

Intro. Res. No. 1229-2016
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 3/1/2016

**RESOLUTION NO. 324 -2016, ADOPTING LOCAL LAW
NO. 14 -2016, A LOCAL LAW AMENDING CHAPTER 563 OF
THE SUFFOLK COUNTY CODE TO PERMIT USE OF A
GOVERNMENT ISSUED PASSPORT AS ACCEPTABLE
PERSONAL IDENTIFICATION**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on March 1, 2016, a proposed local law entitled, "**A LOCAL LAW AMENDING CHAPTER 563 OF THE SUFFOLK COUNTY CODE TO PERMIT USE OF A GOVERNMENT ISSUED PASSPORT AS ACCEPTABLE PERSONAL IDENTIFICATION**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

**LOCAL LAW NO. 14 -2016, SUFFOLK COUNTY, NEW
YORK**

**A LOCAL LAW AMENDING CHAPTER 563 OF THE
SUFFOLK COUNTY CODE TO PERMIT USE OF A
GOVERNMENT ISSUED PASSPORT AS ACCEPTABLE
PERSONAL IDENTIFICATION**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature finds and determines that government issued passports are considered viable forms of personal identification by government entities, including by the United States Transportation Security Administration.

This Legislature also finds and determines that current Suffolk County law prohibits licensed dealers in second hand articles and licensed precious metal and gem exchange establishments from purchasing items from a person who is unable to produce photographic identification that contains such person's address.

This Legislature further finds that a government issued passport is a sufficient document for the purposes of proving identity, even though such passport does not include an address.

Therefore, the purpose of this law is to amend Chapter 563 of the LAWS OF SUFFOLK COUNTY to permit a government issued passport to serve as acceptable personal identification for sales to licensed dealers in second hand articles and licensed precious metal and gem exchange establishments.

Section 2. Amendments.

1. Article IV of Chapter 563 of the LAWS OF SUFFOLK COUNTY shall be amended as follows:

Chapter 563

LICENSED OCCUPATIONS

Article IV

Precious Metal and Gem Exchanges

§ 563-44. Prohibited acts.

B. For the purposes of this section, proper identification shall be government-issued identification documents that depict the person's name, address, and photograph or a current and valid government issued passport. Social security cards, draft registration cards, voter registration cards and other similar documents shall not be considered sufficient identification for the purposes of this section. In the event seller utilizes a current and valid government issued passport as identification, seller shall also be required to provide documentation of seller's current address. Such documentation shall be in the form of at least two (2) utility bills in the seller's name and reflecting the seller's current address or any other such documentation as may be required by the Department.

2. Article V of Chapter 563 of the LAWS OF SUFFOLK COUNTY shall be amended as follows:

Chapter 563

LICENSED OCCUPATIONS

Article V

Dealers in Secondhand Articles

§ 563-49. Definitions.

PROPER IDENTIFICATION

Identification documents that contain the person's name, address, and a photograph of said person or a current and valid government issued passport. Social security cards, draft registration cards, voter registration cards and comparable documents shall not be considered sufficient identification for the purpose of this article.

§ 563-52. Required records.

A. Each licensee shall keep records, legibly written in English, in a bound book. All entries shall be made in ink at the time of each transaction and shall include the computer transaction number. Each transaction shall also include:

(1) An accurate account and description of the article or thing bought, including but not limited to the make, model, color and serial number when present.

(2) The amount paid for the article.

(3) The date of transaction.

(4) The name, home residence, date of birth, sex and race of the person selling the items.

(5) The type of identification produced by the person selling the article. For the purposes of this section, proper identification shall be government-issued identification documents that depict the person's name, address, and photograph or a current and valid government issued passport. Social security cards, draft registration cards, voter registration cards and other similar documents shall not be considered sufficient identification for the purposes of this section. In the event seller utilizes a current and valid government issued passport as identification, seller shall then also be required to provide documentation of seller's current address. Such documentation shall be in the form of at least two (2) utility bills in the seller's name and reflecting the seller's current address or any other such documentation as may be required by the Department.

(6) The signature of the person identified in the transaction.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK

ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[] Brackets denote deletions of material.

___ Underscore denotes the addition of new material

DATED: April 12, 2016

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 2, 2016

After a public hearing duly held on April 25, 2016
Filed with the Secretary of State on May 24, 2016