



P2

DOA:.....Aslesen, BB0453 - Driver's cards

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

inserts

(reconciliation)

D-note

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

1. Driver's cards

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 this 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 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 this 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.

This 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 (3m), lawful source of
8 income, age, or ancestry is a matter both of statewide concern under ss. 101.132 and
9 106.50 and also of local interest under this section and s. 66.0125. The enactment
10 of ss. 101.132 and 106.50 by the legislature does not preempt the subject matter of
11 equal opportunities in housing from consideration by political subdivisions, and does
12 not exempt political subdivisions from their duty, nor deprive them of their right, to
13 enact ordinances that prohibit discrimination in any type of housing solely on the
14 basis of an individual being a member of a protected class.

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

16 66.1201 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit,
17 facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit,
18 facility, or privilege in any manner for any purpose nor be discriminated against
19 because of sex, race, color, creed, national origin, sexual orientation, status as a
20 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
21 or national origin status as a holder or nonholder of a license under s. 343.03 (3m).

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to-D*

SECTION 3

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

2 **66.1213 (3) DISCRIMINATION.** Persons otherwise entitled to any right, benefit,
3 facility, or privilege under this section may not be denied the right, benefit, facility,
4 or privilege in any manner for any purpose nor be discriminated against because of
5 sex, race, color, creed, national origin, sexual orientation, status as a victim of
6 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
7 national origin status as a holder or nonholder of a license under s. 343.03 (3m).

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

9 **66.1301 (2m) DISCRIMINATION.** Persons entitled to any right, benefit, facility,
10 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility,
11 or privilege in any manner for any purpose nor be discriminated against because of
12 sex, race, color, creed, national origin, sexual orientation, status as a victim of
13 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
14 national origin status as a holder or nonholder of a license under s. 343.03 (3m).

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

16 **66.1333 (3) (e) 2.** Persons otherwise entitled to any right, benefit, facility, or
17 privilege under this section may not be denied the right, benefit, facility, or privilege
18 in any manner for any purpose nor be discriminated against because of sex, race,
19 color, creed, national origin, sexual orientation, status as a victim of domestic abuse,
20 sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or national origin status
21 as a holder or nonholder of a license under s. 343.03 (3m).

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

23 **86.195 (5) (c) *Conformity with discrimination laws.*** Each business identified
24 as a motorist service on a specific information sign shall, as a condition of eligibility
25 for erection, installation and maintenance of a sign under this section, give written

1 assurance to the department that the business conforms with all applicable laws
2 concerning the provisions of public accommodations without regard to race, religion,
3 color, sex or, national origin, or status as a holder or nonholder of a license under s.
4 343.03 (3m).

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

6 106.50 (1) INTENT. It is the intent of this section to render unlawful
7 discrimination in housing. It is the declared policy of this state that all persons shall
8 have an equal opportunity for housing regardless of sex, race, color, sexual
9 orientation, disability, religion, national origin, marital status, family status, status
10 as a holder or nonholder of a license under s. 343.03 (3m), status as a victim of
11 domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry
12 and it is the duty of the political subdivisions to assist in the orderly prevention or
13 removal of all discrimination in housing through the powers granted under ss.
14 66.0125 and 66.1011. The legislature hereby extends the state law governing equal
15 housing opportunities to cover single-family residences that are owner-occupied.
16 The legislature finds that the sale and rental of single-family residences constitute
17 a significant portion of the housing business in this state and should be regulated.
18 This section shall be considered an exercise of the police powers of the state for the
19 protection of the welfare, health, peace, dignity, and human rights of the people of
20 this state.

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

22 106.50 (1m) (h) "Discriminate" means to segregate, separate, exclude, or treat
23 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
24 because of sex, race, color, sexual orientation, disability, religion, national origin,
25 marital status, family status, status as a holder or nonholder of a license under s.

1 343.03 (3m), status as a victim of domestic abuse, sexual assault, or stalking, lawful
2 source of income, age, or ancestry.

