City of Chicago

O2017-1950

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	3/29/2017
Sponsor(s):	Emanuel (Mayor) Valencia (Clerk) Pawar (47) Cappleman (46) Solis (25) Scott, Jr. (24) Ramirez-Rosa (35) Curtis (18) Reboyras (30) Burnett (27)
Type:	Ordinance
Title:	Amendment of Municipal Code Title 2 by modifying Sections 2-12-010 and 2-160-065, and adding new Section 2-176-010 regarding establishment of Municipal Identification Card program
Committee(s) Assignment:	Committee on Budget and Government Operations

BUDG_

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

March 29, 2017

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the City Clerk, I transmit herewith, together with Aldermen Pawar, Cappleman, Solis, Scott and Rosa, an ordinance amending various provisions of the Municipal Code to establish a Municipal I.D. Program.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 2-12-010 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

2-12-010 Powers and duties.

(Omitted text is unaffected by this ordinance)

Administer and enforce the provisions of this Code conferring powers and duties on the city clerk relating to residential parking permits, which shall include the authority to issue citations for violations;

<u>Administer and enforce Chapter 2-176 of this Code relating to the municipal identification card program; and</u>

Keep the corporate seal and affix same to all documents and papers that are required to bear the official seal of the city.

SECTION 2. Title 2 of the Municipal Code of Chicago is hereby amended by creating a new Chapter 2-176, as follows:

Chapter 2-176 Municipal Identification Card.

2-176-010 Definitions.

For purposes of this Chapter, the following definitions shall apply:

"Applicant" means a person who applies for a City of Chicago ID.

"Clerk" means the City Clerk of the City of Chicago.

"City of Chicago ID" means an identification card issued by the City of Chicago that displays information that includes, but is not limited to, the Applicant's name, photograph, date of birth, an expiration date, and, at the Applicant's option, display the cardholder's self-designated gender. The City of Chicago ID shall be designed in a manner to deter fraud.

"Program" means the program to administer and issue the City of Chicago ID.

2-176-020 Administration.

(a) The Clerk shall implement and administer the Program, and is authorized to adopt rules consistent with this Chapter.

(b) The Clerk is authorized to enter into agreements necessary to effectuate the Program, and, in connection with agreements entered into under this Section, to enter into and execute all such other instruments and to perform any and all acts, including the allocation and expenditure of duly appropriated funds, as shall be necessary or advisable in connection with the implementation of such agreements and any renewals thereto.

2-176-030 Agreements with other governmental bodies.

The Clerk is authorized to enter into intergovernmental agreements with other governmental bodies to increase access for holders of a City of Chicago ID to services and privileges managed by those governmental bodies. In connection with such intergovernmental agreements, the Clerk is authorized to enter into and execute all such other instruments and to perform any and all acts, including the allocation and expenditure of duly appropriated funds, as shall be necessary or advisable in connection with the implementation of such intergovernmental agreements and any renewals thereto.

2-176-040 Application.

The City of Chicago ID shall be available to any Applicant regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, partnership status, parental status, military status, source of income, credit history (within the meaning of Section 2-160-053), criminal record or criminal history (within the meaning of Section 2-160-054), housing status, or status as a victim of domestic violence, provided that the Applicant completes an application on a form provided by the Clerk, and fulfills the requirements for proving identity and residency in the City of Chicago as set forth in rules promulgated by the Clerk. The Clerk shall provide by rule an option for victims of domestic violence to designate an alternative address, and alternative methods by which individuals who are homeless can establish residency notwithstanding the lack of fixed address.

2-176-050 Confidentiality.

The Clerk shall keep all information submitted by an Applicant for a City of Chicago ID confidential to the maximum extent permitted by law. The Clerk shall review, but not collect, documents provided by an Applicant as proof of identity and

residence. In relation to an application for a City of Chicago ID, the Clerk shall not maintain a record of an Applicant's address or telephone number.

2-176-060 Fees.

The Clerk is authorized to establish a reasonable fee for applications for a City of Chicago ID sufficient to cover the cost of administering the Program, and if such a fee is established, shall adopt rules permitting an Applicant who cannot afford to pay such fee to receive a full or partial waiver.

