

1999 DRAFTING REQUEST

Bill

Received: **11/23/98**

Received By: **smiller**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **Judy**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Alt. Drafters: **gibsom**

Subject: **Trade Regulation**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Prohibit retailers from asking customers for social security numbers

Instructions:

See attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	hubliks 01/6/99			_____			State
/1	rmarchan 02/3/99 rmarchan 03/16/99	jgeller 02/6/99	jfrantze 02/8/99	_____	lrb_docadmin 02/8/99		State
/2	gibsom 03/19/99	jgeller 03/19/99	lpaasch 03/19/99	_____	lrb_docadmin 03/19/99	lrb_docadmin 03/24/99	

Vers. Drafted Reviewed Typist Proofed Submitted Jacketed Required

FE Sent For:

04-21-99

<END>

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GMM**

Topic:

Prohibit department stores from asking employees for their social security numbers except for certain purposes.

Instructions:

See attached.

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FE Sent For:		<i>1/2 3/19 jlg</i>	<i>3-19LP</i>	<i>3-19LP</i> <i>Km</i> <i><END></i>			



c.

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/?	hubliks			_____			

FE Sent For:

<END>

11-23-98

Rep. M. Schneiders
per Judy 6-0215

Request: Prohibit department stores
from asking employees
for SSN
except for tax and
employment requirements

SPM

per 0115



JLg

Redraft
make run

1999 BILL

NOTE

1 AN ACT ^{gr. act.} ...; relating to: disclosure of ^{employee} social security numbers to employers
2 engaged in retail sales.

Analysis by the Legislative Reference Bureau

Current law generally does not prohibit an employer from requiring an employe or applicant for employment to disclose his or her social security number. This bill prohibits an employer engaged in retail sales from requiring an employe^e or applicant to disclose his or her social security number, with certain exceptions. The employer may require disclosure for the purpose of reporting the social security number to a federal, state^e or local governmental unit. In addition, the employer may require disclosure for any purpose related to the employe's or applicant's employment. This bill does not apply to this state or any municipalities in their capacity as employers.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 103.37 (title) ^X of the statutes is amended to read:
4 103.37 (title) Certain requirements to obtaining [✓] or retaining
5 employment prohibited.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1635/1dn

RJM:.....

^
JLg

1. Please review the attached draft carefully to ensure that it satisfies your intent. In particular, I was unsure exactly which ~~employers~~ ^{types of stores} you intended to regulate. The attached draft covers all employers engaged in retail sales of goods. This coverage may be wider than you intended. If so, please contact me.

2. Note that the attached draft applies to employes and applicants for employment. Please let me know if you do not intend to cover both employes and applicants.

3. This bill allows a covered employer to obtain an employee's or applicant's social security number for purposes of reporting the number to a governmental agency or for any employment-related purpose. Please contact me if these exceptions are not what you intended.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: Robert.Marchant@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1635/1dn
RJM:jlj:jf

February 8, 1999

1. Please review the attached draft carefully to ensure that it satisfies your intent. In particular, I was unsure exactly which types of stores you intended to regulate. The attached draft covers all employers engaged in retail sales of goods. This coverage may be wider than you intended. If so, please contact me.
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Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: Robert.Marchant@legis.state.wi.us

3/10

Robert:

What Marlin wanted was to prohibit an employee of a retail store from requesting an SS# from a customer for purposes of identification unless that customer is applying for a job and the SS# is required for purposes of employment and taxes.

Thanks!

Judith

6-0215

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 2/8/99

To: Representative Schneider

Relating to LRB drafting number: LRB-1635

Topic

Prohibit department stores from asking employees for their social security numbers except for certain purposes.

Subject(s)

Trade Regulation

1. **JACKET** the draft for introduction _____

in the **Senate** ____ or the **Assembly** ____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert J. Marchant, Legislative Attorney
Telephone: (608) 261-4454

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RJM:jlj:jf

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3. This bill allows a covered employer to obtain an employe's or applicant's social security number for purposes of reporting the number to a governmental agency or for any employment-related purpose. Please contact me if these exceptions are not what you intended.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: Robert.Marchant@legis.state.wi.us



SOON

1999 BILL

from making such requests

by persons who purchase goods from persons

Regen

1 AN ACT to amend 103.37 (title); and to create 103.37 (1m) (title), 103.37 (1m)
2 (c), 103.37 (2m) (title), 103.37 (3) and 103.37 (4) (title) of the statutes; relating
3 to: disclosure of ~~employee~~ social security numbers ~~to employers~~ engaged in retail

in selling goods at retail and providing a penalty

requesting

that a customer

a seller

person

Analysis by the Legislative Reference Bureau

Current law generally does not prohibit an employer from requiring an employee or applicant for employment to disclose his or her social security number. This bill prohibits an employer engaged in retail sales from requiring an employee or applicant to disclose his or her social security number, with certain exceptions. The employer may require disclosure for the purpose of reporting the social security number to a federal, state or local governmental unit. In addition, the employer may require disclosure for any purpose related to the employee's or applicant's employment. This bill does not apply to this state or any municipalities in their capacity as employers.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 103.37 (title) of the statutes is amended to read.

BILL

1 **103.37 (title) Certain requirements to obtaining or retaining**
2 **employment prohibited.**

3 **SECTION 2.** 103.37 (1m) (title) of the statutes is created to read:

4 103.37 (1m) (title) DEFINITIONS.

5 **SECTION 3.** 103.37 (1m) (c) of the statutes is created to read:

6 103.37 (1m) (c) "Local governmental unit" has the meaning given in s. 66.293

7 (1) (d).

8 **SECTION 4.** 103.37 (2m) (title) of the statutes is created to read:

9 ~~103.37 (2m) (title) MEDICAL EXAMINATIONS.~~

No person who,

10 **SECTION 5.** ~~103.37 (3) of the statutes is created to read:~~

134.44

~~103.37 (3) SOCIAL SECURITY NUMBERS~~ An employer who, in the ordinary course

of business, sells goods to consumers at the employer's place of employment, may not

request that a customer require an employee or applicant for employment to disclose the employee's or

applicant's social security number as a condition of employment except for a purpose

related to the employee's or applicant's employment or for the purpose of reporting the

social security number to the federal government, a state government or a local

governmental unit.

18 **SECTION 6.** 103.37 (4) (title) of the statutes is created to read:

19 ~~103.37 (4) (title) PENALTY.~~

(END)

SECTION # CR; 134.44^x

(B) *134.44 Requests for social security numbers. (No person who sells goods at retail may request that a customer disclose the customer's social security number. Any person who violates this section shall be fined not more than \$100.*

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 3/19/99

To: Representative Schneider

Relating to LRB drafting number: LRB-1635

Topic

Prohibit retailers from asking customers for social security numbers

Subject(s)

Trade Regulation

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MAV

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