

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: 2022

White Plains, New York

COMMITTEE ON

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.