

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2160

BY DELEGATES HOWELL, PUSHKIN, YOUNG, ROWE,

WARD, B., MARTIN AND TONEY

[Introduced February 10, 2021; Referred to the
Committee on the Judiciary then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §17B-2-16, relating to issuing identification documents to homeless individuals
 3 residing at homeless shelters within this state at no cost; stating legislative intent; defining
 4 terms; creating a process by which a homeless individual may apply for certain identifying
 5 documents to be provided at no cost; requiring the division to issue certain identifying
 6 documents to eligible homeless individuals at no cost; and requiring the commissioner to
 7 develop forms.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.

§17B-2-16. Identification documents for homeless citizens.

1 (a) Findings.--

2 The Legislature finds that:

3 (1) Individuals who are homeless are often the victims of crimes in which their personal
 4 identification documents are stolen or lost;

5 (2) Personal identification documents are necessary for obtaining employment or certain
 6 public benefits, but the fees for acquiring documents may be prohibitive to a homeless individual;
 7 and

8 (3) Removing barriers that prevent homeless individuals from obtaining identification
 9 documents may enable those individuals to achieve greater financial stability and a permanent
 10 home.

11 (b) Definitions.--

12 For the purposes of this section:

13 (1) "Homeless citizen" means an individual who meets the following criteria:

14 (A) The individual is a resident of this state, as defined by §17A-3-1a of this code, and

15 (B) The individual has a primary nighttime residence that is a public or private place not
 16 designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

17 (2) “Homeless shelter” means a homeless service agency or entity which regularly
18 provides temporary residence for homeless individuals and families.

19 (c) A homeless citizen is eligible to receive certain identification documents at no cost to
20 the citizen, as provided in subsection (d) of this section, if all of the following criteria apply:

21 (1) The homeless citizen currently resides at a homeless shelter in this state;

22 (2) The homeless citizen uses the address of the homeless shelter as his or her address
23 of residence on the application for the identifying document; and

24 (3) An employee or representative from the homeless shelter signs an affidavit stating that
25 the homeless citizen is truly a resident of the homeless shelter and has no other known address.

26 (d) Notwithstanding any other provision of this article, the division shall issue the following
27 documents to a homeless citizen, meeting the eligibility criteria provided in subsection (c) of this
28 section, at no cost to the citizen:

29 (1) A photo identification card;

30 (2) A replacement driver’s license; or

31 (3) A replacement birth certificate: *Provided*, That the division may not issue more than
32 one identifying document, pursuant to this section, to any particular individual within one 30 day
33 period.

34 (e) The commissioner shall develop forms necessary to carry out the requirements of this
35 section.

NOTE: The purpose of this bill is to require the Division of Motor Vehicles to provide certain identification documents to homeless individuals, residing at homeless shelters within this state, at no cost.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.