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

4 106.50 (1m) (nm) "Member of a protected class" means a group of natural
5 persons, or a natural person, who may be categorized because of sex, race, color,
6 disability, sexual orientation, religion, national origin, marital status, family status,
7 status as a holder or nonholder of a license under s. 343.03 (3m), status as a victim
8 of domestic abuse, sexual abuse, or stalking, lawful source of income, age, or ancestry.

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

10 106.50 (5m) (f) 1. Nothing in this section prohibits an owner or agent from
11 requiring that a person who seeks to buy or rent housing supply information
12 concerning family status, and marital, financial, and business status but not
13 concerning race, color, disability, sexual orientation, ancestry, national origin,
14 religion, creed, status as a holder or nonholder of a license under s. 343.03 (3m),
15 status as a victim of domestic abuse, sexual assault, or stalking, or, subject to subd.
16 2., age.

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

18 106.52 (3) (a) 1. Deny to another or charge another a higher price than the
19 regular rate for the full and equal enjoyment of any public place of accommodation
20 or amusement because of sex, race, color, creed, disability, sexual orientation,
21 national origin, or ancestry or because a person holds or does not hold a license under
22 s. 343.03 (3m).

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

24 106.52 (3) (a) 2. Give preferential treatment to some classes of persons in
25 providing services or facilities in any public place of accommodation or amusement

1 because of sex, race, color, creed, sexual orientation, national origin, or ancestry or
2 because a person holds or does not hold a license under s. 343.03 (3m).

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

4 106.52 (3) (a) 3. Directly or indirectly publish, circulate, display or mail any
5 written communication which the communicator knows is to the effect that any of
6 the facilities of any public place of accommodation or amusement will be denied to
7 any person by reason of sex, race, color, creed, disability, sexual orientation, national
8 origin, or ancestry or because a person holds or does not hold a license under s. 343.03
9 (3m) or that the patronage of a person is unwelcome, objectionable or unacceptable
10 for any of those reasons.

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

12 106.52 (3) (a) 4. Refuse to furnish or charge another a higher rate for any
13 automobile insurance because of race, color, creed, disability, national origin, or
14 ancestry or because a person holds or does not hold a license under s. 343.03 (3m).

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

16 106.52 (3) (a) 5. Refuse to rent, charge a higher price than the regular rate or
17 give preferential treatment, because of sex, race, color, creed, sexual orientation,
18 national origin, or ancestry or because a person holds or does not hold a license under
19 s. 343.03 (3m), regarding the use of any private facilities commonly rented to the
20 public.

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

22 111.31 (1) The legislature finds that the practice of unfair discrimination in
23 employment against properly qualified individuals by reason of their age, race,
24 creed, color, disability, marital status, sex, national origin, ancestry, sexual
25 orientation, arrest record, conviction record, military service, use or nonuse of lawful

1 products off the employer's premises during nonworking hours, or declining to
2 attend a meeting or to participate in any communication about religious matters or
3 political matters, substantially and adversely affects the general welfare of the state.
4 Employers, labor organizations, employment agencies, and licensing agencies that
5 deny employment opportunities and discriminate in employment against properly
6 qualified individuals solely because of their 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 (3m), use or nonuse of lawful products off the employer's premises during
10 nonworking hours, or declining to attend a meeting or to participate in any
11 communication about religious matters or political matters, deprive those
12 individuals of the earnings that are necessary to maintain a just and decent standard
13 of living.

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

15 111.31 (2) It is the intent of the legislature to protect by law the rights of all
16 individuals to obtain gainful employment and to enjoy privileges free from
17 employment discrimination because of age, race, creed, color, disability, marital
18 status, sex, national origin, ancestry, sexual orientation, arrest record, conviction
19 record, military service, status as a holder or nonholder of a license under s. 343.03
20 (3m), use or nonuse of lawful products off the employer's premises during
21 nonworking hours, or declining to attend a meeting or to participate in any
22 communication about religious matters or political matters, and to encourage the
23 full, nondiscriminatory utilization of the productive resources of the state to the
24 benefit of the state, the family, and all the people of the state. It is the intent of the
25 legislature in promulgating this subchapter to encourage employers to evaluate an

1 employee or applicant for employment based upon the individual qualifications of
2 the employee or applicant rather than upon a particular class to which the individual
3 may belong.

