

RESOLUTION NO. 26 2022

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro No. 53-2022 entitled "A LOCAL LAW of the Westchester County Board of Legislators amending Section 265.181 of the Laws of Westchester County to allow more flexibility for proving identification." The public hearing will be held at 7:30 p.m. on the 28th day of March, 2022 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, N.Y. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

The Committee is in receipt of "A LOCAL LAW of the Westchester County Board of Legislators amending Section 265.181 of the Laws of Westchester County to allow more flexibility for proving identification."

By Local Law 1-1997, your Honorable Board enacted Section 265.181 of the Laws of Westchester County, which permits the County Clerk to issue personal identification cards to residents of Westchester County. Currently, in order to receive such a card, an applicant must present proof of identification that includes a certified copy of a birth certificate. However, your Committee is informed that this is a more stringent requirement than the proof of identity required by the New York State Department of Motor Vehicles, or New York City for resident ID cards.

Additionally, your Committee understands that requiring a certified copy of a birth certificate can be an insurmountable hurdle for persons born outside of the United States who have sought asylum in the United States, or who were required to flee their country for other reasons such as domestic violence. Even for those who are able to seek copies of their birth certificates from their native country, the COVID-19 pandemic has left backlogs and other difficulties as countries closed local consulate and embassy offices.

Thus, your Committee agrees with the County Clerk that this requirement should be changed, and the language in Section 265.181 be amended to give the County Clerk flexibility in determining what proofs of identification are necessary in order to receive a personal identification card.

Additionally, and as you know, your Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). The proposed project does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators

The Committee, after careful consideration, recommends the adoption of this local law.

Dated: February 28 2022
White Plains, New York

Benjamin Dyfke

Alan J. Smith

Vedat Pashin

COMMITTEE ON *Legislation*

Dated:
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Legislation

Handwritten signature of Catherine Boy in black ink.Handwritten signature of Mary Jane Skowronski in black ink.

LOCAL LAW NO. ____ - 2022

A LOCAL LAW of the Westchester County Board of Legislators amending Section 265.181 of the Laws of Westchester County to allow more flexibility for proving identification

Be it enacted by the Board of Legislators of the County of Westchester, as follows:

SECTION 1.

Subdivision 2 of Section 265.181 of the Laws of Westchester County is hereby amended to read as follows:

An applicant for such an identification card must submit sufficient proof of identity, [to include a certified copy of a birth certificate as well as a form of identification bearing a current address] date of birth, and residency, in accordance with guidelines published by the County Clerk, to satisfy the County Clerk that the applicant is the person described

SECTION 2. Effective date.

This Local Law shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: Clerk ID Requirements

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount \$ -

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount \$ -

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: Gideon Grande

Title: Deputy Director

Department: Budget

Date: February 28, 2022

Reviewed By: _____


Budget Director

Date: _____

2/28/22