

Legislative Analysis



CONSUMER PROTECTION: SOCIAL SECURITY NUMBERS

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House Bill 4515

House Bill 4516

House Bill 4517

House Bill 4518

House Bill 4519

House Bill 4520

Sponsor: Rep. Barb Byrum

Committee: Intergovernmental, Urban and Regional Affairs

Complete to 5-22-07

A SUMMARY OF HOUSE BILLS 4515 - 4520 AS INTRODUCED 3-22-07

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.

House Bill 4515 would amend Public Act 25 of 1836 (MCL 565.581) to specify that beginning March 1, 2005 (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 all (or at least 5 digits) of the social security number from the copy. However, under the bill, this provision would not apply after December 31, 2008. Beginning January 1, 2008, the register of deeds would be required to obscure or remove all or at least five digits of the social security number from a copy provided to others.

The bill also specifies that a register of deeds (or his or her deputy) must certify that the copy is a true copy of the instrument, as reflected in the public record. That certified copy has the same force and effect as an original for all legal purposes, and is admissible in court, administrative proceedings or elsewhere, as evidence in the same manner as the original. [As used in this act, "books" includes a computerized recording system for instruments relating to the title of land.]

House Bill 4516 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 beginning January 1, 2008, (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 instrument) all or at least five digits of any social security number appearing in an instrument will be obscured or removed.

House Bill 4517 would amend Public Act 20 of 1867 (MCL 565.491) which concerns recoding deeds, mortgages, and instruments of record, to specify that beginning January

1, 2008, (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 instrument) all or at least five digits of any social security number appearing in an instrument will be obscured or removed.

House Bill 4518 would amend Public Act 5 of 1873 (MCL 565.401) which concerns recording titles of real estate, to specify that beginning January 1, 2008, (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 instrument) all or at least five digits of any social security number appearing in an instrument will be obscured or removed.

House Bill 4519 would amend Public Act 123 of 1915 (MCL 565.452) which concerns the recording and use of affidavits affecting real property, to specify that beginning January 1, 2008, (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 instrument) all or at least five digits of any social security number appearing in an instrument will be obscured or removed.

House Bill 4520 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 beginning March 1, 2005 (unless state or federal law, rule, regulation, or court order or rule required otherwise), if a register of deeds provided a copy of a record or file that contained a social security number, then the register of deeds *may* obscure or remove (or require that the individual obscure or remove) all (or at least 5 digits) of the social security number from the copy, before the individual removed the copy from the office. However, under the bill, this provision would not apply after December 31, 2008. Beginning January 1, 2008, the register of deeds would be required to obscure or remove all or at least five digits of the social security number from a copy provided to others.

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.