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

5 111.31 (3) In the interpretation and application of this subchapter, and
6 otherwise, it is declared to be the public policy of the state to encourage and foster
7 to the fullest extent practicable the employment of all properly qualified individuals
8 regardless of age, race, creed, color, disability, marital status, sex, national origin,
9 ancestry, sexual orientation, arrest record, conviction record, military service, status
10 as a holder or nonholder of a license under s. 343.03 (3m), use or nonuse of lawful
11 products off the employer's premises during nonworking hours, or declining to
12 attend a meeting or to participate in any communication about religious matters or
13 political matters. Nothing in this subsection requires an affirmative action program
14 to correct an imbalance in the work force. This subchapter shall be liberally
15 construed for the accomplishment of this purpose.

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

17 **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to
18 111.365, no employer, labor organization, employment agency, licensing agency, or
19 other person may engage in any act of employment discrimination as specified in s.
20 111.322 against any individual on the basis of age, race, creed, color, disability,
21 marital status, sex, national origin, ancestry, arrest record, conviction record,
22 military service, status as a holder or nonholder of a license under s. 343.03 (3m), use
23 or nonuse of lawful products off the employer's premises during nonworking hours,
24 or declining to attend a meeting or to participate in any communication about
25 religious matters or political matters.

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

2 **194.025 Discrimination prohibited.** No motor carrier may engage in any
3 practice, act or omission which results in discrimination on the basis of race, creed,
4 sex ~~or~~, national origin, or status as a holder or nonholder of a license under s. 343.03
5 (3m).

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

7 224.77 (1) (o) In the course of practice as a mortgage banker, mortgage loan
8 originator, or mortgage broker, except in relation to housing designed to meet the
9 needs of elderly individuals, treat a person unequally solely because of sex, race,
10 color, handicap, sexual orientation, as defined in s. 111.32 (13m), religion, national
11 origin, age, or ancestry, the person's lawful source of income, or the sex, marital
12 status, status as a holder or nonholder of a license under s. 343.03 (3m), or status as
13 a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
14 (u), of the person maintaining a household.

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

16 230.01 (2) (b) It is the policy of this state to provide for equal employment
17 opportunity by ensuring that all personnel actions including hire, tenure or term,
18 and condition or privilege of employment be based on the ability to perform the duties
19 and responsibilities assigned to the particular position without regard to age, race,
20 creed or religion, color, disability, sex, national origin, ancestry, sexual orientation,
21 ~~or~~ political affiliation, or status as a holder or nonholder of a license under s. 343.03
22 (3m).

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

24 **230.18 Discrimination prohibited.** No question in any form of application
25 or in any evaluation used in the hiring process may be so framed as to elicit

1 information concerning the partisan political or religious opinions or affiliations of
2 any applicant nor may any inquiry be made concerning such opinions or affiliations
3 and all disclosures thereof shall be discountenanced except that the director may
4 evaluate the competence and impartiality of applicants for positions such as clinical
5 chaplain in a state institutional program. No discriminations may be exercised in
6 the recruitment, application, or hiring process against or in favor of any person
7 because of the person's political or religious opinions or affiliations or because of age,
8 sex, disability, race, color, sexual orientation, national origin, or ancestry, or status
9 as a holder or nonholder of a license under s. 343.03 (3m) except as otherwise
10 provided.

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

12 **234.29 Equality of occupancy and employment.** The authority shall
13 require that occupancy of housing projects assisted under this chapter be open to all
14 regardless of sex, race, religion, sexual orientation, status as a holder or nonholder
15 of a license under s. 343.03 (3m), status as a victim of domestic abuse, sexual assault,
16 or stalking, as defined in s. 106.50 (1m) (u), or creed, and that contractors and
17 subcontractors engaged in the construction of economic development or housing
18 projects, shall provide an equal opportunity for employment, without discrimination
19 as to sex, race, religion, sexual orientation, or creed.

