RECOMMENDED ACTION AND JUSTIFICATION:
Approve attached resolution authorizing the Recorder to charge an additional $1.00 per
document effective February 1, 2008 and the creation of a Social Security Number
Truncation Trust Fund into which the additional fees will be deposited.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
No history because this is a newly enacted bill.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
If not approved then Mariposa County will be out of compliance with this state mandate.

Financial Impact? ( ) Yes ( ) No
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: ____________________
Additional Funding Needed: ____________________
Source:
Internal Transfer
Unanticipated Revenue: 4/5’s vote
Transfer Between Funds: 4/5’s vote
Contingency: 4/5’s vote
( ) General ( ) Other

List Attachments, number pages consecutively

Memos

Drop Resolution

Notice of Public Hearing

The foregoing instrument is a correct copy of
the original on file in this office.
Date: ____________________
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: ____________________
Deputy

COUNTY ADMINISTRATIVE OFFICER:
( ) Requested Action Recommended
( ) No Opinion
Comments:

Revised Dec. 2002
TO: BECKY CRAFTS, Assessor/Recorder

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: PUBLIC HEARING to Establish Social Security Number Truncation Program Fee and Establish a Trust Fund for These Additional Fees

RESOLUTION 08-33

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on January 22, 2008

ACTION AND VOTE:

10:04 a.m. Becky Crafts, Assessor/Recorder; PUBLIC HEARING to Establish Social Security Number Truncation Program Fee and Establish a Trust Fund for These Additional Fees

BOARD ACTION: Becky Crafts presented the staff report; and she responded to questions relative to access to the records; the status of implementation of the new software and maintenance and costs; and whether the costs qualify for SB-90 reimbursement. Supervisor Bibby requested that staff review to see if there are other departments that have Social Security numbers on documents that need to be redacted. The public portion of the hearing was opened and there was no input. The public portion was closed and the Board commenced with deliberations. Becky Crafts responded to a question from the Board relative to the impact this program has on the small counties and whether the Recorder’s Association could modify this. (M)Pickard, (S)Aborn, Res. 08-33 was adopted approving the $1.00 Social Security Number Truncation fee, effective February 1, 2008; and establishing the Trust Fund for these additional fees/Ayes: Unanimous. The hearing was closed.

Cc: Tom Guarino, County Counsel
    Rick Benson, CAO
    Chris Ebie, Auditor
    File
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

Resolution
No. 08-38

A resolution to: Establish Social Security Number Truncation Fee and establish a trust fund for these additional fees

WHEREAS, the Governor of the State of California has signed Assembly Bill 1168, which adds Article 3.5 (commencing with Section 27300) to Chapter 6 of Part 3 of Division 2 of Title 3 of the Government Code which requires the County Recorder to establish a Social Security Number Truncation Program; and

WHEREAS, this program will require, for each official record recorded between January 1, 1980 and December 31, 2008, that the County Recorder shall create, in an electronic format, an exact copy of the record except that any social security number contained in the copied record shall be truncated; and

WHEREAS, the program will require, for each official record recorded on or after January 1, 2009, that the County Recorder shall create a copy of that record in an electronic format and truncate any social security number contained in that record; and

WHEREAS, this legislation has also added subdivision (d) to Section 27361 of the Government Code which allows the County Recorder to charge an additional fee of one dollar for recording the first page of every instrument, paper, or notice required or permitted by law to be recorded as authorized by each county’s Board of Supervisors; such fee shall not be charged after December 31, 2017 unless reauthorized by the County Board of Supervisors; and

WHEREAS, the funds generated by this fee shall be used only by the County Recorder collecting the fee for the purpose of implementing a social security number truncation program pursuant to Article 3.5 (commencing with Section 27300) of the Government Code; and

WHEREAS, Section 27361(d)(4) requires a Board of Supervisors authorizing a fee under section 27361(d)(1) to require the County Auditor to conduct two reviews to verify that the funds generated by this fee are used only for the purpose of the Social Security Number Truncation Program; and

