

## SENATE BILL No. 106

By Committee on Federal and State Affairs

1-29

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1 AN ACT concerning veterans; relating to forms of identification;  
2 permitting homeless veterans to use alternative forms of proof of  
3 identity and residency when applying for nondriver identification cards;  
4 eliminating fees for homeless veterans to obtain birth certificates for  
5 purposes of nondriver identification card applications; amending  
6 K.S.A. 2024 Supp. 8-1324 and 65-2418 and repealing the existing  
7 sections.  
8

9 *Be it enacted by the Legislature of the State of Kansas:*

10 Section 1. K.S.A. 2024 Supp. 8-1324 is hereby amended to read as  
11 follows: 8-1324. (a) Any resident who does not hold a current valid Kansas  
12 driver's license may make application to the division of vehicles and be  
13 issued one identification card.

14 (b) (1) Each application for an identification card shall include a  
15 question asking if the applicant is willing to give such applicant's  
16 authorization to be listed as an organ, eye and tissue donor in the Kansas  
17 donor registry in accordance with the revised uniform anatomical gift act,  
18 K.S.A. 65-3220 through 65-3244, and amendments thereto. The gift would  
19 become effective upon the death of the donor.

20 (2) For the purpose of obtaining an identification card, an applicant  
21 shall submit, with the application, proof of age, proof of identity and proof  
22 of lawful presence. An applicant shall submit with the application a photo  
23 identity document, except that a non-photo identity document is acceptable  
24 if it includes both the applicant's full legal name and date of birth, and,  
25 *except as provided in subsection (k)(2)*, documentation showing the  
26 applicant's name, the applicant's address of principal residence and the  
27 applicant's social security account number. The applicant's social security  
28 number shall remain confidential and shall not be disclosed, except as  
29 provided pursuant to K.S.A. 74-2014, and amendments thereto. If the  
30 applicant does not have a social security number, the applicant shall  
31 provide proof of lawful presence and Kansas residency. The division shall  
32 assign a distinguishing number to the identification card. Before issuing an  
33 identification card to a person, the division shall make reasonable efforts to  
34 verify with the issuing agency the issuance, validity and completeness of  
35 each document required to be presented by the applicant to prove age,  
36 identity and lawful presence.

1 (c) The division shall not issue an identification card to any person  
2 who fails to provide proof that the person is lawfully present in the United  
3 States. If an applicant provides evidence of lawful presence as set out in  
4 K.S.A. 8-240(b)(2)(E) through (2)(I), and amendments thereto, or is an  
5 alien lawfully admitted for temporary residence under K.S.A. 8-240(b)(2)  
6 (B), and amendments thereto, the division may only issue a temporary  
7 identification card to the person under the following conditions:

8 (1) A temporary identification card issued pursuant to this  
9 ~~subparagraph~~ subsection shall be valid only during the period of time of  
10 the applicant's authorized stay in the United States or, if there is no definite  
11 end to the period of authorized stay, a period of one year;

12 (2) a temporary identification card issued pursuant to this  
13 ~~subparagraph~~ subsection shall clearly indicate that it is temporary and shall  
14 state the date upon which it expires;

15 (3) no temporary identification card issued pursuant to this  
16 ~~subparagraph~~ subsection shall be for a longer period of time than the time  
17 period permitted by K.S.A. 8-1325, and amendments thereto; and

18 (4) a temporary identification card issued pursuant to this  
19 ~~subparagraph~~ subsection may be renewed, subject at the time of renewal,  
20 to the same requirements and conditions set forth in this subsection for the  
21 issuance of the original temporary identification card.

22 (d) The division shall not issue an identification card to any person  
23 who holds a current valid Kansas driver's license unless such driver's  
24 license has been physically surrendered pursuant to the provisions of  
25 K.S.A. 8-1002(e), and amendments thereto.

26 (e) The division shall refuse to issue an identification card to a person  
27 holding a driver's license or identification card issued by another state  
28 without confirmation that the person is terminating or has terminated the  
29 license or identification card.

30 (f) The parent or guardian of an applicant under 16 years of age shall  
31 sign the application for an identification card submitted by such applicant.

