

## ORDINANCE

By Cano

### Amending Title 2 of the Minneapolis Code of Ordinances relating to Administration.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 42 to read as follows:

#### CHAPTER 42. - MUNICIPAL IDENTIFICATION PROGRAM

**42.10. - Findings; Purpose.** The city recognizes that many of its residents do not have adequate access to recognized forms of identification, and therefore may have difficulty obtaining services and fully participating in city and civic programs and activities. The city finds that the establishment of a City Identification Card program will aid the general welfare of the community and will be a positive and productive resource to assist all city residents in gaining access to services, programs and activities in the city, by providing all residents with a means to demonstrate their identity and residency within the city.

**42.20. - Definitions.** The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*City Identification Card* means the identification card issued by the City of Minneapolis that displays at least the following information:

- (1) The cardholder's full legal name;
- (2) Date of birth;
- (3) Residence address or an address designated by the Minnesota Secretary of State pursuant to Minn. Stat. § 5B.05;
- (4) Photograph;
- (5) Signature;
- (6) Identification card number; and
- (7) An expiration date.

The card may, at the applicant's option, display the applicant's self-designated gender and preferred name.

*Program Administrator* means the city clerk's office.

*Resident* means a person who has been present within the city's geographic boundaries for a minimum of thirty (30) continuous days prior to applying for a City Identification Card and who presents proof of residency as specified in this chapter.

**42.30. - Creation and Issuance.** (a) The program administrator is authorized to create a City Identification Card program for the purpose of issuing City Identification Cards to residents who satisfy the eligibility and application requirements set forth in this chapter and pay the applicable fee.

(b) The program administrator shall issue City Identification Cards to all residents who satisfy the requirements of this chapter without regard to race, color, creed, religion, ancestry, national origin, sex, sexual orientation, familial status, gender identity, disability, age, marital status, status with regard to a public assistance program, or citizenship or immigration status.

(c) The program administrator will cause the City Identification Card to be designed and produced in such a manner as to prevent unauthorized replication, counterfeiting, or fraud.

(d) A City Identification Card expires four (4) years from the date of issuance.

(e) The program administrator is directed to explore the creation of partnerships and intergovernmental agreements for the purpose of increasing acceptance of the City Identification Card and providing amenities and benefits to cardholders.

**42.40. - Eligibility and Application.** (a) *Eligibility.* As provided in this section, the program administrator may issue a City Identification Card to a resident who is at least thirteen (13) years of age, submits a completed application form signed under penalty of perjury, demonstrates proof of identity, demonstrates proof of residency within city geographic boundaries, and pays the applicable fee.

(b) *Proof of identity.* An applicant shall present as proof of identity one (1) primary identification document and one (1) secondary identification document, as described below. A document that demonstrates the applicant's identity must be an original or a copy certified by the issuing agency. If the applicant's current legal name is different from the identification document, the applicant must also submit proof of a legal name change.

(1) *Primary identification documents.* Primary identification documents must contain full legal name, date of birth, signature, expiration date, and photo of the document holder. The following documents are accepted:

a. Minnesota Drivers' License or permit or Minnesota State Identification Card including a full color photograph that is current or has been expired for five (5) years or less.

b. Valid, unexpired United States Passport or Passport Card;

c. Valid, unexpired Minnesota Tribal Identification Card;

d. Valid, unexpired Employment Authorization Card with photo (I-688 or I-766);

e. Valid, unexpired Permanent Resident or Resident Alien Card (I-551 or I-151);

f. Valid, unexpired Re-entry Permit/Refugee Travel Document (I-327, I-571);

- g. Valid, unexpired Certificate of Naturalization (N-550, N-570, N-578);
- h. Valid, unexpired Certificate of Citizenship (N-560, N-561, N-645);
- i. Valid, unexpired United States Citizen Identification Card (I-179, I-197);
- j. Valid, unexpired foreign passport;
- k. Valid, unexpired consular identification card;
- l. Valid, unexpired photo identification card issued by the federal government of a foreign country that meets the following requirements:
  1. The issuing country authorizes the use of the card as an alternative to a passport for re-entry into the issuing country; and
  2. The card includes a photograph of the applicant and the applicant's date of birth.

(2) *Secondary identification documents.* The following documents are accepted:

- a. A second primary document;
- b. Driver's license or permit or state identification card containing a full color photograph issued by any other state, territory or possession of the United States or the District of Columbia or any Canadian province or territory, that is current or has been expired for five (5) years or less;
- c. U. S. nonmetal Social Security Card or Canadian Social Insurance Card;
- d. Valid, unexpired American Indian Card (I-872);
- e. Certified birth record issued by a government bureau of vital statistics or community health board of any state, territory or possession of the United States (excluding hospital records/certificates and abstracts of birth);
- f. United States certificate of birth abroad (FS-240, FS-545 or DS-1350);
- g. Certified adoption certificate from a United States Court;
- h. Canadian birth certificate or Canadian naturalization certificate.
- i. Certified birth certificate issued by any foreign government;
- j. Certified government-issued marriage certificate;
- k. Certified copy of a court order from a United States or Canadian court containing the applicant's full name and date of birth and bearing the Court's seal;
- l. Certified secondary or post-secondary school transcript containing applicant's full legal name and date of birth;
- m. Current secondary school student identification card containing applicant's full name, photograph, and date of birth or unique identification number;
- n. Unexpired active duty, reserve, or retired United States Military Identification Card (Form DD-2 or Common Access Card);
- o. Current United States Department of Defense Identification Card (DD-1173 or DD-214);

p. Current color-photo permit to carry a firearm or concealed weapon, issued by a United States police department or sheriff;

q. Current pilot's license issued by the Federal Aviation Administration.

