



Legislation Details (With Text)

File #: Int 0790-2022 **Version:** B **Name:** Documentation establishing proof of identity and proof of residency for a New York city identity card.

Type: Introduction **Status:** Enacted

In control: Committee on Governmental Operations

On agenda: 10/27/2022

Enactment date: 11/19/2023 **Enactment #:** 2023/156

Title: A Local Law to amend the administrative code of the city of New York, in relation to documentation establishing proof of identity and proof of residency for a New York city identity card

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Indexes: Agency Rule-making Required

Attachments: 1. Summary of Int. No. 790-B, 2. Summary of Int. No. 790-A, 3. Summary of Int. No. 790, 4. Int. No. 790, 5. October 27, 2022 - Stated Meeting Agenda, 6. Hearing Transcript - Stated Meeting 10-27-22, 7. Minutes of the Stated Meeting - October 27, 2022, 8. Proposed Int. No. 790-A - 2/13/23, 9. Committee Report 4/28/23, 10. Hearing Testimony 4/28/23, 11. Hearing Transcript 4/28/23, 12. Proposed Int. No. 790-B - 10/18/23, 13. Committee Report 10/19/23, 14. Hearing Transcript 10/19/23, 15. Committee Report - Stated Meeting, 16. October 19, 2023 - Stated Meeting Agenda, 17. Hearing Transcript - Stated Meeting 10-19-23, 18. Minutes of the Stated Meeting - October 19, 2023, 19. Int. No. 790-B (FINAL), 20. Fiscal Impact Statement, 21. Legislative Documents - Letter to the Mayor, 22. Local Law 156

Date	Ver.	Action By	Action	Result
10/27/2022	*	City Council	Introduced by Council	
10/27/2022	*	City Council	Referred to Comm by Council	
4/28/2023	*	Committee on Governmental Operations	Hearing Held by Committee	
4/28/2023	*	Committee on Governmental Operations	Amendment Proposed by Comm	
4/28/2023	*	Committee on Governmental Operations	Laid Over by Committee	
4/28/2023	*	Committee on Immigration	Hearing Held by Committee	
4/28/2023	*	Committee on Immigration	Amendment Proposed by Comm	
4/28/2023	*	Committee on Immigration	Laid Over by Committee	
10/19/2023	*	Committee on Governmental Operations	Hearing Held by Committee	
10/19/2023	*	Committee on Governmental Operations	Amendment Proposed by Comm	
10/19/2023	*	Committee on Governmental Operations	Amended by Committee	
10/19/2023	B	Committee on Governmental Operations	Approved by Committee	Pass
10/19/2023	B	City Council	Approved by Council	Pass

10/19/2023	B	City Council	Sent to Mayor by Council
11/19/2023	B	Administration	City Charter Rule Adopted
11/21/2023	B	City Council	Returned Unsigned by Mayor

Int. No. 790-B

By Council Members Brewer, Hanif, Louis, Joseph, Richardson Jordan, Ayala, Abreu, Gutiérrez, Krishnan, Hudson, Sanchez, Riley, Cabán, Dinowitz, Stevens, De La Rosa, Avilés, Bottcher, Farías, Restler, Rivera, Schulman, Marte, Ossé, Won, Nurse and Narcisse

A Local Law to amend the administrative code of the city of New York, in relation to documentation establishing proof of identity and proof of residency for a New York city identity card

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 3-115 of the administrative code of the city of New York, as added by local law number 35 for the year 2014, is amended to read as follows:

d. New York city identity card eligibility. In order to obtain a New York city identity card an applicant must establish proof of identity and proof of residency within the city as follows:

(1) Proof of identity. In order to establish identity, an applicant shall be required to produce one or more of the following documents or verifications:

(i) a U.S. or foreign passport;

(ii) a U.S. state driver's license;

(iii) a U.S. state identification card;

(iv) a U.S. permanent resident card;

(v) a consular identification card;

(vi) a photo identification card with name, address, date of birth, and expiration date issued by another country to its citizens or nationals as an alternative to a passport for re-entry to the issuing country;

(vii) a certified copy of U.S. or foreign birth certificate;

(viii) a Social Security card;

(ix) a national identification card with photo, name, address, date of birth, and expiration date;

(x) a foreign driver's license;

(xi) a U.S. or foreign military identification card;

(xii) a current visa issued by a government agency;

(xiii) a U.S. individual taxpayer identification number (ITIN) authorization letter;

(xiv) an electronic benefit transfer (EBT) card; [or]

(xv) U.S. department of homeland security forms I-385 (alien booking record), I-862 (notice to appear), I-220A (order to release on recognizance), or I-220B (order of supervision);

(xvi) electronic verification through the department of correction incarcerated individual lookup system;

(xvii) a released offender identification card issued by the New York state department of corrections and community supervision; or

(xviii) any other documentation that the administering agency deems acceptable. The administering agency may by rule determine the weight to be given to each type of document or verification provided in this paragraph, and require that an applicant produce more than one document to establish identity.

(2) Proof of residency. In order to establish residency, an applicant shall be required to produce one or more of the following items each of which must show the applicant's name and residential address located within the city and must be dated no more than sixty days prior to the date such document is presented, except as otherwise indicated in this paragraph:

(i) a utility bill;

(ii) a current residential property lease;

(iii) a local property tax statement dated within one year of the date it is submitted;

(iv) a local real property mortgage payment receipt;

(v) a bank account statement;

(vi) proof that the applicant has a minor child currently enrolled in a school located within the city;

(vii) an employment pay stub;

(viii) a jury summons or court order issued by a federal or state court;

(ix) a federal or state income tax or refund statement dated within one year of the date it is submitted;

(x) an insurance bill (homeowner, renter, health, life, or automobile insurance);

(xi) written verification issued by a homeless shelter, including emergency housing deemed appropriate by the administering agency, that receives city funding confirming at least fifteen days residency;

(xii) written verification issued by a hospital, health clinic or social services agency located within the city of New York confirming at least fifteen days residency; or

(xiii) Any other documentation that the administering agency deems acceptable.

(xiv) The administering agency may by rule determine the weight to be given to each type of document provided in this paragraph, and require that an applicant produce more than one document to establish residency. The administering agency shall by rule create alternative methods by which individuals who are homeless can establish residency in the city notwithstanding the lack of fixed address.

§ 2. This local law takes effect 120 days after it becomes law.

EH/JG/DS
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10/18/23 10:49 AM