MEMORANDUM

Agenda Item No. 11(A)(8)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	March 18, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution supporting CS/CS/SB 242, CS/HB 151 or similar legislation that would authorize a representative of a minor to place a security freeze on the minor's consumer report to protect the minor from identity theft

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: March 18, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(8)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

2

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 11(A)(8)

3-18-14

RESOLUTION NO. _____

RESOLUTION SUPPORTING CS/CS/SB 242, CS/HB 151 OR SIMILAR LEGISLATION THAT WOULD AUTHORIZE A REPRESENTATIVE OF A MINOR TO PLACE A SECURITY FREEZE ON THE MINOR'S CONSUMER REPORT TO PROTECT THE MINOR FROM IDENTITY THEFT

WHEREAS, bills have been filed for consideration during the 2014 legislative session, SB 242 by Senator Nancy Detert (R – Venice) and HB 151 by Representative Heather Fitzenhagen (R – Fort Myers), which would establish a process by which a security freeze on a consumer report may be undertaken for a person younger than 16 years of age; and

WHEREAS, Florida has the highest identity theft rate of any state in the country according to the Federal Trade Commission Consumer Sentinel Network Report; and

WHEREAS, the Miami/Ft. Lauderdale/West Palm Beach Metropolitan Area has the highest identity theft rate of any metropolitan area in the country according to the Federal Trade Commission Consumer Sentinel Network Report; and

WHEREAS, children are particularly susceptible to identity theft because thieves target Social Security numbers without a credit history; and

WHEREAS, more than 10 percent of children are victims of identity theft according to a study by AllClear ID; and

WHEREAS, in response to concerns regarding identity theft, Florida, along with 48 other states, has adopted laws that allow a consumer to freeze access to his or her consumer report to prevent anyone from trying to open a new account or new credit; and

WHEREAS, such laws allowing security freezes generally do not protect children from identity theft because statutory security freezes only apply to existing consumer reports, which minors are less likely to have; and

WHEREAS, SB 242 and HB 151 would provide children with a method of protection against identity theft that the rest of the population is afforded,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Supports CS/CS/SB 242, CS/HB 151 or similar legislation that would authorize a representative of a minor to place a security freeze on the minor's consumer report to protect the minor from identity theft.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation, Senator Nancy Detert, and Representative Heather Fitzenhagen.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation as set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2014 State Legislative Package to include this item and to include this item in the 2015 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of March, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. MP

Matthew Papkin