

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:

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.