



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5490/1
ZDW&EVM:amn

2021 ASSEMBLY BILL 1184

March 10, 2022 - Introduced by Representatives ORTIZ-VELEZ, CABRERA, ANDERSON, CONSIDINE, SHELTON, HONG, SPREITZER, BALDEH, HAYWOOD, OHNSTAD, SUBECK, SINICKI, HEBL, GOYKE, HESSELBEIN, POPE and STUBBS, cosponsored by Senator CARPENTER. Referred to Committee on Rules.

1 **AN ACT** *to renumber and amend* 343.14 (2) (br) and 343.14 (2) (es); *to amend*
2 66.1011 (1), 66.1201 (2m), 66.1213 (3), 66.1301 (2m), 66.1333 (3) (e) 2., 86.195
3 (5) (c), 106.50 (1), 106.50 (1m) (h), 106.50 (1m) (nm), 106.50 (5m) (f) 1., 106.52
4 (3) (a) 1., 106.52 (3) (a) 2., 106.52 (3) (a) 3., 106.52 (3) (a) 4., 106.52 (3) (a) 5.,
5 111.31 (1), 111.31 (2), 111.31 (3), 111.321, 194.025, 224.77 (1) (o), 230.01 (2) (b),
6 230.18, 234.29, 343.03 (3m), 343.03 (3r), 343.14 (2j), 343.165 (1) (c), 343.165 (1)
7 (e), 343.165 (3) (b), 343.165 (3) (c), 343.165 (4) (b), 343.165 (4) (d), 343.165 (7)
8 (a) (intro.), 343.20 (1) (a), 343.20 (1) (f), 343.20 (1m), 343.20 (2) (a), 343.50 (3)
9 (a) and (b), 343.50 (5) (b), 343.50 (5) (c), 343.50 (6), 343.50 (10) (c), 452.14 (3) (n)
10 and 632.35; and *to create* 343.14 (2) (br) 2., 343.14 (2) (es) 2m., 343.165 (7) (c),
11 343.17 (3) (a) 16., 343.50 (5) (bm) and 343.50 (8) (c) 6. of the statutes; **relating**

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1 **to:** issuance of identification cards and operator licenses to undocumented
2 persons.

Analysis by the Legislative Reference Bureau

This bill provides that an applicant for a REAL ID noncompliant driver's license or identification card is not required to provide documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States.

Under 2007 Wisconsin Act 20, certain provisions specified in the federal REAL ID Act of 2005 (REAL ID) were incorporated into state law and these provisions became effective on January 1, 2013. Among these provisions was the requirement that DOT follow certain procedures in processing applications for driver's licenses and identification cards. However, under 2011 Wisconsin Acts 23 and 32, DOT may process applications for driver's licenses and identification cards in a manner other than that required by REAL ID if the driver's licenses and identification cards are marked to indicate that they are not REAL ID compliant and DOT processes the applications in compliance with DOT practices and procedures applicable immediately prior to implementation of REAL ID.

Under current law, an applicant for a driver's license or identification card, regardless of whether it is REAL ID compliant or REAL ID noncompliant, must provide to DOT 1) an identification document that includes either the applicant's photograph or both the applicant's full legal name and date of birth; 2) documentation, which may be the same as item 1, above, showing the applicant's date of birth; 3) proof of the applicant's social security number or verification that the applicant is not eligible for a social security number; 4) documentation showing the applicant's name and address of principal residence; and 5) documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States. However, in processing an application for a REAL ID noncompliant driver's license or identification card, DOT is not required to meet the standards for document retention and verification that are imposed for REAL ID compliant products.

Under the bill, an applicant for a REAL ID noncompliant driver's license or identification card (noncompliant REAL ID) is not required to provide documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States. Also, an applicant may, in lieu of item 1 above, provide an individual taxpayer identification number, a foreign passport, or any other documentation deemed acceptable to the department and, in lieu of items 2 and 4 above, provide documentation deemed acceptable to the department. If the applicant does not have a social security number, the applicant is required to provide verification only that he or she does not have one, rather than verification that he or she is not eligible for one. In processing an application for, and issuing or renewing, a noncompliant REAL ID, DOT may not include any question or require any proof or documentation as to whether the applicant is a U.S. citizen or is otherwise lawfully present in the United States. The bill does not change any current law requirements related to driver

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qualifications such as minimum age or successful completion of knowledge and driving skills tests.

Under current law, most driver's licenses issued by DOT are issued for an initial two-year period and must be renewed every eight years thereafter. In general, an applicant for renewal of a driver's license must pass an eyesight test and have his or her photograph taken with each renewal. Most identification cards issued by DOT are issued for an initial period of eight years and are renewable for eight-year periods thereafter, and applicants, generally, must have their photograph taken with each renewal.