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

21 **343.03 (3m) NONCITIZEN LIMITED-TERM LICENSE.** If the issuance of any license
22 described under sub. (3) requires the license applicant to present any documentary
23 proof specified in s. 343.14 (2) (es) ~~2. to 7.~~ 1m. b. to g. or (im) 2m. b., the license shall
24 display on the front side of the license, in addition to any legend or label described
25 in sub. (3), a legend identifying the license as limited term or, if the license authorizes

1 the operation of a commercial motor vehicle, as a nondomiciled license. This
2 noncitizen limited-term license may not be renewed except as provided in s. 343.165
3 (4) (c). A nondomiciled license may not be issued to a resident of Canada or Mexico.
4 Section 344.62 applies to a person operating a motor vehicle under the authorization
5 of a license issued under this subsection.

6 **SECTION 26.** 343.14 (2) (br) of the statutes is renumbered 343.14 (2) (br) 1. and
7 amended to read:

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

18 **SECTION 27.** 343.14 (2) (br) 2. of the statutes is created to read:

19 343.14 (2) (br) 2. If the applicant does not have a social security number and
20 the application is for an operator's license that contains the marking specified in s.
21 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
22 (3) (b), a statement made or subscribed under oath or affirmation that the applicant
23 does not have a social security number. The form of the statement shall be prescribed
24 by the department, with the assistance of the department of children and families.

1 A license that is issued or renewed under s. 343.17 in reliance on a statement
2 submitted under this subdivision is invalid if the statement is false.

3 **SECTION 28.** 343.14 (2) (es) of the statutes is renumbered 343.14 (2) (es) 1m.,
4 and 343.14 (2) (es) 1m. (intro.), as renumbered, is amended to read:

5 343.14 (2) (es) 1m. (intro.) Subject to sub. (2g) (a) 2. d. and s. 343.125 (2) (a) and
6 (b), and except as provided in subd. 2m., valid documentary proof that the individual
7 is a citizen or national of the United States or an alien lawfully admitted for
8 permanent or temporary residence in the United States or has any of the following:

9 **SECTION 29.** 343.14 (2) (es) 2m. of the statutes is created to read:

10 343.14 (2) (es) 2m. Valid documentary proof under subd. 1m. is not required if
11 the application is for an operator's license that contains the marking specified in s.
12 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
13 (3) (b).

14 **SECTION 30.** 343.14 (2j) of the statutes is amended to read:

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

1 does not have a social security number, except to the elections commission for
2 purposes of administering the agreement described in s. 5.056.

3 **SECTION 31.** 343.165 (1) (c) of the statutes is amended to read:

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

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

8 343.165 (1) (e) Subject to ss. 343.125 (2) (a) and (b) and 343.14 (2g) (a) 2. d., and
9 except as provided in sub. (7) (c) 1. and s. 343.14 (2) (es) 2m., the documentary proof
10 described in s. 343.14 (2) (es) 1m.

11 **SECTION 33.** 343.165 (3) (b) of the statutes is amended to read:

12 343.165 (3) (b) The department may not accept any foreign document, other
13 than an official passport, to satisfy a requirement under sub. (1). This paragraph
14 does not apply to an application processed under sub. (7) (c).

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

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

23 **SECTION 35.** 343.165 (4) (b) of the statutes is amended to read:

24 343.165 (4) (b) The department shall establish an effective procedure to
25 confirm or verify an applicant's information for purposes of any application described

1 in par. (a). The procedure shall include verification of the applicant's social security
2 number or, except with respect to applications processed under sub. (7) (c),
3 ineligibility for a social security number.

