# Legislation Details (With Text)

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| **On agenda:** | | | | **Final action:** | |
| **Title:** | Amending Title 21 "Miscellaneous," by adding a new Chapter 21-2600, entitled "Municipal Identification Cards," that authorizes the issuance of municipal identification cards, under certain terms and conditions. | | | | |
| **Sponsors:** | Councilmember Quiñones Sánchez, Councilmember Jones, Councilmember Kenney | | | | |
| **Indexes:** | MUNICIPAL IDENTIFICATION CARDS | | | | |
| **Code sections:** | 21-2600 - Municipal Identification Cards, Title 21 - MISCELLANEOUS | | | | |
| **Attachments:** | 1. Bill No. 13087200.pdf | | | | |

| Date | Ver. | Action By | Action | Result | Tally |
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| 3/6/2014 | 0 | Committee on Licenses and Inspections | HEARING NOTICES SENT | | |
| 3/6/2014 | 0 | Committee on Licenses and Inspections | Cancellation of Scheduled Public Hearing | | |
| 11/21/2013 | 0 | CITY COUNCIL | Introduced and Referred | Pass | |

Amending Title 21 "Miscellaneous," by adding a new Chapter 21-2600, entitled “Municipal Identification Cards,” that authorizes the issuance of municipal identification cards, under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. A new Chapter 21-2600 is added, to read as follows:

*CHAPTER 21-2600. MUNICIPAL IDENTIFICATION CARDS.*

*§ 21-2601. Municipal Identification Cards.*

*(1) Definitions. For purposes of this Section, the following definitions apply:*

*(a) "Department" shall mean the Department of Licenses and Inspections.*

*(b) "City" shall mean the City of Philadelphia, or any department, board, commission or agency thereof.*

*(c) "Entity That Receives City Funds" shall mean any recipient of a contract, grant agreement, or loan agreement from the City of Philadelphia.*

*(d) "Municipal Identification Card" shall mean an identification card issued by the City of Philadelphia that shall display, including but not limited to, the cardholder's name, photograph, date of birth; and an*

*expiration date. The card shall not identify the cardholder's gender.*

*(e) "Resident" shall mean a person who can demonstrate that he or she has been present in the City of Philadelphia for at least fifteen continuous days and who presents "proof of residency" as specified in Subsection (3)(a)(.2).*

*(2) Issuance of Municipal Identification Cards. Upon request, the Department shall issue a Municipal Identification Card to any Resident who meets the application requirements set forth below in subsection (3). The Card shall bear the seal of the City, and shall be produced in a form intended to thwart replication or counterfeit.*

*(3) Applications.*

*(a) To obtain a Municipal Identification Card, a Resident shall complete an application requiring proof of identity and proof of residence within the City. Upon receipt of the proof of identity and residency that this Section specifies, the Department shall issue a Card to the applicant.*

*(.1) Proof of Identity. In order to establish identity, each applicant must present either:*

*(.a) One of the following documents containing both the applicant's photograph and date of birth: a U.S. or foreign passport; a U.S. driver's license; a U.S. state identification card; a U.S. Permanent Resident Card (commonly known as a "Green Card"); or a consular identification ("CID") card. Notwithstanding the above, where the applicant is aged thirteen or under, he or she may in the alternative present a certified copy of a U.S. or foreign birth certificate to establish identity under this subsection; or*

*(.b) Two of the following documents, provided that at least one form of identification shall display the applicant's photograph and date of birth: a national identification card with photo, name, address, date of birth, and expiration date; a foreign driver's license; a U.S. or foreign military identification card; a current visa issued by a government agency; a U.S. Individual Taxpayer Identification Number (ITIN) authorization letter; an identification card issued by a Pennsylvania educational institution, including elementary, middle, secondary, and post-secondary schools; a certified copy of a U.S. or foreign birth certificate; a Social Security card. Notwithstanding the above, where the applicant is aged thirteen or under, he or she may in the alternative present an official medical record and/or official school record to establish identity under this subsection, provided that at least two forms of identification presented shall display the applicant's date of birth.*

