

2005 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB69)

Received: 05/17/2005

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Frederick Kessler (608) 266-5813

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies:

Submit via email: YES

Requester's email: **Rep.Kessler@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Licenses for aliens

Instructions:

sunset after 3 years

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	phurley 05/17/2005	wjackson 05/17/2005		_____			
/1			jfrantze 05/17/2005	_____	lnorthro 05/17/2005	lnorthro 05/17/2005	

FE Sent For:

<END>

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/?	phurley	1 wly 5/17	J 5/17	Hck 5/17			

FE Sent For:

<END>

Hurley, Peggy

From: Little, Sharon
Sent: Monday, May 16, 2005 5:31 PM
To: Hurley, Peggy
Subject: Amendment needed by 1:00 (to make 24 hour committee rule)

Hi Peggy,

Would you please draft an amendment to ???AB 69 or to the ASA1 to AB69???? for Rep. Kessler that would make the provisions of the bill sunset after 3 years. The bill is up for exec in Criminal Justice at 1:00 on Wednesday but the committee has a 24 hour rule so we'll need it by 12:45 Tuesday in order to get it filed in time for the 1:00 deadline. Thanks.

Also, would you please send me an e-mail or give me a buzz to let me know you're in today (if I don't hear from you by 10:00 or so, I'll call someone else to have it drafted).

Talk to you tomorrow.

Sharon Little
Rep. Kessler's Office
6-5813

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 69**

May 10, 2005 – Offered by Representative PETTIS.

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

Analysis by the Legislative Reference Bureau

Under current law, a person who wishes to receive an operator's license or identification card from the Department of Transportation (DOT) must provide certain information to DOT, including the person's name, address, date of birth, and physically descriptive information. A license or an identification card that is issued by DOT includes a picture of the person, identifying information, the person's signature, and physically descriptive information.

Under this substitute amendment, an applicant for an operator's license or identification card must present documentary proof that the person is either a United States citizen or legally present in the United States. The substitute amendment requires DOT to include on the person's operator's license or identification card the date on which the person's legal presence in the United States expires, and specifies that the person's license or identification card expires on that date. If the person is authorized to be in the United States for an unspecified period

of time, the standard renewal periods for an operator's license or an identification card apply.

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

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

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

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

5 343.14 (2) (er) 1. Documentary proof that the individual is a citizen of the
6 United States or documentary proof that the individual is legally present in the
7 United States.

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

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

17 343.17 (3) (a) 14. If the person is not a citizen of the United States, the date on
18 which the person's legal presence in the United States expires.

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

20 343.20 (1) (f) The department shall cancel an operator's license if the
21 department is notified by a local, state, or federal government agency that the

1 operator is no longer a citizen of the United States, a legal permanent resident of the
2 United States, or a conditional resident of the United States, or otherwise not legally
3 present in the United States.

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

5 343.20 (1m) A license that is issued to a person who is not a United States
6 citizen and who provides documentary proof of legal status as provided under s.
7 343.14 (2) (er) shall expire on the date that the person's legal presence in the United
8 States is no longer authorized. If the documentary proof as provided under s. 343.14
9 (2) (er) does not state the date that the person's legal presence in the United States
10 is no longer authorized, sub. (1) shall apply.

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

12 343.50 (4) APPLICATION. The application for an identification card shall include
13 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), and
14 (em), and (er), and such further information as the department may reasonably
15 require to enable it to determine whether the applicant is entitled by law to an
16 identification card. The department shall, as part of the application process, take a
17 photograph of the applicant to comply with sub. (3). No application may be processed
18 without the photograph being taken. Misrepresentations in violation of s. 343.14 (5)
19 are punishable as provided in s. 343.14 (9).

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

21 343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the
22 reinstatement of an identification card after cancellation under sub. (10) shall be \$9.
23 The card shall be valid for the succeeding period of 4 years from the applicant's next
24 birthday after the date of issuance, except that a card that is issued to a person who
25 is not a United States citizen and who provides documentary proof of legal status as

1 provided under s. 343.14 (2) (er) shall expire on the date that the person's legal
2 presence in the United States is no longer authorized. If the documentary proof as
3 provided under s. 343.14 (2) (er) does not state the date that the person's legal
4 presence in the United States is no longer authorized, then the card shall be valid
5 for the succeeding period of 4 years from the applicant's next birthday after the date
6 of issuance.

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

8 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the
9 department shall mail a renewal application to the last-known address of each
10 identification card holder. The department shall include with the application
11 information, as developed by all organ procurement organizations in cooperation
12 with the department, that promotes anatomical donations and which relates to the
13 anatomical donation opportunity available under s. 343.175. The fee for a renewal
14 identification card shall be \$9, which card shall be valid for 4 years, except that a card
15 that is issued to a person who is not a United States citizen and who provides
16 documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on
17 the date that the person's legal presence in the United States is no longer authorized.
18 If the documentary proof as provided under s. 343.14 (2) (er) does not state the date
19 that the person's legal presence in the United States is no longer authorized, then
20 the card shall be valid for 4 years.

21 **SECTION 9. Initial applicability.**

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

24 (END)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,
TO 2005 ASSEMBLY BILL 148

AA -
ASA1 -
AB-69

Now

LPS:
Please
Fix
Spacing
of all
4-dot ellipses

substitute amendment

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 2, line 3: after that line insert:

3 "SECTION 1m. 343.06 (1) (L) of the statutes, as created by 2005 Wisconsin Act
4 (this act), is repealed."

