general, in which the employer has a**
35 **place of business or resides."**

36 Renumber all SECTIONS consecutively.

(Reference is to ESB 391 as printed April 10, 2009.)

Representative Murphy