Under the bill, an applicant for a noncompliant REAL ID who does not provide a social security number is issued a noncompliant REAL ID that displays, on its face, the words "Not valid for voting purposes. Not evidence of citizenship or immigration status." and that has a four-year renewal period rather than an eight-year renewal period. With each renewal, DOT has discretion whether or not to take a new photograph and, for a driver's license, give an eyesight test. However, DOT must take a new photograph and, for a driver's license, give an eyesight test at least once every eight years.

With limited exceptions, DOT may not disclose social security numbers obtained from operator's license or identification card applicants. This bill prohibits DOT from disclosing the fact that an applicant has verified to DOT that the applicant does not have a social security number, except that DOT may disclose this information to the Elections Commission.

The bill also prohibits discrimination on the basis of a person's status as a holder or a nonholder of a noncompliant REAL ID, adding this license status as a prohibited basis for discrimination in employment, housing, and the equal enjoyment of a public place of accommodation or amusement.

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.** 66.1011 (1) of the statutes is amended to read:
2 66.1011 (1) DECLARATION OF POLICY. The right of all persons to have equal
3 opportunities for housing regardless of their sex, race, color, disability, as defined in
4 s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), religion, national
5 origin, marital status, family status, as defined in s. 106.50 (1m) (k), status as a
6 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
7 status as a holder or nonholder of a license under s. 343.03 (3r), lawful source of

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1 income, age, or ancestry is a matter both of statewide concern under ss. 101.132 and
2 106.50 and also of local interest under this section and s. 66.0125. The enactment
3 of ss. 101.132 and 106.50 by the legislature does not preempt the subject matter of
4 equal opportunities in housing from consideration by political subdivisions, and does
5 not exempt political subdivisions from their duty, nor deprive them of their right, to
6 enact ordinances that prohibit discrimination in any type of housing solely on the
7 basis of an individual being a member of a protected class.

8 **SECTION 2.** 66.1201 (2m) of the statutes is amended to read:

9 66.1201 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
10 facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit,
11 facility, or privilege in any manner for any purpose nor be discriminated against
12 because of sex, race, color, creed, national origin, sexual orientation, status as a
13 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
14 or national origin status as a holder or nonholder of a license under s. 343.03 (3r).

15 **SECTION 3.** 66.1213 (3) of the statutes is amended to read:

16 66.1213 **(3)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
17 facility, or privilege under this section may not be denied the right, benefit, facility,
18 or privilege in any manner for any purpose nor be discriminated against because of
19 sex, race, color, creed, national origin, sexual orientation, status as a victim of
20 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
21 national origin status as a holder or nonholder of a license under s. 343.03 (3r).

22 **SECTION 4.** 66.1301 (2m) of the statutes is amended to read:

23 66.1301 **(2m)** DISCRIMINATION. Persons entitled to any right, benefit, facility,
24 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility,
25 or privilege in any manner for any purpose nor be discriminated against because of

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1 sex, race, color, creed, national origin, sexual orientation, status as a victim of
2 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
3 national origin status as a holder or nonholder of a license under s. 343.03 (3r).

4 **SECTION 5.** 66.1333 (3) (e) 2. of the statutes is amended to read:

5 66.1333 (3) (e) 2. Persons otherwise entitled to any right, benefit, facility, or
6 privilege under this section may not be denied the right, benefit, facility, or privilege
7 in any manner for any purpose nor be discriminated against because of sex, race,
8 color, creed, national origin, sexual orientation, status as a victim of domestic abuse,
9 sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or national origin status
10 as a holder or nonholder of a license under s. 343.03 (3r).

11 **SECTION 6.** 86.195 (5) (c) of the statutes is amended to read:

12 86.195 (5) (c) *Conformity with discrimination laws.* Each business identified
13 as a motorist service on a specific information sign shall, as a condition of eligibility
14 for erection, installation and maintenance of a sign under this section, give written
15 assurance to the department that the business conforms with all applicable laws
16 concerning the provisions of public accommodations without regard to race, religion,
17 color, sex or, national origin, or status as a holder or nonholder of a license under s.
18 343.03 (3r).

19 **SECTION 7.** 106.50 (1) of the statutes is amended to read:

20 106.50 (1) INTENT. It is the intent of this section to render unlawful
21 discrimination in housing. It is the declared policy of this state that all persons shall
22 have an equal opportunity for housing regardless of sex, race, color, sexual
23 orientation, disability, religion, national origin, marital status, family status, status
24 as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of
25 domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry

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1 and it is the duty of the political subdivisions to assist in the orderly prevention or
2 removal of all discrimination in housing through the powers granted under ss.
3 66.0125 and 66.1011. The legislature hereby extends the state law governing equal
4 housing opportunities to cover single-family residences that are owner-occupied.
5 The legislature finds that the sale and rental of single-family residences constitute
6 a significant portion of the housing business in this state and should be regulated.
7 This section shall be considered an exercise of the police powers of the state for the
8 protection of the welfare, health, peace, dignity, and human rights of the people of
9 this state.

