

**RESOLUTION 5-2008**

**A RESOLUTION OF THE TOWN OF MALABAR, ADOPTING A SOCIAL SECURITY DISCLOSURE POLICY OUTLINING WHY AND HOW WE COLLECT SOCIAL SECURITY NUMBERS DURING THE COURSE OF BUSINESS; PROVIDING VALIDATION OF REQUESTS FOR PUBLIC RECORDS CONTAINING SOCIAL SECURITY NUMBERS; PROVIDING NOTIFICATION OF ANNUAL COMPLIANCE TO THE STATE; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature adopted new requirements relating to the collection and dissemination of Social Security numbers by all “agencies” in Florida; and

**WHEREAS**, the term “agency” has been defined to include municipalities; and

**WHEREAS**, the State now requires adoption of a written Social Security number collection policy and annual certification of the policy to the State requirements.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF MALABAR:**

**Section 1.** That the Town of Malabar adopts the attached Social Security Number Disclosure Policy as Exhibit “A”

**Section 2.** That a copy of this resolution shall be provided to Governor Charlie Crist, Senate President Ken Pruitt and House Speaker Marco Rubio.

**Section 3.** This Resolution shall take effect immediately upon its adoption.

This Resolution was moved for adoption by Council Member \_\_\_\_\_. This motion was seconded by Council Member \_\_\_\_\_ and, upon being put to vote, the vote was as follows:

Council Member Nancy Borton	_____
Council Member Brian Vail	_____
Council Member Charles (Chuck) McClelland	_____
Council Member Jeffrey (Jeff) McKnight	_____
Council Member Patricia D. Dezman	_____

This Resolution was then declared to be duly passed and adopted this 7th day of January, 2008.

By: \_\_\_\_\_  
Mayor Thomas M. Eschenberg  
Town of Malabar

Approved as to form and content:

\_\_\_\_\_  
Karl W. Bohne, Jr., Town Attorney

ATTEST:

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Debby K. Franklin  
Town Clerk/Treasurer

(seal)

## Exhibit A



### **THE TOWN OF MALABAR SOCIAL SECURITY NUMBER DISCLOSURE POLICY**

The Town of Malabar collects your social security number for the following purposes:

- identification and verification for employment purposes
- billing and payments
- benefit processing
- tax reporting
- business tax certificate

Social security numbers are also used as a unique numeric identifier and may be used for search purposes.

Section 119.071(5), Florida statutes, provides a process whereby a "commercial entity" engaged in performance of a "commercial activity" may access social security numbers through a public records request under specified conditions. The statute provides definitions of "commercial entity" and "commercial activity" and provides a list of requirements the commercial entity must meet in order to access social security numbers.

A commercial entity must do the following in order to access social security numbers:

- Submit a written request for the social security numbers
- Verify the written request under penalties of perjury as provided in Section 92.525, Florida Statutes
- The written request must be legibly signed by an authorized officer, employee, or agent of the commercial entity
- The written request must contain the commercial entity's name, business mailing and location addresses, and business telephone number
- The written request must contain a statement of the specific purpose for which the commercial entity needs the social security numbers and how the social security numbers will be used in the performance of a commercial activity

The Town of Malabar may request any other information reasonable necessary to verify the identity of a commercial entity requesting the social security numbers and the specific purposes for which the numbers will be used.

Any person who makes a false representation in order to obtain a social security number commits a third degree felony.

Any public officer who violates these provisions on providing social security numbers to commercial entities commits a non-criminal infraction, punishable by a fine not exceeding \$500 per violation.