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FIRST REPRINT

A.B. 135

ASSEMBLY BILL NO. 135—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE JOINT INTERIM STANDING COMMITTEE
ON HEALTH AND HUMAN SERVICES)

FEBRUARY 9, 2023

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to homelessness.
(BDR 40-324)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to homelessness; revising the process for persons who are homeless to apply for a certified or official copy of a birth certificate; requiring the Nevada Housing Crisis Response System to assist persons in crisis who are applying for a state identification card; revising requirements for the issuance of a state identification card to certain homeless children and youth; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Health to provide, and the State Registrar of Vital Statistics to carry out, a system for the registration of births and deaths in this State. (NRS 440.120) Existing law requires the State Registrar, and authorizes certain other entities, to issue a certified copy of a certificate of birth to an applicant if the applicant meets certain requirements. (NRS 440.175, 440.650) Existing law prohibits: (1) the State Registrar from charging a fee for a certified copy of a record of birth to a homeless person who submits on a form prescribed by the State Registrar a statement signed under penalty of perjury that the person is homeless; and (2) another person or governmental organization from charging a fee for a certified or official copy of a certificate of birth to a homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless. (NRS 440.175, 440.700) Existing law prohibits the State Registrar from requiring the signed statement that a person is homeless be notarized. (NRS 440.700) **Section 1** of this bill: (1) requires a homeless person who wishes to obtain a certified or official copy of a certificate of birth from a person or governmental organization, other than the State Registrar, to submit a statement



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signed under penalty of perjury that the person is homeless rather than a signed affidavit; and (2) prohibits such a person or governmental entity from requiring that such a signed statement be notarized.

Sections 1 and 2 of this bill require the State Registrar and other entities who issue certified or official copies of birth certificates to notify an applicant for a certified or official copy of a birth certificate upon determining that required documents are missing from the application. If the applicant is homeless, **sections 1 and 2** require the State Registrar or other entity to allow the applicant at least 30 days after the notice was provided to submit the missing documents.

Existing law allows certain residents or seasonal residents of this State who do not hold a valid driver's license or identification card to apply for an identification card in this State. (NRS 483.810-483.890) Existing law requires the Department of Health and Human Services to establish and administer the Nevada Housing Crisis Response System to provide certain types of assistance to persons who are transient, at imminent risk of homelessness or homeless. (NRS 422A.680) **Section 3** of this bill requires the System to collaborate with the Department of Motor Vehicles to facilitate assistance to persons in crisis who wish to apply for such an identification card.

Existing law requires the Department of Motor Vehicles to waive, not more than one time, all fees and costs for the issuance of an original or duplicate identification card to a homeless child or youth less than 25 years of age. (NRS 483.825) **Section 4** of this bill removes the limitation that such fees and costs may be waived only once, thus requiring the Department to waive all fees and costs for the issuance of any identification card issued to a homeless child or youth less than 25 years of age.

Existing law requires an applicant for an identification card to provide to the Department of Motor Vehicles: (1) proof of his or her full legal name and age; and (2) if he or she has been issued a social security number, proof of that social security number. (NRS 483.850, 483.860) **Section 5** of this bill removes the requirement to provide proof of a social security number for any applicant who is a homeless child or youth less than 25 years of age. **Section 6** of this bill authorizes an applicant who is a homeless child or youth less than 25 years of age to prove his or her legal name and age by providing: (1) a school identification card that meets certain requirements; and (2) an unofficial transcript from the respective school that contains the date of birth of the applicant.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 440.175 is hereby amended to read as follows:

440.175 1. Upon request, the State Registrar may furnish statistical data to any federal, state, local or other public or private agency, upon such terms or conditions as may be prescribed by the Board.

2. No person may prepare or issue any document which purports to be an original, certified copy, certified abstract or official copy of:

(a) A certificate of birth, death or fetal death, except as authorized in this chapter or by the Board.

(b) A certificate of marriage, except a county clerk, county recorder or a person so required pursuant to NRS 122.120.



(c) A decree of divorce or annulment of marriage, except a county clerk or the judge of a court of record.

