

# 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.)

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Senator LONG, Chairperson

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Senator SIMPSON, R.M.M.

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Senator LAWSON C