SECTION 3. Section 2-160-065 of the Municipal Code of Chicago is hereby amended by deleting the struck-through text and inserting the underscored text, as follows:

2-160-065 ~~Matricula consular~~ Alternative identification cards.

(a) Recognition of City of Chicago ID Card as valid identification. When requiring members of the public to provide identification or proof of residency, every department of the City of Chicago shall accept the City of Chicago ID created in Chapter 2-176 as valid identification and as valid proof of residency in the City of Chicago, unless the department has reason to believe that the City of Chicago ID is counterfeit, altered, improperly issued, or that the person presenting the City of Chicago ID is not the person to whom the card was issued.

(~~a~~b) Recognition of Mexican Matricula Consular Cards as valid identification. When requiring members of the public to provide identification, each city department shall accept as valid identification of the person a "Matricula Consular" identification card issued by the Mexican Consulate.

(~~b~~c) Recognition of other Latin American Matricula Consular Cards as valid identification. When requiring members of the public to provide identification, each city department shall accept as valid identification of the person a "Matricula Consular" identification card issued by any other Latin American country that is represented by a consulate office in the City of Chicago, to its citizens or nationals if the issuing country's consulate has certified to the City of Chicago that the identification card meets the following security 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 holder was required to provide proof of identity, nationality and address in order to obtain the card; and

(3) the card had a photograph of the person, the person's date of birth and the person's current local address; and

(4) the card has physical security features reasonably designed to protect against fraud and counterfeit reproduction, including the use of bonded paper, lamination, a hologram, and an embedded signature of the issuing officer and serialization.

(~~c~~d) The office of the superintendent of police shall compile and make available to the members of the Chicago City Council and the city departments a list of the types of identification cards and the issuing countries that have certified to the office of the superintendent of police that their identification cards meet the requirements of this section.

(~~d~~e) 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 to obtain different identification, (2) a federal or state statute or administrative regulation or directive preempts local regulation of identification requirements, or (3) the city would be unable to comply with a condition imposed by a funding source, which would cause the city to lose funds from that source.

(~~e~~f) Nothing in this section is intended to prohibit city departments from (1) asking for additional information from individuals in order to verify a current address or other facts that would enable the department to fulfill its responsibilities, except that this section does not permit the department to require additional information solely in order to establish identification of the person when the Matricula Consular Card is the form of identification presented, or (2) using fingerprints for identification purposes under circumstances where the department also requires fingerprints from persons who have a driver's license or state identification card.

SECTION 4. This ordinance shall be in full force and effect upon passage and approval. Upon becoming effective, the Clerk is authorized to implement the Program in a graduated manner, with full implementation to be achieved by December 31, 2017.

Chicago City Council Co-Sponsor Form

Document No.: O2017 - 1950.

Subject: Municipal ID

Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below – (*Principal Sponsor's Consent Required*)

Alderman _____ (27th Ward)
(Signature)

Alderman _____ (_____ Ward)
(Signature)

Alderman _____ (_____ Ward)
(Signature)

Alderman _____ (_____ Ward)
(Signature)

Alderman _____ (_____ Ward)
(Signature)

Date Filed: 4/13/17 Principal Sponsor: _____
(Signature)

Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (*Principal Sponsor's Consent NOT Required*)

Alderman _____ (_____ Ward)
(Signature)

Alderman _____ (_____ Ward)
(Signature)

Date Filed: _____

Final Copies to be filed with:

- Chairman of Committee to which Legislation was referred
- City Clerk

Chicago City Council Co-Sponsor Addition/Change

Document No.: O2017-1950

Subject: MUNICIPAL ID

Please Add Or Change The Co-Sponsor As Shown Below.

Alderman Derrick G. Curtis (18 Ward)

Alderman Rodriguez (30 Ward)

Alderman _____ (_____ Ward)

Alderman _____ (_____ Ward)

Alderman _____ (_____ Ward)

Please Remove Or Change The Co-Sponsor As Shown Below.

Alderman _____ (_____ Ward)

Alderman _____ (_____ Ward)

Alderman _____ (_____ Ward)

Alderman _____ (_____ Ward)

Alderman _____ (_____ Ward)

Date Filed 4/17/17

Signature Andrea M. Valencia
Principal Sponsor

Final copies to be filed with:

- Chairman of Committee to which legislation was referred
- City Clerk