3. A person or governmental organization which issues certified or official copies pursuant to paragraph (a) of subsection 2 shall:

(a) Not charge a fee for issuing a certified or official copy of a certificate of birth to:

(1) A homeless person who submits ~~[a signed affidavit]~~ on a form prescribed by the State Registrar ~~[stating]~~ *a statement signed under penalty of perjury* that the person is homeless. *The issuing person or governmental organization shall not require such a statement to be notarized.*

(2) A person who submits documentation from the Department of Corrections verifying that the person is imprisoned or was released from prison within the immediately preceding 90 days.

(b) Remit to the State Registrar fees collected which are charged in an amount established by the State Registrar by regulation:

(1) For each registration of a birth or death in its district.

(2) For each copy issued of a certificate of birth in its district, other than a copy issued pursuant to paragraph (a).

(3) For each copy issued of a certificate of death in its district.

4. A person or governmental organization which issues certified or official copies pursuant to paragraph (a) of subsection 2 shall, upon determining that required documents are missing from an application for a certified or official copy of a certificate of birth, notify the applicant of the deficiency. Such notice must include, without limitation, notice of the additional documents that the applicant must submit. If the applicant is a homeless person who submits on a form prescribed by the State Registrar a statement signed under penalty of perjury that the person is homeless, the person or governmental organization shall allow the applicant at least 30 days after the date of the notice to submit the missing documents. The issuing person or governmental organization shall not require the signed statement to be notarized.

Sec. 2. NRS 440.650 is hereby amended to read as follows:

440.650 1. Upon request, the State Registrar shall furnish any applicant a certified copy of the record of any birth or death registered under the provisions of this chapter.

2. The State Registrar shall not issue a certified copy of a certificate or parts thereof unless the State Registrar is satisfied that the applicant therefor has a direct and tangible interest in the matter recorded, subject, however, to review by the Board or a court of competent jurisdiction under the limitations of NRS 440.170.



3. *The State Registrar shall, upon determining that required documents are missing from an application for a certified copy of a certificate of birth, notify the applicant of the deficiency. Such notice must include, without limitation, notice of the additional documents that the applicant must submit. If the applicant is a homeless person who submits on a form prescribed by the State Registrar a statement signed under penalty of perjury that the person is homeless, the State Registrar shall allow the applicant at least 30 days after the date of the notice to submit the missing documents. The State Registrar shall not require the signed statement to be notarized.*

Sec. 3. NRS 422A.680 is hereby amended to read as follows:

422A.680 1. To the extent that money is available for this purpose, the Department shall establish and administer the Nevada Housing Crisis Response System.

2. The System must:

(a) Coordinate with social service agencies, local governments and nonprofit organizations to, as quickly as possible, identify, assess, refer and connect persons in crisis to housing, assistance and services, including, without limitation, emergency services, emergency shelters, interim housing and permanent housing.

(b) Provide and operate a system for responding to a crisis that is accessible by a person in crisis 24 hours a day, 7 days a week, including holidays, through which a person in crisis may be identified, assessed, referred and connected to housing, assistance and services pursuant to paragraph (a).

(c) Provide education or information on how persons in crisis may access and use the System for responding to a crisis that is provided pursuant to paragraph (b).

(d) To prevent homelessness, develop prevention assistance programs that assist persons who are:

(1) Transient or at imminent risk of homelessness in:

(I) Preserving their current housing situation;

(II) Identifying housing arrangements as an alternative to their current housing situation; or

(III) Immediately finding housing arrangements for persons who are leaving a housing situation that is not safe; and

(2) Homeless in finding housing arrangements.

(e) Collaborate with the Department of Motor Vehicles to facilitate assistance to persons in crisis who wish to apply for an identification card in accordance with the provisions of NRS 483.810 to 483.890, inclusive.

3. The System may perform any other action that:

(a) Assists persons in crisis; and

(b) Helps prevent or address homelessness in this State.



4. The Department may adopt such regulations as are necessary to carry out the provisions of this section and NRS 422A.690, including, without limitation, regulations requiring a person or entity that accepts money from the Department or a division thereof to participate in the System.

5. As used in this section, "person in crisis" means a person who is transient, at imminent risk of homelessness or homeless.

Sec. 4. NRS 483.825 is hereby amended to read as follows:

483.825 1. Except as otherwise provided in subsection 4, the Department shall waive the fee prescribed by NRS 483.820 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate identification card to:

(a) A homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless.

(b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

(c) A person who submits documentation from a county, city or town jail or detention facility verifying that the person was released from the county, city or town jail, as applicable, within the immediately preceding 90 days.