10 **SECTION 8.** 106.50 (1m) (h) of the statutes is amended to read:

11 106.50 **(1m)** (h) “Discriminate” means to segregate, separate, exclude, or treat
12 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
13 because of sex, race, color, sexual orientation, disability, religion, national origin,
14 marital status, family status, status as a holder or nonholder of a license under s.
15 343.03 (3r), status as a victim of domestic abuse, sexual assault, or stalking, lawful
16 source of income, age, or ancestry.

17 **SECTION 9.** 106.50 (1m) (nm) of the statutes is amended to read:

18 106.50 **(1m)** (nm) “Member of a protected class” means a group of natural
19 persons, or a natural person, who may be categorized because of sex, race, color,
20 disability, sexual orientation, religion, national origin, marital status, family status,
21 status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim
22 of domestic abuse, sexual abuse, or stalking, lawful source of income, age, or ancestry.

23 **SECTION 10.** 106.50 (5m) (f) 1. of the statutes is amended to read:

24 106.50 **(5m)** (f) 1. Nothing in this section prohibits an owner or agent from
25 requiring that a person who seeks to buy or rent housing supply information

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1 concerning family status, and marital, financial, and business status but not
2 concerning race, color, disability, sexual orientation, ancestry, national origin,
3 religion, creed, status as a holder or nonholder of a license under s. 343.03 (3r), status
4 as a victim of domestic abuse, sexual assault, or stalking, or, subject to subd. 2., age.

5 **SECTION 11.** 106.52 (3) (a) 1. of the statutes is amended to read:

6 106.52 (3) (a) 1. Deny to another or charge another a higher price than the
7 regular rate for the full and equal enjoyment of any public place of accommodation
8 or amusement because of sex, race, color, creed, disability, sexual orientation,
9 national origin, or ancestry or because a person holds or does not hold a license under
10 s. 343.03 (3r).

11 **SECTION 12.** 106.52 (3) (a) 2. of the statutes is amended to read:

12 106.52 (3) (a) 2. Give preferential treatment to some classes of persons in
13 providing services or facilities in any public place of accommodation or amusement
14 because of sex, race, color, creed, sexual orientation, national origin, or ancestry or
15 because a person holds or does not hold a license under s. 343.03 (3r).

16 **SECTION 13.** 106.52 (3) (a) 3. of the statutes is amended to read:

17 106.52 (3) (a) 3. Directly or indirectly publish, circulate, display or mail any
18 written communication which the communicator knows is to the effect that any of
19 the facilities of any public place of accommodation or amusement will be denied to
20 any person by reason of sex, race, color, creed, disability, sexual orientation, national
21 origin, or ancestry or because a person holds or does not hold a license under s. 343.03
22 (3r) or that the patronage of a person is unwelcome, objectionable or unacceptable
23 for any of those reasons.

24 **SECTION 14.** 106.52 (3) (a) 4. of the statutes is amended to read:

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1 106.52 (3) (a) 4. Refuse to furnish or charge another a higher rate for any
2 automobile insurance because of race, color, creed, disability, national origin, or
3 ancestry or because a person holds or does not hold a license under s. 343.03 (3r).

4 **SECTION 15.** 106.52 (3) (a) 5. of the statutes is amended to read:

5 106.52 (3) (a) 5. Refuse to rent, charge a higher price than the regular rate or
6 give preferential treatment, because of sex, race, color, creed, sexual orientation,
7 national origin, or ancestry or because a person holds or does not hold a license under
8 s. 343.03 (3r), regarding the use of any private facilities commonly rented to the
9 public.

10 **SECTION 16.** 111.31 (1) of the statutes is amended to read:

11 111.31 (1) The legislature finds that the practice of unfair discrimination in
12 employment against properly qualified individuals by reason of their age, race,
13 creed, color, disability, marital status, sex, national origin, ancestry, sexual
14 orientation, arrest record, conviction record, military service, use or nonuse of lawful
15 products off the employer's premises during nonworking hours, or declining to
16 attend a meeting or to participate in any communication about religious matters or
17 political matters, substantially and adversely affects the general welfare of the state.
18 Employers, labor organizations, employment agencies, and licensing agencies that
19 deny employment opportunities and discriminate in employment against properly
20 qualified individuals solely because of their age, race, creed, color, disability, marital
21 status, sex, national origin, ancestry, sexual orientation, arrest record, conviction
22 record, military service, status as a holder or nonholder of a license under s. 343.03
23 (3r), use or nonuse of lawful products off the employer's premises during nonworking
24 hours, or declining to attend a meeting or to participate in any communication about

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1 religious matters or political matters, deprive those individuals of the earnings that
2 are necessary to maintain a just and decent standard of living.