32 (g) (1) The division shall require payment of a fee of \$14 at the time  
33 application for an identification card is made, except that persons who are  
34 65 or more years of age or who are handicapped, as defined in K.S.A. 8-  
35 1,124, and amendments thereto, shall be required to pay a fee of only \$10.  
36 In addition to the fees prescribed by this subsection, the division shall  
37 require payment of the photo fee established pursuant to K.S.A. 8-243, and  
38 amendments thereto, for the cost of the photograph to be placed on the  
39 identification card.

40 (2) The division shall not require or accept payment of application or  
41 photo fees under this subsection for any person 17 years of age or older for  
42 purposes of meeting the voter identification requirements of K.S.A. 25-  
43 2908, and amendments thereto. Such person shall:

1 (A) Swear under oath that such person desires an identification card  
2 in order to vote in an election in Kansas and that such person does not  
3 possess any of the forms of identification acceptable under K.S.A. 25-  
4 2908, and amendments thereto. The affidavit shall specifically list the  
5 acceptable forms of identification under K.S.A. 25-2908, and amendments  
6 thereto; and

7 (B) produce evidence that such person is registered to vote in Kansas.

8 (3) The secretary of revenue shall adopt rules and regulations in order  
9 to implement the provisions of paragraph (2).

10 (h) All Kansas identification cards shall have physical security  
11 features designed to prevent tampering, counterfeiting or duplication for  
12 fraudulent purposes.

13 (i) For the purposes of K.S.A. 8-1324 through 8-1328, and  
14 amendments thereto, a person shall be deemed to be a resident of the state  
15 if the person:

16 (1) Owns, leases or rents a place of domicile in this state;

17 (2) engages in a trade, business or profession in this state;

18 (3) is registered to vote in this state;

19 (4) enrolls the person's child in a school in this state; or

20 (5) registers the person's motor vehicle in this state.

21 (j) The division shall require that any person applying for an  
22 identification card submit to a mandatory facial image capture. The  
23 captured facial image shall be displayed on the front of the applicant's  
24 identification card by either:

25 (1) A digital color image or photograph; or

26 (2) a laser-engraved photograph of the licensee.

27 (k) (1) Any person who is a veteran may request that the division  
28 issue to such person a nondriver identification card that shall include the  
29 designation "VETERAN" displayed on the front of the nondriver  
30 identification card at a location to be determined by the secretary of  
31 revenue. In order to receive a nondriver identification card described in  
32 this subsection, the veteran shall provide a copy of the veteran's DD form  
33 214, NGB form 22 or equivalent discharge document showing character of  
34 service as honorable or general under honorable conditions.

35 (2) (A) *Any person who is a veteran and is homeless may apply for*  
36 *and be issued an identification card pursuant to this section without*  
37 *providing an address of principal residence.*

38 (B) *In addition to any documents proving identity and residency in*  
39 *Kansas accepted for an application for an identification card pursuant to*  
40 *this section, a homeless veteran may provide and the division shall accept*  
41 *a letter or certificate from the Kansas office of veterans services, the*  
42 *Kansas soldiers' home, the Kansas veterans' home, any veterans services*  
43 *medical center located in Kansas, any jail or correctional facility or any*

1 *nonprofit organization located in Kansas for the provision of services for*  
2 *the homeless verifying such applicant resides at or receives services from*  
3 *such entity, and either:*

4 (i) *Copies or digital forms of accepted documents for proof of identity*  
5 *in lieu of original documents; or*

6 (ii) *certain expired forms of identification, including, but not limited*  
7 *to, common access cards, Kansas driver's licenses or Kansas voter*  
8 *registration cards.*

9 (3) As used in this subsection, "veteran" means a person who served  
10 in the active military, naval, air or space service and who was discharged  
11 or released therefrom under an honorable discharge or a general discharge  
12 under honorable conditions.

13 ~~(3)~~(4) The director of vehicles may adopt any rules and regulations  
14 necessary to carry out the provisions of this subsection.

15 (1) The director of vehicles may issue a temporary identification card  
16 to an applicant who cannot provide valid documentary evidence as defined  
17 by subsection (c), if the applicant provides compelling evidence proving  
18 current lawful presence. Any temporary identification card issued pursuant  
19 to this subparagraph shall be valid for one year.