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

5 343.165 (4) (d) With any license or identification card renewal following a
6 license or identification card expiration established under s. 343.20 (1) (a) or (1m) or
7 343.50 (5) (bm) or (c) at other than an 8-year interval, the department may
8 determine whether the applicant's photograph is to be taken, or if the renewal is for
9 a license the applicant is to be examined, or both, at the time of such renewal, so long
10 as the applicant's photograph is taken, and if the renewal is for a license the
11 applicant is examined, with a license or card renewal at least once every 8 years and
12 the applicant's license or identification card at all times includes a photograph unless
13 an exception under s. 343.14 (3m) or 343.50 (4g) applies.

14 **SECTION 37.** 343.165 (7) (a) (intro.) of the statutes is amended to read:

15 343.165 (7) (a) (intro.) The Subject to par. (c), the department may process an
16 application for, and issue or renew, an operator's license or identification card
17 without meeting the requirements under subs. (2) and (3) if all of the following apply:

18 **SECTION 38.** 343.165 (7) (c) of the statutes is created to read:

19 343.165 (7) (c) 1. Notwithstanding s. 343.14 (2) (f), in processing an application
20 for, and issuing or renewing, an operator's license that contains the marking
21 specified in s. 343.03 (3r) or an identification card that contains the marking
22 specified in s. 343.50 (3) (b), the department may not include any question or require
23 any proof or documentation as to whether the applicant is a citizen or national of the
24 United States or lawfully present in the United States.

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

5 3. Notwithstanding sub. (1) (a), for an application processed under this
6 paragraph, an applicant may provide an individual taxpayer identification number,
7 a foreign passport, or any other documentation deemed acceptable to the
8 department, in lieu of the documentation required under sub. (1) (a).

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

12 **SECTION 39.** 343.17 (3) (a) 16. of the statutes is created to read:

13 343.17 (3) (a) 16. If the license is marked as provided in s. 343.03 (3r) and the
14 license applicant did not provide a verified social security number with the license
15 application, the words "Not valid for voting purposes. Not evidence of citizenship or
16 immigration status."

17 **SECTION 40.** 343.20 (1) (a) of the statutes is amended to read:

18 343.20 (1) (a) Except as otherwise expressly provided in this chapter,
19 probationary licenses issued under s. 343.085 shall expire 2 years from the date of
20 the applicant's next birthday. Licenses issued after cancellation shall expire on the
21 expiration date for the prior license at the time of cancellation. Subject to s. 343.125
22 (3), all other licenses and license endorsements shall expire 8 years after the date of
23 issuance or, if the license application was processed under s. 343.165 (7) (c) and the
24 applicant did not provide a verified social security number, 4 years after the date of
25 issuance. The department may institute any system of initial license issuance which

1 it deems advisable for the purpose of gaining a uniform rate of renewals. In order
2 to put such a system into operation, the department may issue licenses which are
3 valid for any period less than the ordinary effective period of such license. If the
4 department issues a license that is valid for less than the ordinary effective period
5 as authorized by this paragraph, the fees due under s. 343.21 (1) (b) and (d) shall be
6 prorated accordingly.

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

8 343.20 (1) (f) The department shall cancel an operator's license, regardless of
9 the license expiration date, if the department receives information from a local, state,
10 or federal government agency that the licensee no longer satisfies the requirements
11 for issuance of a license under ss. 343.14 (2) (es) and 343.165 (1) (e). This paragraph
12 does not apply to an operator's license if the license application was processed under
13 s. 343.165 (7) (c).

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

15 343.20 (1m) Notwithstanding sub. (1) (a), and except as provided in s. 343.165
16 (4) (c) and as otherwise provided in this subsection, a license that is issued to a person
17 who is not a United States citizen or permanent resident and who provides
18 documentary proof of legal status as provided under s. 343.14 (2) (es) ~~2., 4., 5., 6., or~~
19 ~~7. 1m. b., d., e., f., or g.~~ shall expire on the date that the person's legal presence in the
20 United States is no longer authorized or on the expiration date determined under
21 sub. (1), whichever date is earlier. If the documentary proof as provided under s.
22 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
23 United States is no longer authorized, sub. (1) shall apply except that, if the license
24 was issued or renewed based upon the person's presenting of any documentary proof
25 specified in s. 343.14 (2) (es) ~~4. to 7. 1m. d. to g.~~, the license shall, subject to s. 343.165

1 (4) (c), expire one year after the date of issuance or renewal. This subsection does not
2 apply to a license that contains the marking specified in s. 343.03 (3r).

