

041704488

**HOUSE BILL NO. 157**

Offered January 14, 2004

Prefiled January 5, 2004

*A BILL to amend the Code of Virginia by adding in Part B of Subtitle II of Title 2.2 a chapter numbered 55.1, consisting of sections numbered 2.2-5512, 2.2-5513, 2.2-5514, and 2.2-5515, relating to acceptance of foreign identification cards.*

Patrons—Reid and Black

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Part B of Subtitle II of Title 2.2 a chapter numbered 55.1, consisting of sections numbered 2.2-5512, 2.2-5513, 2.2-5514, and 2.2-5515, as follows:**

**CHAPTER 55.1.****SECURE IDENTIFICATION ACT.****§ 2.2-5512. Definitions.**

*As used in this chapter, unless the context requires a different meaning:*

*"Children" means the same as that term is defined in 42 U.S.C Section 1786 (b).*

*"Infant" means the same as that term is defined in 42 U.S.C Section 1786 (b).*

*"Public entity" means any agency, department, board, division, bureau, commission, council of state government or of any political subdivision thereof.*

*"Public official" means any elected or appointed official, or any employee or agent of a public entity.*

*"Secure and verifiable document" means a document issued or recognized by a state or federal jurisdiction of the United States and that is verifiable by federal or state law-enforcement, intelligence, or homeland security agencies.*

**§ 2.2-5513. Applicability.**

*The provisions of this chapter shall not apply to:*

*1. A person reporting a crime;*

*2. A public entity or official accepting a crime report, conducting a criminal investigation, or accepting an application for the provision of services or providing services to infants or children born in the United States pursuant to 42 U.S.C., Section 1786, or providing emergency medical services;*

*3. A law-enforcement officer in the performance of the officer's official duties and within the scope of his employment; or*

*4. Instances when a federal law mandates acceptance of a document.*

*§ 2.2-5514. Acceptance of secure and verifiable documents required for issuing identification cards, licenses, permits, etc.*

*A public entity that provides services shall not accept, rely upon, or utilize an identification document to provide services unless it is a secure and verifiable document.*

*A public entity that is issuing an identification card, license, permit, or official document shall not authorize acceptance of an identification document, nor shall a public official acting in an official capacity accept an identification document before issuing such documents, unless such identification document is a secure and verifiable document.*

**§ 2.2-5515. Violations.**

*Actions taken in knowing violation of this chapter shall not be protected by governmental immunity provided to public employees.*

INTRODUCED

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