

# California Law Governing Use of the Social Security Number

August 18, 2005

---

## Background

California law governing use of the Social Security number (SSN) seeks to protect SSNs from being stolen and to prevent identity theft. These guidelines highlight requirements of current law.

## The Law: Civil Code Section 1798.85

<http://www.leginfo.ca.gov/calaw.html>

## Prohibitions

Under the law, the following actions are prohibited:

- Publicly post or publicly display in any manner an individual's SSN. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.
- Print an individual's SSN on any card required for the individual to access products or services provided by the person or entity.
- Require an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted.
- Require an individual to use his or her SSN to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet Web site.
- Print an individual's SSN on any materials that are mailed to the individual, unless state or federal law requires the SSN to be on the document to be mailed. Notwithstanding this paragraph, SSNs may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process, or to establish, amend or terminate an account, contract or policy, or to confirm the accuracy of the SSN. An SSN that is permitted to be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened.
- Encode or embed the SSN 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 SSN as an effort to comply with these new provisions.
- Note: A "grandfather" provision allowing continued use of individuals' SSNs in specific circumstances has been eliminated, effective July 1, 2005.

## Allowable Uses of the SSN

*As a Requirement of Law or for Administrative Purposes:* Social Security numbers may be

- collected, used, or released as required by state or federal law,
- or used for internal verification or administrative purposes.

## Guidance about Truncating the SSN

The law does not prohibit printing a truncated SSN on a document to be mailed to the individual. If an SSN is truncated, however, only the last four digits should be displayed, e.g., XXX-XX-1234.