3 **SECTION 43.** 343.20 (2) (a) of the statutes is amended to read:

4 343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,
5 the department shall provide to the licensee notice of renewal of the license either
6 by mail at the licensee's last-known address or, if desired by the licensee, by any
7 electronic means offered by the department. If the license was issued or last renewed
8 based upon the person's presenting of any documentary proof specified in s. 343.14
9 (2) (es) ~~4. to 7.~~ 1m. d. to g., the notice shall inform the licensee of the requirement
10 under s. 343.165 (4) (c).

11 **SECTION 44.** 343.50 (3) (a) and (b) of the statutes are amended to read:

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

24 (b) If an identification card is issued based upon the exception specified in s.
25 343.165 (7) or (8), the card shall, in addition to any other required legend or design,

1 be of the design specified under s. 343.17 (3) (a) 14. and include a marking similar
2 or identical to the marking described in s. 343.03 (3r) and, if applicable, the words
3 specified in s. 343.17 (3) (a) 16.

4 **SECTION 45.** 343.50 (5) (b) of the statutes is amended to read:

5 343.50 (5) (b) Except as provided in pars. (bm), (c), and (d) and s. 343.165 (4)
6 (c), an original or reinstated card shall be valid for the succeeding period of 8 years
7 from the applicant's next birthday after the date of issuance, and a renewed card
8 shall be valid for the succeeding period of 8 years from the card's last expiration date.

9 **SECTION 46.** 343.50 (5) (bm) of the statutes is created to read:

10 343.50 (5) (bm) Notwithstanding par. (d), if the identification card application
11 was processed under s. 343.165 (7) (c) and the applicant did not provide a verified
12 social security number, an original or reinstated card shall be valid for the succeeding
13 period of 2 years from the applicant's next birthday after the date of issuance, and
14 a renewed card shall be valid for the succeeding period of 2 years from the card's last
15 expiration date.

16 **SECTION 47.** 343.50 (5) (c) of the statutes is amended to read:

17 343.50 (5) (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided
18 in this paragraph, an identification card that is issued to a person who is not a United
19 States citizen and who provides documentary proof of legal status as provided under
20 s. 343.14 (2) (es) 1m. shall expire on the date that the person's legal presence in the
21 United States is no longer authorized or on the expiration date determined under
22 par. (b), whichever date is earlier. If the documentary proof as provided under s.
23 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
24 United States is no longer authorized, then the card shall be valid for the period
25 specified in par. (b) except that, if the card was issued or renewed based upon the

1 person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~
2 1m. d. to g., the card shall, subject to s. 343.165 (4) (c), expire one year after the date
3 of issuance or renewal. This paragraph does not apply to an identification card that
4 contains the marking specified in sub. (3) (b).

5 **SECTION 48.** 343.50 (6) of the statutes is amended to read:

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

19 **SECTION 49.** 343.50 (8) (c) 6. of the statutes is created to read:

20 343.50 (8) (c) 6. Notwithstanding any other provision of par. (b) and this
21 paragraph, the department may not disclose to any person the fact that an applicant
22 has provided verification under s. 343.165 (7) (c) 2. that the applicant does not have
23 a social security number, except to the elections commission for purposes of
24 administering the agreement described in s. 5.056.