20 (m) Upon payment of the required fee, the division shall issue to  
21 every applicant qualifying under the provisions of this act an identification  
22 card. Such identification card shall bear a distinguishing number assigned  
23 to the cardholder, the full legal name, date of birth, address of principal  
24 residence, *except as provided in subsection (k)(2)*, a brief description of  
25 the cardholder, either:

26 (1) A digital color image or photograph; or

27 (2) a laser-engraved photograph of the cardholder, and a facsimile of  
28 the signature of the cardholder. An identification card that does not contain  
29 the address of principal residence of the cardholder as required may be  
30 issued to persons who are program participants pursuant to K.S.A. 75-455,  
31 and amendments thereto, *or persons who meet the qualifications and*  
32 *apply for an identification card under the conditions described in*  
33 *subsection (k)(2).*

34 (n) An identification card issued to any person who indicated on the  
35 application that the person wished to make an anatomical gift in  
36 accordance with the revised uniform anatomical gift act, K.S.A. 65-3220  
37 through 65-3244, and amendments thereto, shall have the word "Donor"  
38 placed on the front of the applicant's identification card.

39 (o) (1) Any person who submits satisfactory proof to the director of  
40 vehicles, on a form provided by the director, that such person needs  
41 assistance with cognition, including, but not limited to, persons with  
42 autism spectrum disorder, may request that the division issue to such  
43 person a nondriver identification card, that shall note such impairment on

1 the nondriver identification card at a location to be determined by the  
2 secretary of revenue.

3 (2) Satisfactory proof that a person needs assistance with cognition  
4 shall include a statement from a person licensed to practice the healing arts  
5 in any state, an advanced practice registered nurse licensed under K.S.A.  
6 65-1131, and amendments thereto, a licensed physician assistant or a  
7 person clinically licensed by the Kansas behavioral sciences regulatory  
8 board certifying that such person needs assistance with cognition.

9 (p) The secretary of revenue shall permit an electronic online renewal  
10 of an identification card if the electronic online renewal applicant  
11 previously provided documentation of identity, lawful presence and  
12 residence to the division for electronic scanning. For purposes of this  
13 subsection, the division may rely on the division's most recent, existing  
14 color digital image and signature image of the applicant for the nondriver's  
15 identification card if the division has such images on file. The  
16 determination on whether an electronic online renewal application or  
17 equivalent of a nondriver's identification card is permitted shall be made  
18 by the director of vehicles or the director's designee. The division shall not  
19 renew a nondriver's identification card through an electronic online or  
20 equivalent process if the identification card has been previously renewed  
21 through an electronic online application in the immediately preceding  
22 card's expiration period. No renewal under this subsection shall be granted  
23 to any person who is a registered offender pursuant to K.S.A. 22-4901 et  
24 seq., and amendments thereto.

25 Sec. 2. K.S.A. 2024 Supp. 65-2418 is hereby amended to read as  
26 follows: 65-2418. (a) (1) The secretary shall fix and charge by rules and  
27 regulations the fees to be paid for certified copies or abstracts of  
28 certificates or for search of the files for birth, death, fetal death, marriage  
29 or divorce records when no certified copy or abstract is made. Except as  
30 otherwise provided in this section, the secretary shall remit all moneys  
31 received by or for the secretary from fees, charges or penalties, under the  
32 uniform vital statistics act, and amendments thereto, to the state treasurer  
33 in accordance with the provisions of K.S.A. 75-4215, and amendments  
34 thereto. Upon receipt of each such remittance, the state treasurer shall  
35 deposit the entire amount in the state treasury to the credit of the civil  
36 registration and health statistics fee fund created by K.S.A. 65-2418e, and  
37 amendments thereto.

38 (2) The secretary shall not charge any fee for a certified copy of a  
39 certificate or abstract or for a search of the files or records if the certificate,  
40 abstract or search is requested by a person who exhibits correspondence  
41 from the United States department of veterans affairs or the Kansas office  
42 of veterans services that indicates that the person is applying for benefits  
43 from the United States department of veterans affairs and that such person

1 needs the requested information to obtain such benefits, except that, for a  
2 second or subsequent certified copy of a certificate, abstract or search of  
3 the files requested by the person, the usual fee shall be charged. The  
4 secretary may provide by rules and regulations for exemptions from such  
5 fees.

