S T A T E O F N E W Y O R K

2470--B

2013-2014 Regular Sessions

I N A S S E M B L Y

January 15, 2013

Introduced by M. of A. CRESPO, RAMOS -- read once and referred to the Committee on Banks -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the banking law, in relation to requiring banking institutions to accept as valid forms of identification the identification issued by the consulate general of the foreign national which has been approved for use by the New York State Department of Financial Services as a valid form of identification for all banking transactions

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

Section 1. The banking law is amended by adding a new section 9-v to read as follows:

S 9-V. IDENTIFICATION AS A VALID FORM OF IDENTIFICATION. 1. EVERY BANKING INSTITUTION SHALL ACCEPT AS A VALID FORM OF IDENTIFICATION FOR ALL BANKING TRANSACTIONS THE IDENTIFICATION ISSUED BY THE CONSULATE GENERAL OF THE FOREIGN NATIONAL WHICH HAS BEEN APPROVED FOR USE BY THE NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES.

2. FOR THE PURPOSES OF THIS SECTION, THE TERM "BANKING INSTITUTION" SHALL MEAN AND INCLUDE ALL BANKS, TRUST COMPANIES, SAVINGS BANKS, SAVINGS AND LOAN ASSOCIATIONS, LICENSED FOREIGN BANKS AND CREDIT UNIONS.

3. THE DEPARTMENT SHALL REVIEW THE LEGITIMACY OF IDENTIFICATION CARDS ISSUED BY FOREIGN GOVERNMENTS TO THEIR NATIONALS LIVING IN THE STATE AND RECOMMEND WHICH ONES, IF ANY, SHOULD BE ACCEPTED BY BANKING INSTITUTIONS IN THE STATE AS PROOF OF IDENTIFICATION BY THE IDENTIFICATION HOLDER FOR THE PURPOSE OF ENGAGING IN BANKING SERVICES.

4. THE DEPARTMENT SHALL RECOMMEND:

(A) OTHER REQUIRED FORMS OF IDENTIFICATION BY FOREIGN NATIONALS LIVING IN THE STATE, IF ANY, TO SUPPLEMENT VERIFICATION NEEDED BY BANKING

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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SERVICES IN ORDER TO MEET STANDING RULES, REGULATIONS, OR LAWS WITH REGARDS TO ACCESSING BANKING SERVICES;

(B) ANY LEGISLATIVE MEASURES NECESSARY TO FACILITATE ACCESS TO BANKING SERVICES BY FOREIGN NATIONALS WHO ARE CURRENTLY CONSIDERED UNDOCUMENTED IMMIGRANTS;

(C) ANY MEASURES, IN THE FORM OF RULES, REGULATIONS OR LEGISLATION, NECESSARY TO ENSURE THAT UNDOCUMENTED IMMIGRANTS WHO CAN PROVIDE PROOF THAT THEY HAVE APPLIED FOR THE NEW FEDERAL IMMIGRANT STATUS CLASSIFIED AS REGISTERED PROVISIONAL IMMIGRANT, HEREINAFTER "RPI", HAVE ACCESS TO BANKING SERVICES WHILE SUCH PERSONS WAIT FOR OFFICIAL FEDERAL IDENTIFICATION; AND

(D) A TIMEFRAME FOR REQUIRING BANKING SERVICES TO ACCEPT THE FOREIGN IDENTIFICATION AND TEMPORARY PROOF OF APPLYING FOR RPI TO ACCESS BANKING SERVICES AND WHETHER THE FOREIGN ISSUED IDENTIFICATION SHALL BE PART OF THE TEMPORARY IDENTIFICATION REQUIREMENTS THAT CAN BE REQUESTED BY A BANKING INSTITUTION.

S 2. This act shall take effect immediately.