25 **SECTION 50.** 343.50 (10) (c) of the statutes is amended to read:

1 343.50 (10) (c) Whenever the department receives information from a local,
2 state, or federal government agency that the card holder no longer satisfies the
3 requirements for issuance of a card under ss. 343.14 (2) (es) and 343.165 (1) (e). A
4 card cancelled under this paragraph may not be reinstated under sub. (5) until these
5 requirements are again satisfied. This paragraph does not apply to a card if the card
6 application was processed under s. 343.165 (7) (c).

7 **SECTION 51.** 452.14 (3) (n) of the statutes is amended to read:

8 452.14 (3) (n) Treated any person unequally solely because of sex, race, color,
9 handicap, national origin, ancestry, marital status, lawful source of income, status
10 as a holder or nonholder of a license under s. 343.03 (3m), or status as a victim of
11 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u).

12 **SECTION 52.** 632.35 of the statutes is amended to read:

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

18 **SECTION 9344. Initial applicability; Transportation.**

19 **(1) DRIVER'S CARDS.** The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3),
20 66.1301 (2m), 66.1333 (3) (e) 2, 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m)
21 (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1), (2), and (3), 111.321, 194.025, 224.77
22 (1) (o), 230.01 (2) (b), 230.18, 234.29, 343.03 (3m), 343.14 (2j), 343.165 (1) (c) and (e),
23 (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17 (3) (a) 16., 343.20 (1)
24 (a) and (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c) 6.,
25 and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s. 343.14

1 (2) (br) and (es), and the creation of s. 343.14 (2) (br) 2. and (es) 2m. first apply to
2 applications received by the department of transportation on the effective date of this
3 subsection.

4 **SECTION 9444. Effective dates; Transportation.**

rewrite
note

(by SECTION#)

(by SECTION#)

5 (1) DRIVER'S CARDS. The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3),
6 66.1301 (2m), 66.1333 (3) (e) 2., 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m)
7 (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1), (2), and (3), 111.321, 194.025, 224.77
8 (1) (o), 230.01 (2) (b), 230.18, 234.29, 343.03 (3m), 343.14 (2j), 343.165 (1) (c) and (e),
9 (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17 (3) (a) 16., 343.20 (1)
10 (a) and (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c) 6.,
11 and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s. 343.14
12 (2) (br) and (es), the creation of s. 343.14 (2) (br) 2. and (es) 2m., and SECTION 9344
13 (1) of this act take effect on the first day of the 4th month beginning after publication.

14 (END)

rewrite
note

INSERT MED-A

1 **SECTION 1.** 66.1201 (2m) of the statutes, as affected by 2019 Wisconsin Act ...
2 (this act), is amended to read:

3 **66.1201 (2m) DISCRIMINATION.** Persons otherwise entitled to any right, benefit,
4 facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit,
5 facility, or privilege in any manner for any purpose nor be discriminated against
6 because of sex, race, color, creed, national origin, or sexual orientation; status as a
7 holder or nonholder of a license under s. 343.03 (3m); status as a victim of domestic
8 abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u); or whether the
9 person holds, or has applied for, a registry identification card, as defined in s. 146.44
10 (1) (g), has been the subject of a written certification, as defined in s. 146.44 (1) (h),
11 or is or has been a member of a treatment team, as defined in s. 961.01 (20t); ~~or~~
12 ~~national origin.~~

***NOTE: This is reconciled s. 66.1201 (2m). This SECTION has been affected by
drafts with the following LRB numbers: -1539/P8 and -2232/P1.

INSERT MED-B

13 **SECTION 2.** 66.1213 (3) of the statutes, as affected by 2019 Wisconsin Act ...
14 (this act), is amended to read:

15 **66.1213 (3) DISCRIMINATION.** Persons otherwise entitled to any right, benefit,
16 facility, or privilege under this section may not be denied the right, benefit, facility,
17 or privilege in any manner for any purpose nor be discriminated against because of
18 sex, race, color, creed, national origin, or sexual orientation; status as a holder or
19 nonholder of a license under s. 343.03 (3m); status as a victim of domestic abuse,
20 sexual assault, or stalking, as defined in s. 106.50 (1m) (u); or whether the person
21 holds, or has applied for, a registry identification card, as defined in s. 146.44 (1) (g),

1 has been the subject of a written certification, as defined in s. 146.44 (1) (h), or is or
2 has been a member of a treatment team, as defined in s. 961.01 (20t); ~~or national~~
3 origin.

