



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-3007/1
ZDW:skw

2023 SENATE BILL 310

May 24, 2023 - Introduced by Senators JAGLER, SPREITZER, BALLWEG, CABRAL-GUEVARA, HESSELBEIN, PFAFF and ROYS, cosponsored by Representatives BILLINGS, MURSAU, C. ANDERSON, ANDRACA, BARE, BEHNKE, CABRERA, CONLEY, CONSIDINE, DITTRICH, GUSTAFSON, JACOBSON, JOERS, MOSES, OHNSTAD, ORTIZ-VELEZ, PALMERI, RATCLIFF, SHANKLAND, SHELTON, SINICKI, SUBECK and TITTL. Referred to Committee on Financial Institutions and Sporting Heritage.

1 **AN ACT** *to amend* 29.001 (69); and *to create* 343.50 (8) (c) 4m. of the statutes;
2 **relating to:** access to Department of Transportation records to establish
3 residency for approvals issued by the Department of Natural Resources.

Analysis by the Legislative Reference Bureau

This bill provides that a person may use an identification card issued by the Department of Transportation to establish residency for approvals issued by the Department of Natural Resources and requires DOT to provide DNR with access to DOT records for this purpose.

Under current law, DNR issues approvals that authorize the holder of the approval to engage in certain activities, such as hunting wild animals. In general, residents of the state are issued a different approval, for a lower fee, than nonresidents of the state. Current law provides that a resident is anyone who has maintained a permanent abode in the state for at least 30 days prior to applying for an approval, which must be established by demonstrating domiciliary intent. Under current law, evidence of domiciliary intent includes voting, paying personal income taxes, or obtaining a driver's license at a location in the state.

The bill provides that domiciliary intent may also be satisfied by obtaining an identification card issued by DOT. Under current law, an identification card issued by DOT is required to contain the same information that is required for an operator's license, including the license holder's name, address, and photograph, but must be clearly labeled as providing only identification of the card's holder.

Current law requires DOT to maintain current records of all identification card holders and generally prohibits DOT from disclosing the records to any person.

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There are numerous exceptions to this prohibition, including disclosing information to the driver licensing agencies of other jurisdictions and to other state agencies for specified purposes. The bill requires DOT to provide DNR electronic access to identification card records for the purpose of verifying the residency of applicants for DNR approvals.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 29.001 (69) of the statutes is amended to read:

2 29.001 **(69)** “Resident” means a person who has maintained his or her place of
3 permanent abode in this state for a period of 30 days immediately preceding his or
4 her application for an approval. Domiciliary intent is required to establish that a
5 person is maintaining his or her place of permanent abode in this state. Mere
6 ownership of property is not sufficient to establish domiciliary intent. Evidence of
7 domiciliary intent includes, without limitation, the location where the person votes,
8 pays personal income taxes, or obtains a driver’s license or an identification card
9 issued under s. 343.50.

10 **SECTION 2.** 343.50 (8) (c) 4m. of the statutes is created to read:

11 343.50 **(8)** (c) 4m. Notwithstanding par. (b) and s. 343.14 (2j), the department
12 shall, upon request, provide to the department of natural resources any applicant
13 information maintained by the department of transportation and identified in s.
14 343.14 (2), including providing electronic access to the information, for the sole
15 purpose of verification by the department of natural resources that the applicant is
16 a resident of this state for the purpose of qualifying for approvals, as defined in s.
17 29.001 (12), issued by the department of natural resources.

18 **SECTION 3. Effective date.**

