



Legislation Text

File #: 2010-0575, **Version:** 2

Clerk 11/04/2010

A MOTION approving written identity theft prevention programs for the department of natural resources and parks and the Seattle-King County department of public health in compliance with sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, and the Red Flags Rule adopted by the Federal Trade Commission; and the enterprise, employee and third party information security, and information privacy policies promulgated by the office of information resource management.

WHEREAS, Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required the Federal Trade Commission ("FTC") to adopt rules to prevent identity theft from information gathered and maintained by financial institutions, utilities and other creditors, and

WHEREAS, the FTC adopted a new rule on identity theft, known as the "Red Flags Rule," that require financial institutions, utilities and other creditors to set up a program aimed at preventing identity theft, and

WHEREAS, the King County wastewater treatment division ("WTD") provides regional sewer services to thirty-four local sewer utilities and those local sewer utilities bill customers directly for local sewer charges and the King County wholesale sewer rate, and

WHEREAS, WTD is authorized under RCW 35.58.570 and 36.94.140 to impose a capacity charge for new connections to its system, and

WHEREAS, pursuant to K.C.C. 28.84.050, WTD's capacity charge is billed for a fifteen-year period with the customer receiving a discount for paying the full amount earlier, and

WHEREAS, the Red Flags Rule defines a "covered account" as either:

1. A consumer account that allows multiple payments or transactions; or
2. Any other account that presents a reasonably foreseeable risk from identity theft, and

WHEREAS, WTD currently maintains over eighty thousand continuing accounts for customers paying the county's capacity charge which may involve multiple payments or transactions, and

WHEREAS, the Red Flags Rule requires those utilities and other creditors having "covered accounts" to develop and implement a written Identity Theft Prevention Program, attached to this motion as Attachment A and incorporated in this motion by this reference, for the detection, prevention and mitigation of identity theft in connection with certain accounts, and

WHEREAS, the Seattle-King County department of public health manages transactional systems and processes with identifying information subject to the Red Flags Rule, and

WHEREAS, the Red Flags Rule requires agencies having "covered accounts" to develop and implement a written program, attached to this motion as Attachment B and incorporated in this motion by this reference, for the detection, prevention and mitigation of identity theft, and

WHEREAS, the office of information resource management has promulgated the following policies: Employee and Third Party Policy for Information Technology Security and Privacy Policy; and the Enterprise Information Security Policy, and

WHEREAS, these policies were adopted by the county's information technology governance committees, and

WHEREAS, these policies apply to all county agencies and workforce members, and support the intent of the Red Flags Rule, and

WHEREAS, the King County council finds the department of natural resources and parks and the

Seattle-King County department of public health Programs are sufficient to comply with the Red Flags Rule, and

WHEREAS, the King County council also finds the Employee and Third Party Policy for Information Technology Security and Privacy Policy and the Enterprise Information Security Policy promulgated by the office of information resource management comply with the intent of the Red Flags Rule;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The identity theft prevention programs developed for the department of natural resources and parks and the Seattle-King County department of public health, which are Attachments A and B to this motion, respectively, and the information security policies promulgated by the office of information resource management, which are Attachments C and D to this motion, are hereby approved. The council intends to consider for adoption an information privacy policy during 2011.