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**SFA**



**BILL ANALYSIS**

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Senate Bills 796, 797, 798, and 799 (as enrolled)

**PUBLIC ACTS 330-333 of 1998**

Sponsor: Senator Joe Conroy (Senate Bill 796)

Senator Robert Geake (Senate Bills 797 & 799)

Senator Dale L. Shugars (Senate Bill 798)

Senate Committee: Families, Mental Health and Human Resources

House Committee: Human Services and Children

Date Completed: 9-9-98

## **CONTENT**

**Senate Bills 796 through 799 amended various laws to provide that an application for a driver's license, professional or occupational license or certificate, or marriage license must include the applicant's Social Security number, as required to comply with Federal law. The bills specify that this requirement does not apply to an applicant who demonstrates that he or she is exempt under law from obtaining a Social Security number or to an applicant who for religious convictions is exempt under law from disclosure of his or her Social Security number under these circumstances. The Secretary of State, occupational regulatory agency, Department of Community Health, or county clerk, as applicable, must inform the applicant of this possible exemption.**

In addition, all of the bills require the Family Independence Agency to request from the Federal government an exemption from the bills' provisions regarding the recording of Social Security numbers, "which are intended to be used for the collection of child support, as required by federal law in order for this state to receive certain federal funds". Upon the granting of the exemption, the State or a local governmental entity may not use or enforce these provisions.

Senate Bills 797, 798, and 799 also prohibit a person from disclosing, in a manner not authorized by law or rule, a Social Security number collected under the bills' provisions. A violation is a misdemeanor punishable by imprisonment for up to 90 days and/or a maximum fine of \$500. A second or subsequent violation is a felony punishable by up to four years' imprisonment and/or a maximum fine of \$2,000.

### **Senate Bill 796**

The bill amended the Michigan Vehicle Code to require that all applications for an operator's or chauffeur's license include the applicant's Social Security number, to the extent required to comply with Federal law, as well as other identifying information. (Previously, an application for an operator's or chauffeur's license required the applicant's full name, date of birth, address of residence, height, sex, eye color, and signature; an application for an operator's or chauffeur's license with a vehicle group designation or indorsement also required the applicant's Social Security number.)

The bill prohibits the Secretary of State from displaying a person's Social Security number on his or her driver's license. The bill also prohibits the Secretary of State from disclosing a Social Security number to another person except for one or more of the following purposes:

- Compliance with the Federal Commercial Motor Vehicle Safety Act and regulations, and State law and rules related to that Act.
- Through the Law Enforcement Information Network (LEIN), to carry out the purposes of Part D of Title IV of the Social Security Act in connection with matters relating to paternity, child support, or overdue child support.
- As otherwise required by law.

### **Senate Bill 797**

The bill amended the Regulated Occupation Support Enforcement Act to provide that, in order to facilitate the enforcement and administration of the Act and as required to comply with Federal law, an occupational regulatory agency must require each applicant for a license or renewal of a license to include his or her Social Security number on the

application. An occupational regulatory agency may not issue or renew a license unless the applicant's Social Security number is on file with the agency, as required to comply with Federal law. (Under the Act, an occupational regulatory agency is a department, bureau, or agency of this State that has regulatory authority over a regulated occupation. A regulated occupation is an occupation, profession, or vocation that requires a license for its practice, or that provides for the use of a specific title in its practice.)

The bill prohibits an occupational regulatory agency from displaying a licensee's Social Security number on his or her occupational license.

#### **Senate Bill 798**

The bill amended the Public Health Code to provide that the Department of Consumer and Industry Services must require each applicant for licensure or registration under Article 16 of the Code (which governs health professions) to include his or her Social Security number on the application form. The Department may not display an applicant's Social Security number on his or her license or registration.

The bill also provides that the State Registrar must require each local registrar to require, as required to comply with Federal law, the entry of the Social Security number of each applicant on an application for his or her marriage license and of the deceased on his or her death certificate. The State Registrar may not require a marriage license applicant's Social Security number to be displayed on the license.

In addition, the bill requires that the Department of Community Health (DCH), upon request, provide to an unmarried mother of a child or to a putative father an acknowledgment of parentage form that can be completed by the child's mother and father to acknowledge paternity, as provided in the Acknowledgment of Parentage Act. The DCH also must provide to the mother and putative father information on the purpose and completion of the form and on the rights and responsibilities of parents. (The Code requires that the Department distribute to hospitals, free of charge, the acknowledgment of parentage form and information on the form's purpose and completion and on parents' rights and responsibilities.)

#### **Senate Bill 799**

The bill amended Public Act 128 of 1887, which

requires a civil license in order to marry, to require that blank forms for a marriage license and certificate provide spaces for the entry of identifying information of the parties and other items prescribed in rules. (The Act requires the State Registrar, appointed by the DCH Director, to furnish the forms and registration books to county clerks.) As required to comply with Federal law, the forms also must contain a space requiring each applicant's Social Security number. The State Registrar may not require an applicant's Social Security number to be displayed on the marriage license.

MCL 257.307 (S.B. 796)  
338.3434a (S.B. 797)  
333.2811 et al. (S.B. 798)  
551.102 (S.B. 799)

Legislative Analyst: S. Lowe

#### **FISCAL IMPACT**

##### **Senate Bill 796**

Procedures for including the specified information on the application for a chauffeur's license have already been in place. The cost of making an application that includes the applicant's Social Security number may be absorbed within current application-making costs. The amended provisions will not have any fiscal impact upon the State.

##### **Senate Bill 797**

The bill will have no fiscal impact on State or local government.

### **Senate Bills 798 & 799**

The bills will result in an indeterminate increase in costs to State and local registrars. According to the Department of Community Health, if the intent of the bills is simply to maintain a paper record, then the increase in costs to the State will be approximately \$25,000 for revising and reprinting forms. If, however, the intent is to maintain the Social Security number in an electronic form, then there will be additional one-time costs of approximately \$45,000 to revise software and an annual increase in data entry costs of approximately \$5,000. Local registrars will experience similar increases in expense.

Fiscal Analyst: E. Limbs  
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.