3 **SECTION 17.** 111.31 (2) of the statutes is amended to read:

4 111.31 (2) It is the intent of the legislature to protect by law the rights of all
5 individuals to obtain gainful employment and to enjoy privileges free from
6 employment discrimination because of age, race, creed, color, disability, marital
7 status, sex, national origin, ancestry, sexual orientation, arrest record, conviction
8 record, military service, status as a holder or nonholder of a license under s. 343.03
9 (3r), use or nonuse of lawful products off the employer's premises during nonworking
10 hours, or declining to attend a meeting or to participate in any communication about
11 religious matters or political matters, and to encourage the full, nondiscriminatory
12 utilization of the productive resources of the state to the benefit of the state, the
13 family, and all the people of the state. It is the intent of the legislature in
14 promulgating this subchapter to encourage employers to evaluate an employee or
15 applicant for employment based upon the individual qualifications of the employee
16 or applicant rather than upon a particular class to which the individual may belong.

17 **SECTION 18.** 111.31 (3) of the statutes is amended to read:

18 111.31 (3) In the interpretation and application of this subchapter, and
19 otherwise, it is declared to be the public policy of the state to encourage and foster
20 to the fullest extent practicable the employment of all properly qualified individuals
21 regardless of age, race, creed, color, disability, marital status, sex, national origin,
22 ancestry, sexual orientation, arrest record, conviction record, military service, status
23 as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful
24 products off the employer's premises during nonworking hours, or declining to
25 attend a meeting or to participate in any communication about religious matters or

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1 political matters. Nothing in this subsection requires an affirmative action program
2 to correct an imbalance in the work force. This subchapter shall be liberally
3 construed for the accomplishment of this purpose.

4 **SECTION 19.** 111.321 of the statutes is amended to read:

5 **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to
6 111.365, no employer, labor organization, employment agency, licensing agency, or
7 other person may engage in any act of employment discrimination as specified in s.
8 111.322 against any individual on the basis of age, race, creed, color, disability,
9 marital status, sex, national origin, ancestry, arrest record, conviction record,
10 military service, status as a holder or nonholder of a license under s. 343.03 (3r), use
11 or nonuse of lawful products off the employer's premises during nonworking hours,
12 or declining to attend a meeting or to participate in any communication about
13 religious matters or political matters.

14 **SECTION 20.** 194.025 of the statutes is amended to read:

15 **194.025 Discrimination prohibited.** No motor carrier may engage in any
16 practice, act or omission which results in discrimination on the basis of race, creed,
17 sex ~~or~~, national origin, or status as a holder or nonholder of a license under s. 343.03
18 (3r).

19 **SECTION 21.** 224.77 (1) (o) of the statutes is amended to read:

20 224.77 (1) (o) In the course of practice as a mortgage banker, mortgage loan
21 originator, or mortgage broker, except in relation to housing designed to meet the
22 needs of elderly individuals, treat a person unequally solely because of sex, race,
23 color, handicap, sexual orientation, as defined in s. 111.32 (13m), religion, national
24 origin, age, or ancestry, the person's lawful source of income, or the sex, marital
25 status, status as a holder or nonholder of a license under s. 343.03 (3r), or status as

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1 a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
2 (u), of the person maintaining a household.

3 **SECTION 22.** 230.01 (2) (b) of the statutes is amended to read:

4 230.01 (2) (b) It is the policy of this state to provide for equal employment
5 opportunity by ensuring that all personnel actions including hire, tenure or term,
6 and condition or privilege of employment be based on the ability to perform the duties
7 and responsibilities assigned to the particular position without regard to age, race,
8 creed or religion, color, disability, sex, national origin, ancestry, sexual orientation,
9 or political affiliation, or status as a holder or nonholder of a license under s. 343.03
10 (3r).

11 **SECTION 23.** 230.18 of the statutes is amended to read:

12 **230.18 Discrimination prohibited.** No question in any form of application
13 or in any evaluation used in the hiring process may be so framed as to elicit
14 information concerning the partisan political or religious opinions or affiliations of
15 any applicant nor may any inquiry be made concerning such opinions or affiliations
16 and all disclosures thereof shall be discountenanced except that the director may
17 evaluate the competence and impartiality of applicants for positions such as clinical
18 chaplain in a state institutional program. No discriminations may be exercised in
19 the recruitment, application, or hiring process against or in favor of any person
20 because of the person's political or religious opinions or affiliations or because of age,
21 sex, disability, race, color, sexual orientation, national origin, or ancestry, or status
22 as a holder or nonholder of a license under s. 343.03 (3r) except as otherwise provided.

