
**DUPAGE TOWNSHIP
WILL COUNTY, ILLINOIS**

**ORDINANCE
NO. 19-22**

**AN ORDINANCE
ENACTING AN IDENTITY PROTECTION POLICY**

**FELIX GEORGE, Supervisor
KULSUM ALI, Clerk**

**ALYSSIA BENFORD
MARIPAT OLIVER
KEN BURGESS
DENNIS RAGA
Trustees**

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Prepared by ODELSON & STERK, LTD. - Township Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805

DUPAGE TOWNSHIP

NO. 19-22

AN ORDINANCE

ENACTING AN IDENTITY PROTECTION POLICY

WHEREAS, DuPage Township, Will County, State of Illinois (the “Township”) is a duly organized and existing township and a unit of local government organized under the laws of the State of Illinois and is operating under the provisions of the Illinois Township Code, 60 ILCS 1/1-1, *et. seq.*, and all laws amendatory thereto; and

WHEREAS, the Township Board is authorized to adopt policies, rules and procedures not inconsistent with the Illinois Township Code to regulate the performance and conduct of its employees; and

WHEREAS, the Illinois Identity Protection Act, 5 ILCS 179/1, *et seq.* (the “Act”), requires the Township”) to draft, approve and implement an Identity Protection Policy to ensure the confidentiality and integrity of Social Security Numbers that the Township collects, maintains and uses; and

WHEREAS, the Township Supervisor and the Township Board of Trustees (“Township Board”) have caused to be drafted for and on behalf of the Township an Identify Protection Policy in accordance with the Act, which is attached to and incorporated in this Ordinance as Exhibit 1 (“Identity Protection Policy”), and have determined that it is in the best interests of the Township and in compliance with the Act, that the Identity Protection Policy be approved at this time.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE BOARD OF TRUSTEES OF THE DUPAGE TOWNSHIP, WILL COUNTY, ILLINOIS AS FOLLOWS:

SECTION ONE: The recitals contained in the preambles to this Ordinance are hereby incorporated into this Ordinance as if said preambles were fully set forth within this Section One.

SECTION TWO: The Township Board of Trustees hereby approves the Identity Protection Policy attached to and incorporated into this Ordinance as Exhibit 1.

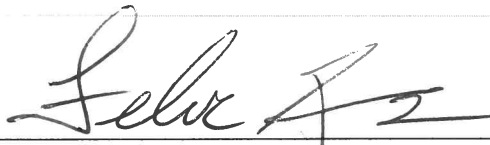
SECTION THREE: Any and all policies, resolutions or ordinances of the Township which may conflict with this Ordinance are hereby repealed.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage as provided by law.

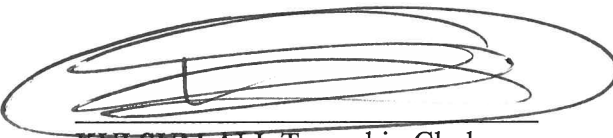
PASSED by the Supervisor and Board of Trustees of DuPage Township, Will County, Illinois this 17th day of September 2019, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Trustee Benford	✓			
Trustee Oliver			✓	
Trustee Burgess	✓			
Trustee Raga	✓			
Supervisor George	✓			
TOTAL	4		1	

APPROVED at a Regular Meeting of the Board of Trustees of the DuPage Township, on September 17, 2019


FELIX GEORGE, Supervisor

ATTEST:


KULSUM ALI, Township Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF WILL)

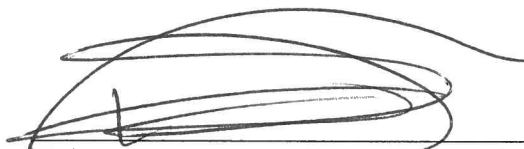
I, Kulsum Ali, do hereby certify that I am the duly qualified and acting Township Clerk of DuPage Township, Will County, Illinois, and as such I am the keeper of the records and files of the Board of Trustees of said Township.

I further certify that the foregoing is a full, true and complete copy of **Ordinance No.19-22**, titled,
AN ORDINANCE ENACTING AN IDENTITY PROTECTION POLICY

adopted at a duly called Regular Meeting of the Board of Trustees of DuPage Township, held at 7:00 p.m. on the 17th day of September, 2019.

I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Township Code of the State of Illinois, as amended, and that the Board has complied with all the provisions of said Act and said Code and with all the procedural rules of the Board.

IN WITNESS WHEREOF I hereunto affix my official signature at DuPage Township, Illinois, this 17th day of September, 2019.



