

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 441

**FISCAL
NOTE**

By Senator Deeds

[Introduced January 16, 2026; referred
to the Committee on the Judiciary; and then to the
Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §17B-2-16, relating to issuing identification documents to homeless individuals
3 residing at homeless shelters within this state at no cost; stating legislative intent; defining
4 terms; creating a process by which a homeless individual may apply for certain identifying
5 documents to be provided at no cost; requiring the division to issue certain identifying
6 documents to eligible homeless individuals at no cost; and requiring the commissioner to
7 develop forms.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.

§17B-2-16. Identification documents for homeless United States citizens.

(a) Findings.--

The Legislature finds that:

3 (1) Individuals who are homeless are often the victims of crimes in which their personal
4 identification documents are stolen or lost;

5 (2) Personal identification documents are necessary for obtaining employment or certain
6 public benefits, but the fees for acquiring documents may be prohibitive to a homeless individual;
7 and

8 (3) Removing barriers that prevent homeless individuals who are U.S. citizens from
9 obtaining identification documents may enable those individuals to achieve greater financial
10 stability and a permanent home.

(b) Definitions.--

For the purposes of this section:

13 (1) "Homeless U.S. citizen" means an individual who meets the following criteria:

14 (A) The individual is: (i) a United States citizen; and (ii) a resident of this state, as defined
15 by §17A-3-1a of this code, and

16 (B) The individual has a primary nighttime residence that is a public or private place not

designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

(2) "Homeless shelter" means a homeless service agency or entity which regularly provides temporary residence for homeless individuals and families.

(3) "U.S. Citizen" means a person who is either: (i) native-born while lawfully present within the territorial limits of the United States; (ii) foreign-born to a U.S. citizen parent or U.S. citizen parents; or (iii) or duly naturalized after completion of all necessary requirements of the legal processes for obtaining such status.

(c) A Homeless U.S. citizen is eligible to receive certain identification documents at no cost to the Homeless U.S. citizen, as provided in subsection (d) of this section, if all of the following criteria apply:

(1) The Homeless U.S. citizen currently resides at a homeless shelter in this state;

(2) The Homeless U.S. citizen uses the address of the homeless shelter as his or her address of residence on the application for the identifying document; and

(3) An employee or representative from the homeless shelter signs an affidavit stating that the Homeless U.S. citizen is truly a resident of the homeless shelter and has no other known address; And

(4) The State Registrar can confirm the applicant's U.S. citizenship by confirming the existence for such person of one at least one of the four categories of documents approved by U.S. immigration services that can be used for proof of citizenship, which are: (i) a valid birth certificate issued by the state where the applicant was born; (ii) a valid U.S. passport; (iii) a valid certificate of U.S. citizenship; or (iv) a valid naturalization certificate.

(d) Notwithstanding any other provision of this article, the division shall issue the following documents to a Homeless U.S. citizen, meeting the eligibility criteria provided in subsection (c) of this section, at no cost to the citizen:

(1) A photo identification card;

(2) A replacement driver's license; or

- 43 (3) A replacement birth certificate, subject to the State Registrar's confirmation of the
44 applicant's U.S. citizenship: *Provided*, That the division may not issue more than one identifying
45 document, pursuant to this section, to any particular individual within one 30-day period.
- 46 (e) The commissioner shall develop forms necessary to carry out the requirements of this
47 section.

NOTE: The purpose of this bill is to require the Division of Motor Vehicles to provide certain identification documents to homeless individuals who are U.S. Citizens, residing at homeless shelters within this state, at no cost.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.