23 **SECTION 24.** 234.29 of the statutes is amended to read:

24 **234.29 Equality of occupancy and employment.** The authority shall
25 require that occupancy of housing projects assisted under this chapter be open to all

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1 regardless of sex, race, religion, sexual orientation, status as a holder or nonholder
2 of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual assault,
3 or stalking, as defined in s. 106.50 (1m) (u), or creed, and that contractors and
4 subcontractors engaged in the construction of economic development or housing
5 projects, shall provide an equal opportunity for employment, without discrimination
6 as to sex, race, religion, sexual orientation, or creed.

7 **SECTION 25.** 343.03 (3m) of the statutes is amended to read:

8 343.03 (3m) NONCITIZEN LIMITED-TERM LICENSE. If the issuance of any license
9 described under sub. (3) requires the license applicant to present any documentary
10 proof specified in s. 343.14 (2) (es) ~~2. to 7.~~ 1m. b. to g. or (im) 2m. b., the license shall
11 display on the front side of the license, in addition to any legend or label described
12 in sub. (3), a legend identifying the license as limited term or, if the license authorizes
13 the operation of a commercial motor vehicle, as a nondomiciled license. This
14 noncitizen limited-term license may not be renewed except as provided in s. 343.165
15 (4) (c). A nondomiciled license may not be issued to a resident of Canada or Mexico.

16 **SECTION 26.** 343.03 (3r) of the statutes is amended to read:

17 343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub.
18 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in
19 addition to any legend or label described in sub. (3), be marked in a manner
20 consistent with requirements under applicable federal law and regulations to
21 indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),
22 and is not intended to be accepted by any federal agency for federal identification or
23 any other official purpose. Section 344.62 applies to a person operating a motor
24 vehicle under the authorization of a license issued under this subsection.

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1 **SECTION 27.** 343.14 (2) (br) of the statutes is renumbered 343.14 (2) (br) 1. and
2 amended to read:

3 343.14 (2) (br) 1. If Except as provided in subd. 2., if the applicant does not have
4 a social security number, a statement made or subscribed under oath or affirmation
5 that the applicant does not have a social security number and is not eligible for a
6 social security number. The statement shall provide the basis or reason that the
7 applicant is not eligible for a social security number, as well as any information
8 requested by the department that may be needed by the department for purposes of
9 verification under s. 343.165 (1) (c). The form of the statement shall be prescribed
10 by the department, with the assistance of the department of children and families.
11 A license that is issued or renewed under s. 343.17 in reliance on a statement
12 submitted under this ~~paragraph~~ subdivision is invalid if the statement is false.

13 **SECTION 28.** 343.14 (2) (br) 2. of the statutes is created to read:

14 343.14 (2) (br) 2. If the applicant does not have a social security number and
15 the application is for an operator's license that contains the marking specified in s.
16 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
17 (3) (b), a statement made or subscribed under oath or affirmation that the applicant
18 does not have a social security number. The form of the statement shall be prescribed
19 by the department, with the assistance of the department of children and families.
20 A license that is issued or renewed under s. 343.17 in reliance on a statement
21 submitted under this subdivision is invalid if the statement is false.

22 **SECTION 29.** 343.14 (2) (es) of the statutes is renumbered 343.14 (2) (es) 1m.,
23 and 343.14 (2) (es) 1m. (intro.), as renumbered, is amended to read:

24 343.14 (2) (es) 1m. (intro.) Subject to sub. (2g) (a) 2. d. and s. 343.125 (2) (a) and
25 (b), and except as provided in subd. 2m., valid documentary proof that the individual

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1 is a citizen or national of the United States or an alien lawfully admitted for
2 permanent or temporary residence in the United States or has any of the following:

3 **SECTION 30.** 343.14 (2) (es) 2m. of the statutes is created to read:

4 343.14 (2) (es) 2m. Valid documentary proof under subd. 1m. is not required if
5 the application is for an operator's license that contains the marking specified in s.
6 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
7 (3) (b).

