



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5942/1
JK&EVM:skw

2021 SENATE BILL 938

February 3, 2022 - Introduced by Senators DARLING, ROTH, WIMBERGER, FELZKOWSKI, NASS and STROEBEL, cosponsored by Representatives KNODL, ARMSTRONG, BEHNKE, BRANDTJEN, BROOKS, CABRAL-GUEVARA, DITTRICH, GUNDRUM, HORLACHER, KRUG, KUGLITSCH, MAGNAFICI, PENTERMAN, PETERSEN, PRONSCHINSKE, ROZAR, SANFELIPPO, SCHRAA, TITTL, WICHGERS and NEYLON. Referred to Committee on Elections, Election Process Reform and Ethics.

1 **AN ACT to amend** 5.056; and **to create** 5.057 and 343.17 (3) (a) 16. of the statutes;
2 **relating to:** verifying citizenship of individuals on the official voter
3 registration list and contents of operator's licenses and identification cards.

Analysis by the Legislative Reference Bureau

Current law requires the administrator of the Elections Commission to enter into an agreement with the secretary of transportation to match personally identifiable information on the official voter registration list with the information maintained by DOT. Under the bill, the agreement with DOT must also provide for the commission to review the information maintained by DOT to verify that individuals on the registration list are U.S. citizens. The bill also requires the commission to verify that individuals on the official registration list are U.S. citizens by using the Systematic Alien Verification for Entitlements database maintained by the federal Department of Homeland Security. Under the bill, the commission must conduct the verifications 60 days before the distribution of absentee ballots to voters before an election.

The bill also requires DOT to place on the face of an operator's license or identification card issued to a person who is not a U.S. citizen, the words "Not valid for voting purposes" or another readily recognizable indication that the license may not be accepted for voter identification purposes.

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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.** 5.056 of the statutes is amended to read:

2 **5.056 Matching program with secretary of transportation.** The
3 commission administrator shall enter into the agreement with the secretary of
4 transportation specified under s. 85.61 (1) to match personally identifiable
5 information on the official registration list maintained by the commission under s.
6 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable
7 information maintained by the department of transportation. The agreement shall
8 also provide that the commission review the personally identifiable information
9 maintained by the department of transportation 60 days before the distribution of
10 absentee ballots to electors before an election to verify that individuals on the official
11 registration list are U.S. citizens.

12 **SECTION 2.** 5.057 of the statutes is created to read:

13 **5.057 Verification by the Department of Homeland Security.** The
14 commission shall verify that individuals on the official registration list maintained
15 by the commission under s. 6.36 (1) are U.S. citizens by using the systematic alien
16 verification for entitlements database maintained by the federal Department of
17 Homeland Security. The commission shall conduct the verification under this
18 section 60 days before the distribution of absentee ballots to electors before an
19 election.

20 **SECTION 3.** 343.17 (3) (a) 16. of the statutes is created to read:

