

1 AN ACT relating to discriminatory practices by state agencies.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 344 IS CREATED TO  
4 READ AS FOLLOWS:

5 *As used in Sections 1 and 2 of this Act:*

6 *(1) "Computer" means an electronic device that has the ability to store, retrieve, or*  
7 *process information;*

8 *(2) "Digital identification" means any electronic process, procedure, or*  
9 *documentation used to verify an individual's name, likeness, or other traits*  
10 *unique to the individual;*

11 *(3) "Mobile device" means a portable device that has the capability to connect to the*  
12 *Internet or communicate with other cellular devices;*

13 *(4) "Resident of the Commonwealth" means:*

14 *(a) An individual residing in the Commonwealth;*

15 *(b) A domestic business entity with a location in the Commonwealth;*

16 *(c) A foreign business entity registered with the Secretary of State;*

17 *(d) An individual that is employed and works at a location or locations within*  
18 *the Commonwealth;*

19 *(e) An individual or business entity that owns real property within the*  
20 *Commonwealth; or*

21 *(f) Any individual or business entity that has been authorized to act on behalf*  
22 *of an individual or business entity defined in paragraphs (a) to (e) of this*  
23 *subsection; and*

24 *(5) "State agency" means any department, commission, council, board, bureau,*  
25 *committee, institution, legislative body, agency, government corporation, or other*  
26 *entity of the executive, judicial, or legislative branch of the state government.*

27 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 344 IS CREATED TO

1 READ AS FOLLOWS:

2 **(1) It is an unlawful practice for a state agency within the Commonwealth to:**

3 **(a) Require a resident of the Commonwealth to own, operate, or communicate**  
4 **with any state agency using a mobile device, computer, or digital**  
5 **identification in order to receive benefits or entitlements for which the**  
6 **person would otherwise be eligible. An alternate method of communication**  
7 **or validation shall be provided by the state agency;**

8 **(b) Deny a resident of the Commonwealth access to any state building, agency,**  
9 **or department of the state that is responsible for providing benefits or**  
10 **entitlements based on ownership of a mobile device, computer, or digital**  
11 **identification. An alternate method of access shall be provided by the state**  
12 **agency;**

13 **(c) Deny access to a court hearing based on ownership of a mobile device,**  
14 **computer, or digital identification. An alternate method of access shall be**  
15 **provided by the state agency;**

16 **(d) Exclude a person from receiving benefits or entitlements for which he or**  
17 **she would otherwise be eligible based on ownership of a mobile device,**  
18 **computer, or digital identification. An alternate method of receipt of**  
19 **benefits shall be provided by the state agency; or**

20 **(e) Require exclusively credit or other electronic payment methods. A method**  
21 **of accepting cash payments shall be required.**

22 **(2) Sections 1 and 2 of this Act shall be subject to KRS 344.450.**

23 ➔Section 3. This Act may be cited as the Digital Identification Act.