8 **SECTION 31.** 343.14 (2j) of the statutes is amended to read:

9 343.14 (2j) Except as otherwise required to administer and enforce this
10 chapter, the department of transportation may not disclose a social security number
11 obtained from an applicant for a license under sub. (2) (bm) to any person except to
12 the department of children and families for the sole purpose of administering s.
13 49.22, to the department of workforce development for the sole purpose of enforcing
14 or administering s. 108.22, to the department of revenue for the purposes of
15 administering state taxes and collecting debt, to the driver licensing agency of
16 another jurisdiction, or to the elections commission for the sole purpose of allowing
17 the chief election officer to comply with the terms of the agreement under s. 6.36 (1)
18 (ae). The department of transportation may not disclose to any person the fact that
19 an applicant has provided verification under s. 343.165 (7) (c) 2. that the applicant
20 does not have a social security number, except to the elections commission for
21 purposes of administering the agreement described in s. 5.056.

22 **SECTION 32.** 343.165 (1) (c) of the statutes is amended to read:

23 343.165 (1) (c) Proof of the applicant's social security number or, except as
24 provided in sub. (7) (c) 2. and s. 343.14 (2g) (a) 4., verification that the applicant is
25 not eligible for a social security number.

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1 **SECTION 33.** 343.165 (1) (e) of the statutes is amended to read:

2 343.165 (1) (e) Subject to ss. 343.125 (2) (a) and (b) and 343.14 (2g) (a) 2. d., and
3 except as provided in sub. (7) (c) 1. and s. 343.14 (2) (es) 2m., the documentary proof
4 described in s. 343.14 (2) (es) 1m.

5 **SECTION 34.** 343.165 (3) (b) of the statutes is amended to read:

6 343.165 (3) (b) The department may not accept any foreign document, other
7 than an official passport, to satisfy a requirement under sub. (1). This paragraph
8 does not apply to an application processed under sub. (7) (c).

9 **SECTION 35.** 343.165 (3) (c) of the statutes is amended to read:

10 343.165 (3) (c) For purposes of par. (a) and sub. (1) (c), if an applicant presents
11 a social security number that is already registered to or associated with another
12 person, the department shall direct the applicant to investigate and take appropriate
13 action to resolve the discrepancy and shall not issue any operator's license or
14 identification card until the discrepancy is resolved. The department shall adopt
15 procedures for purposes of verifying that an applicant is not eligible for a social
16 security number, except with respect to applications processed under sub. (7) (c).

17 **SECTION 36.** 343.165 (4) (b) of the statutes is amended to read:

18 343.165 (4) (b) The department shall establish an effective procedure to
19 confirm or verify an applicant's information for purposes of any application described
20 in par. (a). The procedure shall include verification of the applicant's social security
21 number or, except with respect to applications processed under sub. (7) (c),
22 ineligibility for a social security number.

23 **SECTION 37.** 343.165 (4) (d) of the statutes is amended to read:

24 343.165 (4) (d) With any license or identification card renewal following a
25 license or identification card expiration established under s. 343.20 (1) (a) or (1m) or

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1 343.50 (5) (bm) or (c) at other than an 8-year interval, the department may
2 determine whether the applicant's photograph is to be taken, or if the renewal is for
3 a license the applicant is to be examined, or both, at the time of such renewal, so long
4 as the applicant's photograph is taken, and if the renewal is for a license the
5 applicant is examined, with a license or card renewal at least once every 8 years and
6 the applicant's license or identification card at all times includes a photograph unless
7 an exception under s. 343.14 (3m) or 343.50 (4g) applies.

8 **SECTION 38.** 343.165 (7) (a) (intro.) of the statutes is amended to read:

9 343.165 (7) (a) (intro.) The Subject to par. (c), the department may process an
10 application for, and issue or renew, an operator's license or identification card
11 without meeting the requirements under subs. (2) and (3) if all of the following apply:

12 **SECTION 39.** 343.165 (7) (c) of the statutes is created to read:

13 343.165 (7) (c) 1. Notwithstanding s. 343.14 (2) (f), in processing an application
14 for, and issuing or renewing, an operator's license that contains the marking
15 specified in s. 343.03 (3r) or an identification card that contains the marking
16 specified in s. 343.50 (3) (b), the department may not include any question or require
17 any proof or documentation as to whether the applicant is a citizen or national of the
18 United States or lawfully present in the United States.

19 2. For an application processed under this paragraph, if the applicant does not
20 provide proof of the applicant's social security number, the applicant shall provide
21 verification, in the manner described in s. 343.14 (2) (br) 2., that the applicant does
22 not have a social security number.

23 3. Notwithstanding sub. (1) (a), for an application processed under this
24 paragraph, an applicant may provide an individual taxpayer identification number,

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1 a foreign passport, or any other documentation deemed acceptable to the
2 department, in lieu of the documentation required under sub. (1) (a).

3 4. Notwithstanding sub. (1) (b) and (d), for an application processed under this
4 paragraph, an applicant may provide any documentation deemed acceptable to the
5 department, in lieu of the documentation required under sub. (1) (b) or (d).