6 (3) *The secretary shall not charge or accept any fee for a certified*  
7 *copy of a certificate or abstract or for a search of the files or records if the*  
8 *certificate, abstract or search is requested by a homeless veteran who*  
9 *exhibits correspondence from the Kansas office of veterans services, the*  
10 *Kansas soldiers' home, the Kansas veterans' home, any veterans services*  
11 *medical center located in Kansas, any jail or correctional facility or any*  
12 *nonprofit organization located in Kansas for the provision of services for*  
13 *the homeless indicating that the person is applying for a nondriver*  
14 *identification card pursuant to K.S.A. 8-1324, and amendments thereto,*  
15 *and that such person needs the requested information to apply for such*  
16 *identification card. The secretary may provide by rules and regulations for*  
17 *exemption from such fees. For purposes of this paragraph, "veteran"*  
18 *means the same as defined in K.S.A. 8-1324, and amendments thereto.*

19 (4) The secretary shall not charge or accept any fee for a certified  
20 copy of a birth certificate if the certificate is requested by any person who  
21 is 17 years of age or older for purposes of voting if the applicant lacks the  
22 identification required by K.S.A. 25-2908(h), and amendments thereto, or  
23 to meet the voter registration requirements of K.S.A. 25-2309, and  
24 amendments thereto. For voter registration purposes, an applicant for  
25 registration shall swear under oath: (1) That such person plans to register  
26 to vote in Kansas; and (2) that such person does not possess any of the  
27 documents that constitute evidence of United States citizenship under  
28 K.S.A. 25-2309(1), and amendments thereto. The affidavit shall  
29 specifically list the documents that constitute evidence of United States  
30 citizenship under K.S.A. 25-2309(1), and amendments thereto. The  
31 secretary shall adopt rules and regulations in order to implement the  
32 provisions of this subsection.

33 ~~(4)~~(5) Upon receipt of any such remittance of a fee for a certified  
34 copy of a birth certificate or abstract, \$3 of each such fee for the first copy  
35 of a birth certificate or abstract and \$1 of each such fee for each additional  
36 copy of the same birth certificate or abstract requested at the same time  
37 shall be remitted to the state treasurer in accordance with the provisions of  
38 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
39 remittance, the state treasurer shall deposit the entire amount in the state  
40 treasury to the credit of the permanent families account of the family and  
41 children investment fund created by K.S.A. 38-1808, and amendments  
42 thereto. The balance of the money received for a fee for a certified copy of  
43 a birth certificate or abstract shall be remitted to the state treasurer in

1 accordance with the provisions of K.S.A. 75-4215, and amendments  
2 thereto. Upon receipt of each such remittance, the state treasurer shall  
3 deposit the entire amount in the state treasury to the credit of the civil  
4 registration and health statistics fee fund created under this act.

5 ~~(5)~~(6) Upon receipt of any such remittance of a fee for a certified  
6 copy of a death certificate or abstract, \$4 of each such fee for the first  
7 certified copy of a death certificate or abstract and \$2 of each such fee for  
8 each additional copy of the same death certificate or abstract requested at  
9 the same time shall be remitted to the state treasurer in accordance with the  
10 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
11 each such remittance, the state treasurer shall deposit the entire amount in  
12 the state treasury to the credit of the district coroners fund created by  
13 K.S.A. 22a-245, and amendments thereto. The balance of the money  
14 received for a fee for a certified copy of a death certificate or abstract shall  
15 be remitted to the state treasurer in accordance with the provisions of  
16 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
17 remittance, the state treasurer shall deposit the entire amount in the state  
18 treasury to the credit of the civil registration and health statistics fee fund  
19 created by K.S.A. 65-2418e, and amendments thereto.

20 (b) Subject to K.S.A. 65-2415, and amendments thereto, the national  
21 office of vital statistics may be furnished copies or data it requires for  
22 national statistics. The state shall be reimbursed for the cost of furnishing  
23 the data. The data shall not be used for other than statistical purposes by  
24 the national office of vital statistics unless so authorized by the state  
25 registrar of vital statistics.

26 Sec. 3. K.S.A. 2024 Supp. 8-1324 and 65-2418 are hereby repealed.

27 Sec. 4. This act shall take effect and be in force from and after its  
28 publication in the statute book.