



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 374
[2015 Senate Bill 533]

Local ID Cards

2015 Wisconsin Act 374 relates to the ability of a local government to issue or fund photo identification cards (“photo ID”).

2015 WISCONSIN ACT 374

Act 374 does the following: (1) generally prohibits towns and counties from issuing photo ID; (2) prohibits photo ID issued by cities and villages from being used for specified purposes; and (3) prohibits a locally-issued identification card (“ID”) that has been previously used as proof of residence for registering to vote from being used for that purpose going forward.

Town- or County-Issued ID

Act 374 prohibits a town or county from issuing or expending funds for the issuance of photo ID for any of its residents, unless the photo ID is issued to the following individuals or for the following purposes:

- An employee or elected official of the town or county, if the photo ID relates to the employee’s or official’s job duties.
- An employee of a vendor or contractor that contracts with the town or county, or an employee of a subcontractor that contracts with the vendor or contractor, if the photo ID relates to the employee’s job duties for the town or county.
- To use a transit system owned or operated by the town or county.
- To use or access services or facilities owned by the town or county.
- An employee of, or a student who is attending, an institution of higher education that contracts with the town or county, if the photo ID relates to the individual’s job duties for the town or county.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

City- or Village-Issued ID

Act 374 permits issuance of photo ID by cities and villages, but prohibits such photo ID from being used for particular purposes. The Act provides that a city- or village-issued photo ID may not be used: (1) as proof of residence when registering to vote; (2) as proof of identification for voting (commonly referred to as “Voter ID”); or (3) to obtain public assistance benefits. Public assistance benefits are services, benefits, payments, or other assistance provided under a program administered by the Department of Health Services or the Department of Children and Families under s. 253.06 or ch. 49, Stats.

The Act also imposes a requirement on cities and villages that choose to issue photo ID. If a city or village issues or expends funds for issuance of a photo ID for residents, then the photo ID must state “Not authorized for voting purposes” clearly on its face in 12-point type.

Proof of Residence

Act 374 prohibits use of certain locally-issued ID as proof of residence for registering to vote, even if the ID was previously used for this purpose. State law requires an individual to provide proof of residence when registering, and specifies a list of identifying documents that may be used. To be used as proof of residence, a document must appear on the list and must also contain a current and complete name and residential address. Under prior law, any “official identification card or license issued by a Wisconsin governmental body or unit” could be used as proof of residence.

Act 374 prohibits the use of city- or village-issued photo ID as proof of residence, as discussed above. The Act also provides that if any town- or county-issued ID (other than one for the permitted purposes), was previously used as proof of residence for voter registration, that ID is not valid for such purposes after the Act’s effective date. Similarly, the Act provides that if any city- or village-issued ID was previously used as proof of residence for voter registration, that card is not valid for such purposes after the Act’s effective date.

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