6 **SECTION 40.** 343.17 (3) (a) 16. of the statutes is created to read:

7 343.17 (3) (a) 16. If the license is marked as provided in s. 343.03 (3r) and the
8 license applicant did not provide a verified social security number with the license
9 application, the words “Not valid for voting purposes. Not evidence of citizenship or
10 immigration status.”

11 **SECTION 41.** 343.20 (1) (a) of the statutes is amended to read:

12 343.20 (1) (a) Except as otherwise expressly provided in this chapter,
13 probationary licenses issued under s. 343.085 shall expire 2 years from the date of
14 the applicant’s next birthday. Licenses issued after cancellation shall expire on the
15 expiration date for the prior license at the time of cancellation. Subject to s. 343.125
16 (3), all other licenses and license endorsements shall expire 8 years after the date of
17 issuance or, if the license application was processed under s. 343.165 (7) (c) and the
18 applicant did not provide a verified social security number, 4 years after the date of
19 issuance. The department may institute any system of initial license issuance which
20 it deems advisable for the purpose of gaining a uniform rate of renewals. In order
21 to put such a system into operation, the department may issue licenses which are
22 valid for any period less than the ordinary effective period of such license. If the
23 department issues a license that is valid for less than the ordinary effective period
24 as authorized by this paragraph, the fees due under s. 343.21 (1) (b) and (d) shall be
25 prorated accordingly.

ASSEMBLY BILL 1184**SECTION 42**

1 **SECTION 42.** 343.20 (1) (f) of the statutes is amended to read:

2 343.20 (1) (f) The department shall cancel an operator's license, regardless of
3 the license expiration date, if the department receives information from a local, state,
4 or federal government agency that the licensee no longer satisfies the requirements
5 for issuance of a license under ss. 343.14 (2) (es) and 343.165 (1) (e). This paragraph
6 does not apply to an operator's license if the license application was processed under
7 s. 343.165 (7) (c).

8 **SECTION 43.** 343.20 (1m) of the statutes is amended to read:

9 343.20 (1m) Notwithstanding sub. (1) (a), and except as provided in s. 343.165
10 (4) (c) and as otherwise provided in this subsection, a license that is issued to a person
11 who is not a United States citizen or permanent resident and who provides
12 documentary proof of legal status as provided under s. 343.14 (2) (es) ~~2., 4., 5., 6., or~~
13 ~~7. 1m. b., d., e., f., or g.~~ shall expire on the date that the person's legal presence in the
14 United States is no longer authorized or on the expiration date determined under
15 sub. (1), whichever date is earlier. If the documentary proof as provided under s.
16 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
17 United States is no longer authorized, sub. (1) shall apply except that, if the license
18 was issued or renewed based upon the person's presenting of any documentary proof
19 specified in s. 343.14 (2) (es) ~~4. to 7. 1m. d. to g.~~, the license shall, subject to s. 343.165
20 (4) (c), expire one year after the date of issuance or renewal. This subsection does not
21 apply to a license that contains the marking specified in s. 343.03 (3r).

22 **SECTION 44.** 343.20 (2) (a) of the statutes is amended to read:

23 343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,
24 the department shall provide to the licensee notice of renewal of the license either
25 by mail at the licensee's last-known address or, if desired by the licensee, by any

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1 electronic means offered by the department. If the license was issued or last renewed
2 based upon the person's presenting of any documentary proof specified in s. 343.14
3 (2) (es) ~~4. to 7. 1m. d. to g.~~, the notice shall inform the licensee of the requirement
4 under s. 343.165 (4) (c).

5 **SECTION 45.** 343.50 (3) (a) and (b) of the statutes are amended to read:

6 343.50 (3) (a) The card shall be the same size as an operator's license but shall
7 be of a design which is readily distinguishable from the design of an operator's license
8 and bear upon it the words "IDENTIFICATION CARD ONLY." The information on
9 the card shall be the same as specified under s. 343.17 (3). If the issuance of the card
10 requires the applicant to present any documentary proof specified in s. 343.14 (2) (es)
11 ~~4. to 7. 1m. d. to g.~~, the card shall display, on the front side of the card, a legend
12 identifying the card as temporary. The card shall contain physical security features
13 consistent with any requirement under federal law. The card may serve as a record
14 of gift under s. 157.06 (2) (t) and the holder may affix a sticker thereto as provided
15 in s. 343.175 (3). The card may also serve as a record of refusal under s. 157.06 (2)
16 (u). Except as provided in sub. (4g), the card shall contain the holder's photograph
17 and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

18 (b) If an identification card is issued based upon the exception specified in s.
19 343.165 (7) or (8), the card shall, in addition to any other required legend or design,
20 be of the design specified under s. 343.17 (3) (a) 14. and include a marking similar
21 or identical to the marking described in s. 343.03 (3r) and, if applicable, the words
22 specified in s. 343.17 (3) (a) 16.

