

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.10
(ID # 6285)

MEETING DATE:

Tuesday, February 27, 2018

FROM : ASSESSOR-COUNTY-CLERK-RECORDER:

SUBJECT: ASSESSOR-COUNTY-CLERK-RECORDER: Introduction of Ordinance No. 877.1, an Ordinance of the County of Riverside Repealing Ordinance No. 877 Establishing a Recording Fee Under the Social Security Number Truncation Program, All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title, and waive further reading of Ordinance No. 877.1, an Ordinance of the County of Riverside Repealing Ordinance No. 877 Establishing a Recording Fee Under the Social Security Number Truncation Program.

ACTION: Policy


Peter Aldana, Assesor-County-Clerk Recorder 1/24/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: February 27, 2018
xc: ACR, Co.Co., COB

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment:	N/A
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On October 13, 2007, Assembly Bill 1168 adding Article 3.5 to Chapter 6 of Part 3 of Division 2 of Title 3 to the California Government Code commencing with Section 27300, known as the Social Security Number Truncation Program (SSNTP), was approved, which required the County Recorder to establish a SSNTP to protect against the risk of identity theft.

The SSNTP required the County Recorder, for each official record recorded between January 1, 1980 and December 31, 2008, to create, in an electronic format, a public record version of the official record, truncating any social security number contained in that official record.

In addition, the SSNTP requires the County Recorder, for each official record recorded on or after January 1, 2009, to create, in an electronic format, a public record version of the official record, truncating any social security number contained in that official record.

Government Code Section 27361(d)(1) allowed the County Recorder, in addition to other authorized fees, to charge a fee of one dollar (\$1.00) for recording the first page of every instrument, paper, or notice required or permitted by law to be recorded when authorized by the County Board of Supervisors. This fee could only be used by the County Recorder for the purpose of implementing the SSNTP.

On February 26, 2008, in agenda item 9-4, the Board of Supervisors adopted Ordinance No. 877, entitled "An Ordinance of the County of Riverside Establishing a Recording Fee Under the Social Security Number Truncation Program," and Resolution No. 2008-093, entitled "Resolution of the Riverside County Board of Supervisors Authorizing the County Recorder to Charge an Additional Fee for Implementation and Ongoing Operation of the Social Security Truncation Program and to Require the Auditor-Controller to Conduct Reviews," which authorized the County Recorder to begin collecting this fee in order to fund the SSNTP.

Pursuant to Government Code Section 27361(d)(2), this fee can no longer be charged after December 31, 2017 unless reauthorized by the County Board of Supervisors. Such reauthorization by the Board must take place between June 1, 2017 and December 31, 2017.

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When the Board authorized this fee, pursuant to Government Code Section 27361(d)(4), the Board required the County Auditor to conduct two reviews to verify that the funds generated by the fee were being used for the implementation of the SSNTP. The first review was completed between June 1, 2012 and December 31, 2013. The second review was completed between June 1, 2017 and December 31, 2017.

After the second review, the County Recorder and Auditor Controller determined that the implementation of the SSNTP has been paid for and the fee is no longer necessary to cover the ongoing costs of the County Recorder in complying with the SSNTP. Thus, the County Recorder decided not to seek reauthorization by the Board of Supervisors in order to continue collecting this fee.

Thus, it is recommended that the Board of Supervisors introduce, read title and waive further reading of Ordinance No. 877.1.

Impact on Residents and Businesses

The termination of the SSNTP fee will assist Riverside County citizens and businesses by reducing the cost to record an instrument.

SUPPLEMENTAL:

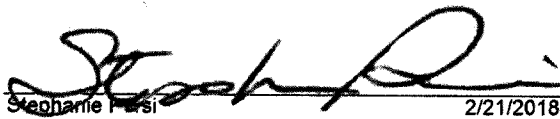
Additional Fiscal Information

This will not impact the overall revenue significantly as the fee collected under Ordinance No 877 could only be used by the County Recorder for the purpose of implementing the SSNTP. Upon review, the County Recorder and Auditor Controller determined that the implementation of the SSNTP has been paid for and collecting the fee is no longer necessary to cover the ongoing costs of the County Recorder in complying with the SSNTP. The existing SSNTP fund, in conjunction with the digital recording system utilized by the County Clerk-Recorder is sufficient to support the truncation of social security numbers for all electronically maintained recorded instruments.

ATTACHMENTS:

Attachment A: ORDINANCE NO. 877.1 "AN ORDINANCE OF THE COUNTY OF RIVERSIDE REPEALING ORDINANCE NO. 877 ESTABLISHING A RECORDING FEE UNDER THE SOCIAL SECURITY NUMBER TRUNCATION PROGRAM"

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**


Stephanie P. Prias

2/21/2018



Gregory V. Priamos, Director County Counsel

1/25/2018

ORDINANCE NO. 877.1

AN ORDINANCE OF THE COUNTY OF RIVERSIDE REPEALING
ORDINANCE NO. 877 ESTABLISHING A RECORDING FEE UNDER
THE SOCIAL SECURITY NUMBER TRUNCATION PROGRAM

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Ordinance No. 877 entitled "An Ordinance of the County of Riverside
Establishing a Recording Fee Under the Social Security Number Truncation Program" is hereby repealed
in its entirety.

Section 2. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

By: _____

Chairman, Board of Supervisors

ATTEST:

CLERK OF THE BOARD

By: _____

Deputy

(SEAL)

FORM APPROVED COUNTY COUNSEL
BY *Kristine Bein-Valdez* 1/24/18
KRISTINE BEIN-VALDEZ DANE

2018 JAN 24 10 3 18