SENATE BILL NO. 3021
(As Passed the Senate)

AN ACT TO AMEND SECTION 25-1-111, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE AND LOCAL OFFICIALS TO REDACT INDIVIDUAL SOCIAL SECURITY NUMBERS WHEN ANY RECORD IS PUBLISHED ON THE INTERNET OR ON A GOVERNMENT CONTROLLED WEB SITE; TO AUTHORIZE REDACTION OF SOCIAL SECURITY NUMBER BY THE CHANCERY CLERKS WHEN POSSIBLE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 25-1-111, Mississippi Code of 1972, is amended as follows:

25-1-111. (1) When any state agency mails, delivers, circulates, publishes, distributes, transmits, or otherwise disseminates, in any form or manner, information or material that contains the social security number of an individual, the agency shall take such steps as may be reasonably necessary to prevent disclosure of the individual's social security number to members of the general public or to persons other than those persons who, in the performance of their duties and responsibilities, have a lawful and legitimate need to know the individual's social security number. State agencies shall be in compliance with this section on or before July 1, 2003.

(2) From and after July 1, 2010, unless otherwise specifically required by law, when any record is published on the Internet or on a government controlled Web site under the authority of a public official of the state or any political subdivision thereof, the public official is authorized to redact the individual's social security number on any documents before the publication.
SECTION 2. (1) The preparer of any document recorded in the office of the chancery clerk shall not place a social security number on any document filed or recorded in the chancery clerk's office unless otherwise specifically required by law. However, the chancery clerk shall not refuse to record a document for failure of the preparer to comply with this prohibition, nor shall the failure to comply with the prohibition affect the validity or recordability of any document.

(2) For any records filed from and after July 1, 2010, upon the written request of any person, or the surviving spouse, attorney-in-fact or court-appointed guardian or conservator of the person, a chancery clerk is authorized to redact the person's social security number from any recorded document, if the records are stored in a manner that permits redaction and if the request specifically identifies the record sought to be redacted.

(3) Any redaction made under this section and Section 25-1-111 by a chancery clerk or other public official shall not constitute a violation of Section 97-11-1.

SECTION 3. This act shall take effect and be in force from and after July 1, 2010.