2. A vendor that has entered into an agreement with the Department to produce photographs for identification cards pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of a homeless person or person released from prison, a county, city or town jail or detention facility for a duplicate identification card.

3. Except as otherwise provided in subsection 4, if the vendor does not waive pursuant to subsection 2 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate identification card furnished to a person pursuant to subsection 1, the person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the person:

(a) Applies to the Department for the renewal of his or her identification card; and

(b) Is employed at the time of such application.

4. The Department shall waive the fee prescribed by NRS 483.820, the increase in the fee required by NRS 483.347 and the reimbursement required by subsection 3 ~~[not more than one time]~~ for furnishing an original identification card or a duplicate identification card to a homeless child or youth less than 25 years of age who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and less than 25 years of age.



5. The Department may accept gifts, grants and donations of money to fund the provision of original and duplicate identification cards without a fee to persons pursuant to subsections 1 and 4.

6. As used in this section:

(a) "Homeless child or youth" has the meaning ascribed to ~~it~~ *"homeless children and youths"* in 42 U.S.C. § 11434a.

(b) "Photograph" has the meaning ascribed to it in NRS 483.125.

Sec. 5. NRS 483.850 is hereby amended to read as follows:

483.850 1. Every application for an identification card must be made upon a form provided by the Department and include, without limitation:

(a) The applicant's:

(1) Full legal name.

(2) Date of birth.

(3) State of legal residence.

(4) Current address of principal residence and mailing address, if different from his or her address of principal residence, in this State, unless the applicant is on active duty in the military service of the United States.

(b) A statement from:

(1) A resident stating that he or she does not hold a valid driver's license or identification card from any state or jurisdiction; or

(2) A seasonal resident stating that he or she does not hold a valid Nevada driver's license.

2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths.

3. ~~Any~~ *Except as otherwise provided in subsection 6, an* applicant who has been issued a social security number must provide to the Department for inspection:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department bearing the social security number of the applicant, including, without limitation, records of employment or federal income tax returns.

4. At the time of applying for an identification card, an applicant may, if eligible, preregister or register to vote pursuant to NRS 293.5727 or 293.5742.

5. A person who possesses a driver's license or identification card issued by another state or jurisdiction who wishes to apply for an identification card pursuant to this section shall surrender to the Department the driver's license or identification card issued by the



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other state or jurisdiction at the time the person applies for an identification card pursuant to this section.

6. The provisions of subsection 3 do not apply to a homeless child or youth less than 25 years of age who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and less than 25 years of age.

7. As used in this section, "homeless child or youth" has the meaning ascribed to "homeless children and youths" in 42 U.S.C. § 11434a.

Sec. 6. NRS 483.860 is hereby amended to read as follows:

483.860 1. ~~Every~~ *Except as otherwise provided in subsection 4, every* applicant for an identification card must furnish proof of his or her full legal name and age by presenting:

(a) An original or certified copy of the required documents as prescribed by regulation; or

(b) A photo identification card issued by the Department of Corrections pursuant to NRS 209.511 which indicates that the Director of the Department of Corrections has verified the full legal name and age of the applicant pursuant to subsection 5 of that section.

2. The Director shall adopt regulations:

(a) Prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 1, including, without limitation, a document issued by the Department pursuant to NRS 483.375 or 483.8605; and

(b) Setting forth criteria pursuant to which the Department will issue or refuse to issue an identification card in accordance with this section to a person who is a citizen of a state or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue an identification card to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States.

3. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an identification card. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.

4. If an applicant is a homeless child or youth less than 25 years of age who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and less than 25 years of age, the applicant may satisfy the requirements of subsection 1 by presenting a school identification card and an unofficial transcript from the respective school that includes the date of birth of the applicant. A school identification



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1 *card presented pursuant to this subsection must include, without*
2 *limitation:*

3 (a) *The name of the school that issued the card;*

4 (b) *The first and last name of the applicant; and*

5 (c) *A photograph of the applicant.*

6 5. *As used in this section:*

7 (a) *“Homeless child or youth” has the meaning ascribed to*
8 *“homeless children and youths” in 42 U.S.C. § 11434a.*

9 (b) *“Photograph” has the meaning ascribed to it in*
10 *NRS 483.125.*

11 **Sec. 7.** (Deleted by amendment.)

12 **Sec. 8.** (Deleted by amendment.)

