



NEW YORK STATE SENATOR

Chris Jacobs

## Jacobs, Senate Republicans Call For Passage of "County Clerk's Protection Act"

SENATOR JACOBS May 8, 2019

| ISSUE: **DRIVER'S LICENSES, ILLEGAL IMMIGRATION, DMV (DEPARTMENT OF MOTOR VEHICLES)**



(Albany, New York) - Former Erie County Clerk and current State Senator Chris Jacobs was joined by Senate and Assembly colleagues and County Clerks from across the state calling for passage of legislation to help stop individuals here illegally from obtaining driver's licenses.

The "County Clerk's Protection Act" (S3868) has been introduced in response to reports that legislation is gaining momentum in the state legislature to grant more than 200,000 people here illegally with New York State driver's licenses. Referring to an effort in 2007 led by then Governor Eliot Spitzer to issue driver's licenses to those here illegally, Jacobs and other supporters of the bill maintained it was a "bad idea then and it's a bad idea now." Adding to their concerns is companion legislation that has been introduced that essentially threatens County Clerks with removal if they honor their oaths and refuse to issue driver's licenses to illegal immigrants.

"As a former Erie County Clerk I am opposed to the ill-advised policy of granting drivers licenses to people who have entered the country illegally" said State Senator Chris Jacobs. "The idea of granting licenses to people who are here illegally is not only unfair to law abiding citizens, but it ties the hands of law enforcement and state agencies obligated to protect the public at large. Any County Clerk upholding their oaths of office and refusing to grant such licenses should be protected under the terms of this legislation."

Among the concerns with giving driver's licenses to those here illegally is that it would create a double standard for American citizens applying for a standard license. For example, a citizen with a Social Security number would have to provide it, along with verifiable ID documents while those here illegally would not. It also prohibits the Department of Motor Vehicles (DMV) from sharing any information with law enforcement, thereby creating a roadblock for searching traffic records during routine stops and allowing scofflaws to thwart multiple traffic violations to obtain a license after their actual license has been revoked.

The County Clerk's Protection Act would indemnify County Clerks in New York State who administer DMV offices from facing lawsuits or removal by the governor when acting in good faith, and with a reasonable belief they are upholding their oath of office and the Constitution of the United States, they refuse to issue driver's licenses to those here illegally.

“No American citizen in my district expects to break the law and be rewarded for it, especially for breaking the law twice: once when they come into our country illegally and a second time for driving a vehicle,” said Senator Jim Tedisco. “Giving driver’s licenses to those here illegally sends the wrong message to honest, law-abiding citizens and those who are trying to do the right thing and have been in line for some time to become American citizens. We need an improved path to citizenship on the federal level for people who want to be a part of our magnificent melting pot of a republic, but it should not be done in an unfair, ham-handed way at the state-level that hurts our security and makes a mockery of what it means to be a citizen.”

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#### RELATED LEGISLATION

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### **2019-S3868**

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- Introduced
  
- - In Committee Assembly
  - In Committee Senate
  
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- - Passed Assembly
  - Passed Senate

- Delivered to Governor
- Signed By Governor
- 

Allows a county clerk to employ an attorney-at-law to defend against certain civil actions; and relates to the removal of public officers by the governor

February 20, 2019

In Senate Committee [Local Government](#)

Sponsored by [James Tedisco](#)

Do you support this bill?