NOW THEREFORE, BE IT RESOLVED that the Mariposa County Board of Supervisors does hereby authorize the County Recorder to begin charging an additional one dollar recording fee as of February 1, 2008 and to deposit the fees collected for this program into a trust fund to be used solely by the County Recorder for the purpose of implementing the Social Security Number Truncation Program; and

BE IT FURTHER RESOLVED that Mariposa County Board of Supervisors directs the County Auditor to conduct two reviews to verify that the funds generated
by this fee are used only for the purpose of the Social Security Number Truncation Program within the time frames provided under section 27361(d)(4); and

BE IT FINALLY RESOLVED that the foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Mariposa, State of California, on motion by Supervisor Bibby, seconded by Supervisor Aborn, this 22\textsuperscript{nd} day of January, 2008 by the following vote:

AYES: ABORN, TURPIN, BIBBY, FRITZ, PICKARD

NOES: NONE

EXCUSED: NONE

ABSTAIN: NONE

LYLE TURPIN, Chair
Mariposa County Board of Supervisors

MARGIE WILLIAMS
Clerk of the Board of Supervisors

THOMAS P. GUARINO
County Counsel

APPROVED AS TO LEGAL FORM:
Assessor-Recorder

December 19, 2007

TO: Board of Supervisors

FROM: Becky Crafts, Assessor-Recorder

SUBJECT: Resolution to Establish Social Security Number Truncation Fee

Governor Schwarzenegger recently signed AB 1168 which requires the County Recorder to perform some additional duties in order to protect citizens from identity theft. This legislation imposes some difficult duties on the staff of every recorder’s office in California. The bill requires each recorder to truncate the first five digits of every Social Security Number (SSN) that is included in any documents that are recorded after January 1, 2009 and create a separate record call a “public record” that shows the truncated SSN. This is in addition to the unaltered copy of the original document known as the “official record”.

This law also requires that we truncate the SSN on each document that has been recorded since January 1, 1980. This amounts to approximately 700,000 pages of recorded documents that will need to be reviewed to find any SSN’s and then truncate them.

I have been in contact with our software vender and some time in January 2008 I will have a quote for the available upgrade to comply with this mandate. I have also talked with Rick Peresan about preparing for the necessity to store twice the number of images. Rick informed me that the HTE server was on his current list to upgrade in next year’s budget.

The only good news in this new legislation is that it provides that, with Board approval, the Recorder can charge an additional $1.00 per recorded document. Based on the average number of documents recorded over the last 10 years, we estimate that we will collect approximately $7,000 per year from this new fee. This amount will not cover the cost of purchasing the redacting program. This is another mandated government bill that is a drain on the General Fund. At this time, I am aware of the possible difficulties facing the General Fund, so in order to mitigate the cost of implementing this program I am willing to use money from the Recorder’s Modernization Fund. I would then use the additional revenue from the new fee to reimburse the Modernization Trust Fund.

I am asking that the Board approve this request to enable these additional fees to be collected so we can be in compliance by January 1, 2009.
Notice of Public Hearing
Recording Fee Increase

The Mariposa County Board of Supervisors will hold a public hearing on January 22, 2008, at 10:00 a.m. or as soon thereafter as possible. The purpose of the public hearing is to allow comment on and adopt fee for Social Security Number Truncation Fee and establish a trust fund for these additional fees.

All interested persons may appear and be heard during the hearing, which will be held in the Board Meeting room, Mariposa County Government Center, Mariposa, CA. Letters and written comments may be made and submitted at any time during the public review period up to, and including, the public portion of the public hearing time. Copies of the proposed fee increase may be obtained at the Mariposa County Assessor-Recorder's office or you can call 209-966-2332 for further information or mail comments to: Mariposa County Assessor-Recorder, PO Box 35, Mariposa, CA 95338.