

2005 Assembly Bill 69

Date of enactment: **March 10, 2006**
Date of publication*: **March 24, 2006**

2005 WISCONSIN ACT 126

AN ACT *to amend* 343.50 (4), 343.50 (5) and 343.50 (6); and *to create* 343.06 (1) (L), 343.14 (2) (er), 343.17 (3) (a) 14., 343.20 (1) (f) and 343.20 (1m) of the statutes; **relating to:** operator's licenses and identification cards for aliens.

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

SECTION 1. 343.06 (1) (L) of the statutes is created to read:

343.06 (1) (L) To any person who does not provide the documentary proof described in s. 343.14 (2) (er).

SECTION 2. 343.14 (2) (er) of the statutes is created to read:

343.14 (2) (er) 1. Documentary proof that the individual is a citizen of the United States or documentary proof that the individual is legally present in the United States.

2. If the individual is not a citizen of the United States, he or she shall provide documentary proof of his or her status as a legal permanent resident or conditional resident, a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States, a pending or approved application for asylum in the United States, valid entry into the United States in refugee status, a pending or approved application for temporary protected status in the United States, approved deferred action status, or a pending application for adjustment of status to legal permanent resident status or conditional resident status.

SECTION 3. 343.17 (3) (a) 14. of the statutes is created to read:

343.17 (3) (a) 14. If the person is not a citizen of the United States, the date on which the person's legal presence in the United States expires.

SECTION 4. 343.20 (1) (f) of the statutes is created to read:

343.20 (1) (f) The department shall cancel an operator's license if the department is notified by a local, state, or federal government agency that the operator is no longer a citizen of the United States, a legal permanent resident of the United States, or a conditional resident of the United States, or otherwise not legally present in the United States.

SECTION 5. 343.20 (1m) of the statutes is created to read:

343.20 (1m) A license that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person's legal presence in the United States is no longer authorized, sub. (1) shall apply.

SECTION 6. 343.50 (4) of the statutes is amended to read:

343.50 (4) APPLICATION. The application for an identification card shall include any information required

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), and (em), and (er), and such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card. The department shall, as part of the application process, take a photograph of the applicant to comply with sub. (3). No application may be processed without the photograph being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

SECTION 7. 343.50 (5) of the statutes is amended to read:

343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the reinstatement of an identification card after cancellation under sub. (10) shall be \$9. The card shall be valid for the succeeding period of 4 years from the applicant's next birthday after the date of issuance, except that a card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person's legal presence in the United States is no longer authorized, then the card shall be valid for the succeeding period of 4 years from the applicant's next birthday after the date of issuance.

SECTION 8. 343.50 (6) of the statutes is amended to read:

343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the department shall mail a renewal application to the last-known address of each identification card holder. The department shall include with the application information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175. The fee for a renewal identification card shall be \$9, which card shall be valid for 4 years, except that a card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person's legal presence in the United States is no longer authorized, then the card shall be valid for 4 years.

SECTION 9. Initial applicability.

(1) This act first applies to applications that are made on the effective date of this subsection.

SECTION 9m. Effective date.

(1) This act takes effect on the first day of the 13th month beginning after publication.