5 ✓ 2. Page 2, line 15: after that line insert:

6 "SECTION 2m. 343.14 (2) (er) of the statutes, as created by 2005 Wisconsin Act
7 (this act), is repealed."

8 ✓ 3. Page 2, line 21: after that line insert:

9 "SECTION 3m. 343.20 (1) (f) of the statutes, as created by 2005 Wisconsin Act
10 (this act), is repealed."

11 ✓ 4. Page 3, line 7: after that line insert:

Page 2, line 18: after that line insert:

SECTION 3m. RP; 343.17 (3)(a) K. as created by 2005 Wisconsin Act... (this act)

LPS:
Please
Fix
Spacing

3, line 3

10

CSTB

PS: Please Fix Spacing

1 "SECTION ^{B5}4m. 343.20 (1m) of the statutes, as created by 2005 Wisconsin Act [✓]
2 . . . (this act), is repealed."

3 ¹⁹ 5. Page 3, line 16: after that line insert:

4 "SECTION ^{B6}5m. 343.50 (4) of the statutes, as affected by 2005 Wisconsin Act . . .
5 (this Act), is amended to read:

PS: Please Fix Spacing

6 343.50 (4) APPLICATION. The application for an identification card shall include
7 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), and
8 (em), ~~and (er)~~, and such further information as the department may reasonably
9 require to enable it to determine whether the applicant is entitled by law to an
10 identification card. The department shall, as part of the application process, take a
11 photograph of the applicant to comply with sub. (3). No application may be processed
12 without the photograph being taken. Misrepresentations in violation of s. 343.14 (5)
13 are punishable as provided in s. 343.14 (9)."

History: 1977 c. 360, 447; 1979 c. 226, 306; 1981 c. 20 s. 1848r; 1985 a. 29, 98; 1987 a. 27, 304; 1989 a. 105, 294, 298; 1991 a. 86, 269; 1995 a. 446; 1997 a. 27, 119, 191; 1999 a. 9, 32, 80, 85, 88, 186; 2001 a. 93; 2003 a. 33.

14 ^{B7} 6. Page 4, line 3: after that line insert:

15 "SECTION ^{B7}6m. 343.50 (5) of the statutes, as affected by 2005 Wisconsin Act . . .
16 . . . (this Act), is amended to read:

PS: Please Fix Spacing

17 343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the
18 reinstatement of an identification card after cancellation under sub. (10) shall be \$9.
19 The card shall be valid for the succeeding period of 4 years from the applicant's next
20 birthday after the date of issuance, ~~except that a card that is issued to a person who~~
21 ~~is not a United States citizen and who provides documentary proof of legal status as~~
22 ~~provided under s. 343.14 (2) (er) shall expire on the date that the person's legal~~
23 ~~presence in the United States is no longer authorized. If the documentary proof as~~
24 ~~provided under s. 343.14 (2) (er) does not state the date that the person's legal~~

1 ~~presence in the United States is no longer authorized, then the card shall be valid~~
2 ~~for the succeeding period of 4 years from the applicant's next birthday after the date~~
3 ~~of issuance."~~

History: 1977 c. 360, 447; 1979 c. 226, 306; 1981 c. 20 s. 1848r; 1985 a. 29, 98; 1987 a. 27, 304; 1989 a. 105, 294, 298; 1991 a. 86, 269; 1995 a. 446; 1997 a. 27, 119, 191; 1999 a. 9, 32, 80, 85, 88, 186; 2001 a. 93; 2003 a. 33.

4 ✓ 7. Page 4, line 17: after that line insert:

5 "SECTION 9m. 343.50 (6) of the statutes, as affected by 2005 Wisconsin Act []
6 (this Act), is amended to read:

7 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the
8 department shall mail a renewal application to the last-known address of each
9 identification card holder. The department shall include with the application
10 information, as developed by all organ procurement organizations in cooperation
11 with the department, that promotes anatomical donations and which relates to the
12 anatomical donation opportunity available under s. 343.175. The fee for a renewal
13 identification card shall be \$9, which card shall be valid for 4 years, ~~except that a card~~
14 ~~that is issued to a person who is not a United States citizen and who provides~~
15 ~~documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on~~
16 ~~the date that the person's legal presence in the United States is no longer authorized.~~
17 ~~If the documentary proof as provided under s. 343.14 (2) (er) does not state the date~~
18 ~~that the person's legal presence in the United States is no longer authorized, then~~
19 ~~the card shall be valid for 4 years."~~

History: 1977 c. 360, 447; 1979 c. 226, 306; 1981 c. 20 s. 1848r; 1985 a. 29, 98; 1987 a. 27, 304; 1989 a. 105, 294, 298; 1991 a. 86, 269; 1995 a. 446; 1997 a. 27, 119, 191; 1999 a. 9, 32, 80, 85, 88, 186; 2001 a. 93; 2003 a. 33.

20 ✓ 8. Page 4, line 20: after that line insert:

21 "SECTION 9m. Effective dates. This act takes effect on the day after
22 publication, except as follows:

343.17 (3)(a) 14.5 and

1 (1) The repeal of sections 343.06 (1) (L), 343.14 (2) (er), 343.20 (1) (f) and (1m)
 2 of the statutes, and the ^{amendment} treatment of sections 343.50 (4) (by Section 6m), 343.50 (5)
 3 (by Section 7m), and (6) (by Section 8m) of the statutes takes effect on January 1,
 4 2009.”.

5 (END)