

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF ANGLETON**

SUBJECT: Discussion and possible action on approval of an Ordinance establishing and implementing an Identity Theft Program within the Utility Department of the City of Angleton, Texas, being ORDINANCE NO. 2009-O-4B, AN ORDINANCE BY THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 26 "UTILITIES" OF THE CODE OF THE ORDINANCES OF THE CITY OF ANGLETON, TEXAS TO PROVIDE A NEW ARTICLE, ARTICLE VII, ESTABLISHING AN IDENTITY THEFT PREVENTION PROGRAM; SETTING OUT DEFINITIONS, POLICIES AND PROCEDURES FOR PROVIDING IMPLEMENTATION OF THE IDENTITY THEFT PREVENTION PROGRAM; PROVIDING A REPEALING CLAUSE; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING AN OPEN MEETINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUESTED BY: Susie Hernandez
SUBMITTED BY: Susie Hernandez

DATE SUBMITTED: 04/17/09 FOR THE AGENDA OF: 04/28/09

Expenditure Required: Not applicable.
Available Funding: Not applicable.

Attachments: Ordinance No. 2009-O-4B and Identity Theft Prevention Program

SUMMARY STATEMENT: The Federal Trade Commission is requiring enforcement of the new "Red Flags Rule" to implement a written identity theft prevention program. The Red Flags Rule was developed pursuant to the Fair and Accurate Credit Transactions (FACT) Act of 2003. Under the Rule, financial institutions and creditors with covered accounts must have identity theft prevention programs to identify, detect and respond to patterns, practices, or specific activities that could indicate identity theft. Because The Red Flags Rule defines creditor to include all utility companies and the City owns and provides utility services and accepts payments for municipal utility services, it is classified as a creditor. The attached Ordinance will amend Chapter 26 "Utilities" of the

Code of the Ordinances of the City of Angleton to provide a new article, Article VII , establishing an identity theft program.

=====

Recommendation: Approval.