

RESOLUTION 2004-04

A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO REVIEW STATE STATUTE CHAPTER 119 AND REMOVE OR CHANGE SECTION 119.0721(3), SO AS TO ELIMINATE THE EXCEPTION TO THE EXEMPTION THAT ALLOWS COMMERCIAL ENTITIES TO ACCESS SOCIAL SECURITY NUMBERS HELD BY LOCAL AGENCIES TO USE IN THEIR NORMAL COURSE OF BUSINESS FOR LEGITIMATE BUSINESS PURPOSES; AND ALSO URGING MEMBERS OF THE FLORIDA LEGISLATURE TO CONSIDER ALL NECESSARY REVISIONS TO STATE STATUTES TO PROVIDE ASSURANCES TO FLORIDA CITIZENS THAT SENSITIVE, PERSONAL INFORMATION IS NOT RELEASED OR USED INAPPROPRIATELY.

WHEREAS, the Town of Cinco Bayou is committed to upholding the laws of the State of Florida and the provisions therein regarding public records; and

WHEREAS, the Town of Cinco Bayou citizens' personal information must be provided in order to provide valuable services to the citizens of our Town; and

WHEREAS, social security numbers have been used by federal, state and local governments for identification, authentication and for record keeping purposes; and

WHEREAS, citizens have provided social security numbers to businesses and organizations for goods and services, including college education, applying for credit, seeking medical coverage, completing insurance forms and many other routine transactions; and

WHEREAS, the advent of computerized record keeping, advances in computer technology, internet access and other methods of electronic communication have increased the volume of personal information available and accessible; and

WHEREAS, individuals and businesses utilize available tools to compile vast amounts of personal information; and

WHEREAS, identity theft is a growing concern among all citizens and one of the fastest growing crimes in America with almost 215,000 complaints to the Federal Trade Commission in 2003; and

WHEREAS, Florida Statute effective October 1, 2002, provided that all social security numbers held by an agency or its agents, employees or contractors are confidential and exempt from public record disclosure; and

WHEREAS, Florida Statute 119.0721(3) provided an exception to that exemption stating that an agency shall not deny a commercial entity engaged in the performance of a commercial activity access to social security numbers, provided social security numbers will only be used in the normal course of business for legitimate business purposes; and

WHEREAS, the City of Fort Walton Beach, Okaloosa County, the Town of Orange Park and many other utility providers subject to public record access laws are targeted by private, for profit, businesses to release personal information regarding citizens and customers for private business gain; and

WHEREAS, the trust, confidence and faith citizens have developed with the governing body and staff of utility providers is compromised and questioned because they are compelled by State Law to release this information.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CINCO BAYOU:

Section 1. That the Town of Cinco Bayou urges members of the Florida Legislature to review state statute chapter 119 and remove or change section 119.0721(3), eliminating the exception to the exemption that allows commercial entities to access social security numbers to use in their normal course of business for legitimate business purposes.

Section 2. That the Town of Cinco Bayou urges members of the Florida Legislature to consider all necessary revisions to state statutes to provide assurances to Florida citizens that sensitive, personal information is not released or used inappropriately.

Section 3. That the Town of Cinco Bayou urges members of the Florida League of Cities to encourage the legislature to amend laws which would prohibit the release of sensitive and personal information held by Cities.

Section 4. EFFECTIVE DATE. This resolution shall take effect immediately upon approval by Town Council and upon signature of the Mayor.

PASSED AND ADOPTED by the Town of Cinco Bayou this 10<sup>th</sup> day of June, 2004.

APPROVED:

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Norman Frucci, Mayor

ATTEST:

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Nell Webb, Town Manager/Clerk, CMC