

Legislative Analysis



CONSUMER PROTECTION: SOCIAL SECURITY NUMBERS

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Senate Bill 298 as passed by the Senate
Senate Bill 302 as passed by the Senate
Sponsor: Sen. Mark Jansen

Senate Bill 299 as passed by the Senate
Sponsor: Sen. Gerald Van Woerkom

Senate Bill 301 as passed by the Senate
Sponsor: Sen. John Pappageorge

Senate Bill 300 as passed by the Senate
Sponsor: Sen. Tony Stamas

Senate Bill 303 as passed by the Senate
Sponsor: Sen. Patricia L. Birkholz

House Committee: Intergovernmental, Urban, and Regional Affairs
Senate Committee: Local, Urban, and State Affairs

Complete to 7-16-07

A SUMMARY OF SENATE BILLS 298 - 303 AS PASSED BY THE SENATE 5-17-07

The bills would amend various statutes to require that part of a Social Security number used in public documents be redacted, in order to protect a consumer's privacy. A detailed explanation of each bill follows.

[The bills are similar to House Bills 4515 through 4520, which have passed the House. See the analysis of those bills dated 5-29-07.)

Senate 298 (S-1) would amend Public Act 25 of 1836 (MCL 565.581) to specify that unless state or federal law, rule, regulation, or court order or rule required otherwise, if a register of deeds provided a copy of an instrument from a book of records that contained a Social Security number, then the register of deeds *may* obscure or remove the first 5 digits of the Social Security number from the copy.

Further, an individual whose Social Security number was contained in one or more instruments in a county's books of record could request that the register of deeds obscure or remove the first five digits of his or her Social Security number from copies made of those instruments, by recording an affidavit identifying the *liber* and page of those instruments. [As used in this act, "books" includes a computerized recording system for instruments relating to the title of land.]

Senate Bill 299 (S-1) would amend Public Act 103 of 1937 (MCL 565.201), which concerns the executing of instruments in the office of the register of deeds, to specify that unless state or federal law, rule, regulation, or court order or rule required that all or more than four sequential digits of the Social Security number appear in an instrument, then the first five digits of any Social Security number appearing in or on an instrument will be obscured or removed.

Senate Bill 300 (S-1) would amend Public Act 20 of 1867 (MCL 565.491), which concerns recoding deeds, mortgages, and instruments of record, to specify that unless state or federal law, rule, regulation, or court order or rule required that all or more than four sequential digits of the Social Security number appear in an instrument, then the first five digits of any Social Security number appearing in or on an instrument will be obscured or removed.

Senate Bill 301 (S-1) would amend Public Act 5 of 1873 (MCL 565.401), which concerns recording titles of real estate, to specify that unless state or federal law, rule, regulation, or court order or rule required that all or more than four sequential digits of the Social Security number appear in the judgment, then a register of deeds would not receive the judgment for recording unless the first five digits of any Social Security number appearing in or on the judgment were obscured or removed.

Senate Bill 302 (S-1) would amend Public Act 123 of 1915 (MCL 565.452), which concerns the recording and use of affidavits affecting real property, to specify that unless state or federal law, rule, regulation, or court order or rule required that all or more than four sequential digits of the Social Security number appear in the affidavit, a register of deeds would not receive an affidavit for recording unless the first five digits of any Social Security number appearing in or on the affidavit were obscured or removed.

House Bill 303 (S-1) would amend Public Act 54 of 1875 (MCL 565.551), which concerns the inspection and reproduction of the records and files in the offices of the registers of deeds, to specify that unless state or federal law, rule, regulation, or court order or rule required that all or more than four sequential digits of the Social Security number appear in the record or file, if a record or file that contained a Social Security number was reproduced for or by an individual, the register of deeds could obscure or remove, or require that the individual obscure or remove, the first five digits of the Social Security number from the copy, before the individual removed the reproduction from the register of deed's office.

Further, an individual whose Social Security number was contained in one or more instruments in a county's books of record could request that the register of deeds obscure or remove the first five digits of his or her Social Security number from copies made of those instruments, by recording an affidavit identifying the *liber* and page of those instruments.

FISCAL IMPACT:

This package of bills should not have a significant fiscal impact on state or local government entities.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.