*(.2) Proof of Residency. In order to establish residency, each applicant must present one of the following items, provided that the item includes both the applicant's name and residential address located within the City: a utility bill dated within the last thirty days; written verification issued by a homeless shelter that receives City funding confirming at least fifteen days residency within the last thirty days; written verification issued by a hospital, health clinic, or social services agency that receives City funding confirming at least fifteen days residency within the last thirty days; a local property tax statement or mortgage payment receipt dated within the last thirty days; a bank account*


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*statement dated within the last thirty days; proof of a minor currently enrolled in a City public school; an employment pay stub dated within the last thirty days; a jury summons or court order issued by a state or federal court dated within the last thirty days; a federal or state income tax or refund statement dated within the last thirty days; an insurance bill (homeowner's, renter's, health, life or automobile insurance) dated within the last thirty days. If an original certified copy of a marriage certificate is presented at the time of application, an applicant may prove residency using documents bearing the name of his or her spouse. The Department may by regulation provide that where an applicant aged thirteen or younger cannot produce any of the items set forth in this Subsection (3)(a)(.2) in order to prove residency, a parent or legal guardian may verify the applicant's residency, provided that the parent or guardian himself or herself would be eligible for a Municipal Identification Card.*

*(.3) The Department may by regulation provide for acceptance of additional forms of proof of identity and/or proof of residency, provided that the Department determines that such forms of proof are:*

*(.a) issued by a governmental entity, or*

*(.b) issued by an entity that takes reasonable steps to verify the identity and/or residency of the individual to whom the item is issued, or*

*(.c) of a type that is normally accepted as proof of identity and/or proof of residency in the ordinary course of business.*

*(b) An application submitted on behalf of a minor must be completed by such minor's parent or legal guardian.*

*(c) The Department shall keep confidential to the maximum extent permitted by applicable laws, the name and other identifying information of persons applying for and receiving Municipal Identification Cards. The Department shall cause the applications to be produced in a form that allows applicants to state their privacy preferences. The Department shall not retain records of applicants' residential addresses.*

*(2) Implementation. The Department is authorized to adopt rules and regulations not inconsistent with this Section in order to implement and administer the issuance of Municipal Identification Cards. The Department shall consult with the Mayor's Office of Immigrant and Multicultural Affairs, and with other relevant departments in developing such rules and regulations. The Department shall require applicants to declare the information provided in their applications under penalty of perjury. The Mayor's Office of Immigrant and Multicultural Affairs, or such other agency as the Mayor may designate to administer this Section, shall be responsible for coordinating with the Department and other City Departments the promotion of the Cards and the development of multiple uses for the Cards.*

*(3) Fees. The Department shall charge an application fee of $15 per Card for adults and $5 per Card for minors and seniors who present proof of age in a form to be determined by the Department. Such fees shall not exceed the administrative costs reasonably associated with the production of the Cards. The Department shall by regulation provide for reduced application fees, up to and including complete waiver of the fee, for low-income applicants who present proof of income status in a form to be determined by the Department.*


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*(4) Acceptance by City Departments and Entities That Receive City Funds. When requiring members of the public to provide identification or proof of residency in the City, each City department and any Entity That Receives City Funds shall accept a Municipal Identification Card as valid identification and as valid proof of residency in the City, unless such City department or Entity has reasonable grounds for determining that the card is counterfeit, altered, or improperly issued to the card holder, or that the individual presenting the card is not the individual to whom it was issued. Other than requiring the City and Entities That Receive City Funds to accept the Card as proof of identification and City residency, this Section is not intended to replace any other existing requirements for issuance of other forms of identification in connection with the administration of City benefits and services. The requirements of this Section do not apply under circumstances where (1) a Federal or State statute, administrative regulation or directive, or court decision requires the City or Entity That Receives City Funds to obtain different identification or proof of residence, (2) a Federal or State statute or administrative regulation or directive preempts local regulation of identification or residency requirements, or (3) the City or Entity That Receives City Funds would be unable to comply with a condition imposed by a funding source, which would cause the City or such Entity to lose funds from that source.*

**Explanation:**

*Italics* indicate new matter added.



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