

FIRST REGULAR SESSION

SENATE BILL NO. 164

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALSH.

Read 1st time January 17, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

0438S.01I

AN ACT

To amend chapter 285, RSMo, by adding thereto one new section relating to employee password protection, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 285, RSMo, is amended by adding thereto one new
2 section, to be known as section 285.045, to read as follows:

**285.045. 1. This section shall be known and may be cited as "The
2 Password Privacy Protection Act".**

3 **2. As used in this section, the following terms shall mean:**

4 **(1) "Employee", any person performing work or service of any
5 kind or character for hire within the state of Missouri, including
6 independent contractors;**

7 **(2) "Employer", any person or entity employing any person for
8 hire within the state of Missouri, including a public employer;**

9 **(3) "Employment", the act of employing or state of being
10 employed, engaged, or hired to perform work or services of any kind or
11 character within the state of Missouri;**

12 **(4) "Political subdivision", any agency of the state, county, city,
13 town, township, village, special district or subdistrict, or any unit of the
14 state authorized to levy taxes;**

15 **(5) "Public employer", every department, agency, or instrumentality
16 of the state or political subdivision of the state;**

17 **(6) "Work", any job, task, labor, services, or any other activity for
18 which compensation is provided, expected, or due.**

19 **3. No employer shall ask or require an employee or any person
20 applying for employment to disclose any user name for or password to
21 any internet site or web-based account except for user names or**

22 passwords that provide access to the employer's internal computer or
23 information systems.

24 4. Any employer who violates this section is guilty of a class A
25 misdemeanor.

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