

RESOLUTION # R-90-109

RESOLUTION REQUESTING NAMES AND ADDRESSES OF SALES TAX ACCOUNTS IN ZIP CODES 34243 AND 34228 BASED ON SECTION 213.053 (9) (a), FLORIDA STATUTES; AND PROVIDING CERTAIN ASSURANCES TO THE DEPARTMENT OF REVENUE REGARDING CONFIDENTIALITY

WHEREAS, Manatee County, Florida ("County" hereinafter), is a political subdivision of the State of Florida; and

WHEREAS, Section 213.053 (9) (a), Florida Statutes, provides that the Department of Revenue ("Department" hereinafter) shall, subject to receipt of an authenticated copy of a resolution adopted by the governing body of the county, disclose to the governing body of the county in which a state sales tax which is partially distributed back to the county government based on place of collection, the names and addresses of the taxpayers who reside within the taxing boundaries of such county; and

WHEREAS, Section 213.053 (9), Florida Statutes also provides that the governing body, its officers and employees are subject to the same requirements of confidentiality and the same penalties for violating confidentiality as the Department and its employees; and

WHEREAS, Section 213.053 (9), Florida Statutes further provides that the resolution requesting such information shall provide assurances that the governing body, its officers, and employees are aware of the requirements and penalties for violating confidentiality, and shall describe the measures that will be put into effect by the governing body to assure the requisite confidentiality; and

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WHEREAS, the Board of County Commissioners of Manatee County ("Board" hereinafter), the governing body of the County, is interested in having the Department provide a list of the names and addresses of those taxpayer accounts who reside within Manatee and Sarasota Counties, Florida, ZIP Codes 34243 and 34228 and make contribution to the state sales tax imposed pursuant to Section 212, Florida Statutes; NOW, THEREFORE,

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. The Board intends to hereby assure the Department that the Board, its officers and employees (as described hereinafter) are aware of the confidentiality requirements of Section 213.053 (2), Florida Statutes, and of the penalties for their violation as set forth in Sections 213.053(2), 775.082, 775.083 and 775.084, Florida Statutes. Said sections of the Florida Statutes provide, among other things, that the person or persons who violate the confidentiality requirement of Section 213.053(2), Florida Statutes, is/are guilty of a misdemeanor of the first degree and may be punished by a term of imprisonment not exceeding one year or a fine of up to \$1,000 for a first time offense.

Section 2. The Board hereby declares that the information received from the Department shall only be viewed by the following County officers and employees: the County Administrator, the County Attorney, the Assistant County Attorney working with tourism and/or sales tax matters, the Director of the Office of Financial Management, the economic analyst of the staff of the Office of Financial Management.

Section 3. The Board hereby declares that the following procedure shall be followed by all persons listed in Section 2 herein who receive the information from the Department. The procedures are as follows:

- (a) the person receiving such information shall use such information only for official purposes;
- (b) the person receiving such information shall not divulge such information;
- (c) the person receiving such information shall either keep the information under lock and key or burn or shred such information.

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Section 4. The Board hereby requests the Department to provide a list of the names and addresses of the state sales tax account taxpayers who reside with ZIP Codes 34243 and 34228, Manatee and Sarasota Counties, and who contribute to the state sales tax imposed pursuant to Section 212, Florida Statutes.

Section 5. County hereby directs staff to authenticate a copy of this Resolution and forward it to the Department of Revenue of the State of Florida.

ADOPTED in Open Session with a quorum present and voting
this 12th day of June, 1990.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY: Patricia H. Bless
Chairman

ATTEST: R. B. Shore
Clerk of Circuit Court

BY: [Signature]