(c) *Proof of residency.* To establish residency, an applicant must present one (1) of the below documents, which must include both the applicant's name and a residential address located within the city's geographic boundaries. An applicant may prove residency using documents bearing the name of a spouse if the applicant presents a certified copy of a marriage certificate.

(1) Minnesota Drivers' License or permit or Minnesota State Identification Card including a full color photograph that is current or has been expired for five (5) years or less;

(2) Utility bill (e.g., cable, cell phone, gas, electric) dated within the last thirty (30) days;

(3) Written verification confirming a minimum of thirty (30) days of residency, dated within the last thirty (30) days, issued by a homeless shelter located within the city;

(4) Written verification issued by a hospital, health clinic, or social services agency located within the city confirming a minimum of thirty (30) days of residency, dated within the last thirty (30) days;

(5) Local property tax statement for the current year;

(6) Mortgage payment receipt dated within the last thirty (30) days;

(7) Bank account statement dated within the last thirty (30) days;

(8) Proof of current enrollment in a school located within the city's geographic boundaries, which can be used to establish proof of residency for either the student and/or parent of student;

(9) Employment pay stub dated within the last thirty (30) days;

(10) Jury summons or court order issued by a state or federal court dated within the last thirty (30) days;

(11) Federal or state income tax or refund statement dated within the last thirty (30) days;

(12) Insurance bill (homeowner's, renter's, health, life, or automobile insurance) dated within the last thirty (30) days; or

(13) Persons certified by the Minnesota Secretary of State as program participants under Minn. Stat. § 5B.03 may provide the address designated pursuant to Minn. Stat. § 5B.05 along with proof of program participation, which shall be confirmed with the Secretary of State, and a signed affirmation of residence within the City.

(d) Documentation in any language other than English must be accompanied by a certified English translation of the document. The program administrator may adopt rules and regulations establishing standards for the translation of documents.

(e) The program administrator will cause city staff to be trained in document review and provided with the necessary equipment and information to evaluate the authenticity of documents presented to establish eligibility.

(f) *Renewal.* The holder of a City Identification Card may renew an identification card no more than three (3) months before the expiration of an unexpired card or three (3) months after the card's expiration date. An applicant for renewal shall present as identification a current, valid City Identification Card or one that has been expired three (3) months or less, together with current proof of residency pursuant to subsection (c), shall complete and sign a renewal application form, and shall pay the applicable fee.

(g) *Applicable Fee.* The program administrator shall propose a schedule of fees to be adopted by the City Council. Applicants receiving means-tested public assistance or who have limited incomes may receive a full or partial waiver of fees upon approval by the program administrator.

**42.50. - Acceptance and Use.** (a) All departments of the city shall accept a City Identification Card issued pursuant to this chapter as lawful proof of identity and lawful proof of residency within the city, except as otherwise required by state or federal law.

(b) Any business that is required by city ordinance or licensing conditions imposed by the city to verify the identity, residency, or age of patrons may accept a City Identification Card as lawful proof of identity, residence, or age, except as otherwise required by state or federal law.

(c) Nothing in this section is intended to prohibit city departments from verifying the accuracy or authenticity of a City Identification Card, or that it belongs to the bearer; or from requiring additional information or documentation as required to establish eligibility for a state or federal program; or from requiring additional information to otherwise fulfill the department's responsibilities.

(d) This section does not apply when:

(1) A federal or state statute, administrative regulation or directive, or court decision requires the city to obtain different identification or proof of residency;

(2) A federal or state statute or administrative regulation or directive preempts local regulation of identification or residency requirements; or

(3) Prohibited by the terms and conditions imposed on the city by a funding source.

(e) No city department may accept a City Identification Card as proof of identity or residence if it reasonably believes that the City Identification Card is counterfeit, altered, or improperly issued; or the individual presenting the City Identification Card is not the individual to whom it was issued; or the City Identification Card otherwise is determined not to be accurate identification.

(f) In undertaking the adoption and enforcement of this chapter, the city is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation the breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

**42.60. - Cardholder responsibilities.** (a) A cardholder must notify the program administrator within thirty (30) days of any change of name or change in address within the city. Upon receipt of notification and completion by the cardholder of a new application, along with proof of lawful change of name and/or proof of new residence address pursuant to Section 42.40(c), the program administrator will issue a new City Identification Card.

(b) If a cardholder no longer resides within the city or expects to reside outside the city for a period of more than ninety (90) consecutive days, the cardholder must surrender the City Identification Card issued under this chapter by mailing the card to the program administrator with an acknowledgement of an intent to reside elsewhere.

**42.70. - Fraudulent Use a Misdemeanor.** It is a misdemeanor violation of the Minneapolis Code of Ordinances for any person or entity to do any of the following acts:

(1) Knowingly present false information to the city when applying for a City Identification Card;

(2) Alter, copy, or replicate a City Identification Card without the authority of the city; or

(3) Use the City Identification Card issued to another person with the intent to cause a third person or entity to believe that the card user is the person to whom the card was issued.

**42.80. - Implementation and Administration.** (a) The program administrator is authorized to adopt rules and regulations consistent with this chapter as necessary to administer the program authorized by this chapter.

(b) The program administrator may suspend or revoke a City Identification Card for violation of rules and regulations adopted by the program administrator or for a violation of this article.

(c) Beginning in the year 2020, and annually thereafter, the program administrator shall provide a report to the appropriate committee of the city council regarding the implementation of the program authorized by this chapter. This report may include recommendations for possible improvements to this chapter.