23 **SECTION 46.** 343.50 (5) (b) of the statutes is amended to read:

24 343.50 (5) (b) Except as provided in pars. (~~bm~~), (c), and (d) and s. 343.165 (4)
25 (c), an original or reinstated card shall be valid for the succeeding period of 8 years

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1 from the applicant's next birthday after the date of issuance, and a renewed card
2 shall be valid for the succeeding period of 8 years from the card's last expiration date.

3 **SECTION 47.** 343.50 (5) (bm) of the statutes is created to read:

4 343.50 (5) (bm) Notwithstanding par. (d), if the identification card application
5 was processed under s. 343.165 (7) (c) and the applicant did not provide a verified
6 social security number, an original or reinstated card shall be valid for the succeeding
7 period of 2 years from the applicant's next birthday after the date of issuance, and
8 a renewed card shall be valid for the succeeding period of 2 years from the card's last
9 expiration date.

10 **SECTION 48.** 343.50 (5) (c) of the statutes is amended to read:

11 343.50 (5) (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided
12 in this paragraph, an identification card that is issued to a person who is not a United
13 States citizen and who provides documentary proof of legal status as provided under
14 s. 343.14 (2) (es) 1m. shall expire on the date that the person's legal presence in the
15 United States is no longer authorized or on the expiration date determined under
16 par. (b), whichever date is earlier. If the documentary proof as provided under s.
17 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
18 United States is no longer authorized, then the card shall be valid for the period
19 specified in par. (b) except that, if the card was issued or renewed based upon the
20 person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~
21 1m. d. to g., the card shall, subject to s. 343.165 (4) (c), expire one year after the date
22 of issuance or renewal. This paragraph does not apply to an identification card that
23 contains the marking specified in sub. (3) (b).

24 **SECTION 49.** 343.50 (6) of the statutes is amended to read:

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1 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
2 identification card, the department shall provide to the card holder notice of renewal
3 of the card either by mail at the card holder's last-known address or, if desired by
4 the card holder, by any electronic means offered by the department. If the card was
5 issued or last renewed based upon the person's presenting of any documentary proof
6 specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the notice shall inform the card holder
7 of the requirement under s. 343.165 (4) (c). The department shall include with the
8 notice information, as developed by all organ procurement organizations in
9 cooperation with the department, that promotes anatomical donations and which
10 relates to the anatomical donation opportunity available under s. 343.175. The
11 department may renew an identification card by mail or by any electronic means
12 available to the department, but the department may not make consecutive renewals
13 by mail or electronic means.

14 **SECTION 50.** 343.50 (8) (c) 6. of the statutes is created to read:

15 343.50 (8) (c) 6. Notwithstanding any other provision of this paragraph, the
16 department may not disclose to any person the fact that an applicant has provided
17 verification under s. 343.165 (7) (c) 2. that the applicant does not have a social
18 security number, except to the elections commission for purposes of administering
19 the agreement described in s. 5.056.

20 **SECTION 51.** 343.50 (10) (c) of the statutes is amended to read:

21 343.50 (10) (c) Whenever the department receives information from a local,
22 state, or federal government agency that the card holder no longer satisfies the
23 requirements for issuance of a card under ss. 343.14 (2) (es) and 343.165 (1) (e). A
24 card cancelled under this paragraph may not be reinstated under sub. (5) until these

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1 requirements are again satisfied. This paragraph does not apply to a card if the card
2 application was processed under s. 343.165 (7) (c).

3 **SECTION 52.** 452.14 (3) (n) of the statutes is amended to read:

4 452.14 (3) (n) Treated any person unequally solely because of sex, race, color,
5 handicap, national origin, ancestry, marital status, lawful source of income, status
6 as a holder or nonholder of a license under s. 343.03 (3r), or status as a victim of
7 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u).

8 **SECTION 53.** 632.35 of the statutes is amended to read:

9 **632.35 Prohibited rejection, cancellation and nonrenewal.** No insurer
10 may cancel or refuse to issue or renew an automobile insurance policy wholly or
11 partially because of one or more of the following characteristics of any person: age,
12 sex, residence, race, color, creed, religion, national origin, ancestry, marital status or,
13 occupation, or status as a holder or nonholder of a license under s. 343.03 (3r).

14 **SECTION 54. Initial applicability.**

15 (1) This act first applies to applications received by the department of
16 transportation on the effective date of this subsection.

17 **SECTION 55. Effective date.**

18 (1) This act takes effect on the first day of the 4th month beginning after
19 publication.

20 (END)