Kulsum Ali, Township Clerk,
DuPage Township
Will County, Illinois

DUPAGE TOWNSHIP
ORDINANCE NO. 19-22

EXHIBIT 1

(DUPAGE TOWNSHIP IDENTITY PROTECTION POLICY)

Identity Protection Policy

I. It is the policy of DuPage Township to protect social security numbers from unauthorized disclosure in accordance with the Illinois Identity Protection Act, 5 ILCS 179/1, *et. seq.* All employees of DuPage Township are required to comply with this Identity Protection Policy ("Policy"). For purposes of this policy, only, "employee" shall be defined as any person performing work on behalf of DuPage Township including, but not limited to, full-time, part-time, seasonal, temporary or contractual employees, volunteers, interns, and elected or appointed officials.

II. Any employee of DuPage Township who has access to social security numbers in the course of performing their duties will be trained to protect the confidentiality of social security numbers and will be trained on the requirements of this Policy. Training shall include instructions on the proper handling of information and documents that contain social security numbers from the time of collection through the destruction of the information or documents.

III. DuPage Township prohibits the following:

A. Publicly posting or publicly displaying in any manner an individual's social security number;

B. Printing an individual's social security number on any card required for the individual to access products or services provided by DuPage Township;

C. Requiring an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted;

D. Printing an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed.

IV. Notwithstanding any provision in this Policy to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may be permissibly mailed under this Policy may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope, or be visible on an envelope without the envelope having been opened.

V. DuPage Township prohibits the following:

A. The collection, use or disclosure of a social security number from an individual, unless (i) required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities; (ii) the need and purpose for the social security number is documented before collection of the social security number; and (iii) the social security number collected is relevant to the documented need and purpose;

B. Requiring an individual to use his or her social security number to access an Internet website;

C. Using the social security number for any purpose other than the purpose for which it was collected.

VI. Notwithstanding any provision in this Policy to the contrary, social security numbers may be collected, disclosed or used in the following circumstances:

A. The disclosure of social security numbers to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities, and if disclosing to a contractor or subcontractor, prior to such disclosure, the individual acting on behalf of DuPage Township must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under this Policy of protecting an individual's social security number will be achieved;

B. The disclosure of social security numbers pursuant to a court order, warrant, or subpoena;

C. The collection, use, or disclosure of social security numbers in order to ensure the safety of: State and local government employees; persons committed to correctional facilities; local jails, and other law enforcement facilities or retention centers; wards of the State; youth in care as defined in Section 4d of the Children and Family Services Act, and all persons working in or visiting a State or local government agency facility;

D. The collection, use, or disclosure of social security numbers for internal verification or administrative purposes;

E. The disclosure of social security numbers by a State agency to any entity for the collection of delinquent child support or of any State debt or to a governmental agency to assist with an investigation or the prevention of fraud;

F. The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm-Leach-Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or unclaimed property benefit.

VII. Only employees who are required to use or handle information or documents that contain social security numbers are permitted to have access to such information or documents.

VIII. When DuPage Township must request an individual provide a social security number, it must be provided in a manner that makes the social security number easy to redact if the record is required to be released as part of a response to a public records request.

IX. When collecting a social security number, or upon request by an individual, [insert name of public entity] will provide a statement of the purpose or purposes for which DuPage Township is collecting and using the social security number provided.

X. Any individual responding to a Freedom of Information Act request or other request for records, must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

XI. This Policy does not apply to the collection, use or disclosure of a social security number as required by State or federal law, rule, or regulation.

XII. This Policy does not apply to documents that are recorded with a county recorder or required to be open to the public under any State or federal law, rule or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois. Notwithstanding this section, county recorders must comply with 5 ILCS 179/35.

XIII. If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any employee of DuPage Township that complies with that federal law shall be deemed to be in compliance with this Policy.

XIV. DuPage Township prohibits the encoding or embedding of a social security number in or on a card or document, including, but not limited to, using a bar code, chip,

magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this Policy.

XV. This Policy must be provided to the Board of DuPage Township within thirty (30) days of approval and employees will be promptly advised of the existence of this Policy and will be provided a copy of this Policy promptly upon approval.

XVI. DuPage Township will make a copy of this Policy available to any member of the public, upon request.

XVII. If this Policy is amended in the future, a copy will be provided to the Board of DuPage Township, and employees will be promptly advised of the amended Policy and provided with a copy of the Policy.

XVIII. This Policy does not supersede any more restrictive law, rule, or regulation regarding the collection, use or disclosure of social security numbers.

XIX. Anyone violating this policy is subject to disciplinary action, up to and including termination of employment and/or criminal prosecution as provided in 5 ILCS 179/45 or any other applicable law.