


Introduced by: Presiding Officer Norma L. Gonsalves, Deputy Presiding Officer Richard J. Nicoletto, Alternate Deputy Presiding Officer Howard J. Kopel, and Legislators Denise Ford, C. William Gaylor, Vincent T. Muscarella, James Kennedy, Laura Schaefer, Dennis Dunne, Sr., Rose Marie Walker, Donald MacKenzie, Steven Rhoads

LOCAL LAW NO. 4 - 2016

A LOCAL LAW TO ADD TO THE OFFICIAL WEBSITE OF NASSAU COUNTY INFORMATION AND RESOURCES FOR INDIVIDUALS AFFECTED BY IDENTITY THEFT

Passed by the Nassau County Legislature on June 20, 2016  
Voting: ayes: 17, nays: 0, abstains: 0

1 Became a Law on June 22, 2016 with the approval of the County Executive.

FORM APPROVED  
  
MAJORITY CLERK

WHEREAS, according to the U.S. Department of Justice's September 2015 bulletin, an estimated 17.6 million persons, or 7% of all residents age 16 or older, were victims of one or more incidents of identity theft in 2014; and

WHEREAS, the majority of identity theft victims (86%) experienced the fraudulent use of existing account information, such as credit card or bank account information, and

WHEREAS, among victims who experienced multiple types of identity theft with existing accounts and other fraud, about one third (32%) spent a month or more resolving problems, and

WHEREAS, identity theft often presents major financial hardships and emotional distress to its victims, many of whom do not know what information is required to provide to the authorities or have difficulty locating the resources required to repair the damage to their credit and reputations; and

WHEREAS, the official website of Nassau County may serve as an important informational resource to victims of identity theft; now therefore

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Legislative Intent. It is the intent of this Local Law to add to the official website of Nassau County links to governmental agencies that offer resources for identity theft and a portal to the Nassau County Police Department detailing what information is required, whom to contact and how a police report may be obtained in the event of an identity theft. A police report is a required element of an Identity Theft Report under the Fair Credit Reporting Act, and provides substantial legal protections to identity theft victims.

§2. A new title is hereby added to Chapter VII of Chapter 272 of the Laws of 1939 of the Nassau County Administrative Code as follows and may be cited as the “Nassau County Identity Theft Resources Act”

TITLE \_\_

Identity Theft Resources

Section	1-100.0	Definitions
	1-100.1	Creation of Online Identity Theft Resources
	1-100.2	Information on Filing of a Police Report
	1-100.3	Commissioner of Police Responsible for Implementation and Maintenance

§1-100.0. Definitions. As used in this title, the following terms shall have the following meanings:

- a. “Identity Theft” shall mean
  - i. the unauthorized use or attempted use of an existing account, such as a credit or debit card; or a checking, savings, telephone, online, or insurance account;
  - ii. the unauthorized use or attempted use of personal information to open a new account, such as a credit or debit card; or a telephone, checking, savings, loan, or mortgage account;
  - iii. the misuse of personal information such as an individual’s social security number, birth certificate, or driver’s license for a fraudulent purpose.
- b. “Official Website of Nassau County” shall be as defined by §2211(a) of the County Government Law of Nassau County.

§1-100.1. Creation of Online Identity Theft Resources

The Official Website of Nassau County, at the direction of the Commissioner of Police, shall include links to webpages identified and acceptable to the Commissioner of Police containing information and resources regarding Identity Theft prepared and maintained by federal and state agencies including the Federal Trade Commission, Department of Justice, Federal Bureau of Investigation, United States Postal Inspection Service, Internal Revenue Service, New York State Attorney General's Office, and the credit reporting agencies Equifax, TransUnion and Experian.

#### §1-100.2. Information on Filing of a Police Report

The Official Website of Nassau County shall include information, acceptable to the Commissioner of Police, required to file an Identity Theft complaint with the Nassau County Police Department, and information as to where and how an Identity Theft complaint may be filed under the rules and procedures of the Nassau County Police Department. Such information shall be updated from time to time at the direction of the Commissioner of Police.

§3. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§4. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§5. This local law shall take effect on July 15, 2016.

**APPROVED**

  
**County Executive**

**DATE** June 22, 2016