****NOTE: This is reconciled s. 66.1213 (3). This SECTION has been affected by drafts with the following LRB numbers: -1539/P8 and -2232/P1.

INSERT MED-C

4 **SECTION 3.** 66.1301 (2m) of the statutes, as affected by 2019 Wisconsin Act ...
5 (this act), is amended to read:

6 66.1301 (2m) DISCRIMINATION. Persons entitled to any right, benefit, facility,
7 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility,
8 or privilege in any manner for any purpose nor be discriminated against because of
9 sex, race, color, creed, national origin, or sexual orientation; status as a holder or
10 nonholder of a license under s. 343.03 (3m); status as a victim of domestic abuse,
11 sexual assault, or stalking, as defined in s. 106.50 (1m) (u); or whether the person
12 holds, or has applied for, a registry identification card, as defined in s. 146.44 (1) (g),
13 has been the subject of a written certification, as defined in s. 146.44 (1) (h), or is or
14 has been a member of a treatment team, as defined in s. 961.01 (20t); ~~or national~~
15 origin.

****NOTE: This is reconciled s. 66.1301 (2m). This SECTION has been affected by drafts with the following LRB numbers: -1539/P8 and -2232/P1.

INSERT MED-D

16 **SECTION 4.** 66.1333 (3) (e) 2. of the statutes, as affected by 2019 Wisconsin Act
17 (this act), is amended to read:

18 66.1333 (3) (e) 2. Persons otherwise entitled to any right, benefit, facility, or
19 privilege under this section may not be denied the right, benefit, facility, or privilege
20 in any manner for any purpose nor be discriminated against because of sex, race,

1 color, creed, national origin, or sexual orientation; status as a holder or nonholder of
 2 a license under s. 343.03 (3m); status as a victim of domestic abuse, sexual assault,
 3 or stalking, as defined in s. 106.50 (1m) (u); or whether the person holds, or has
 4 applied for, a registry identification card, as defined in s. 146.44 (1) (g), has been the
 5 subject of a written certification, as defined in s. 146.44 (1) (h), or is or has been a
 6 member of a treatment team, as defined in s. 961.01 (20t); ~~or national origin.~~

***NOTE: This is reconciled s. 66.1333 (3) (e) 2. This SECTION has been affected by
 drafts with the following LRB numbers: -1539/P8 and -2232/P1.

INSERT MED-E

7 **SECTION 5.** 106.50 (1m) (h) of the statutes, as affected by 2019 Wisconsin Act
 8 (this act), is amended to read:

9 106.50 (1m) (h) "Discriminate" means to segregate, separate, exclude, or treat
 10 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
 11 because of sex, race, color, sexual orientation, disability, religion, national origin,
 12 marital status, or family status; status as a holder or nonholder of a license under
 13 s. 343.03 (3m); status as a victim of domestic abuse, sexual assault, or stalking;
 14 whether the person holds, or has applied for, a registry identification card, as defined
 15 in s. 146.44 (1) (g), has been the subject of a written certification, as defined in s.
 16 146.44 (1) (h), or is or has been a member of a treatment team, as defined in s. 961.01
 17 (20t); lawful source of income; age; or ancestry.

***NOTE: This is reconciled s. 106.50 (1m) (h). This SECTION has been affected by
 drafts with the following LRB numbers: -1539/P8 and -2232/P1.

INSERT MED-F

18 **SECTION 6.** 234.29 of the statutes, as affected by 2019 Wisconsin Act (this
 19 act), is amended to read:

1 **234.29 Equality of occupancy and employment.** The authority shall
2 require that occupancy of housing projects assisted under this chapter be open to all
3 regardless of sex, race, religion, or sexual orientation; status as a holder or nonholder
4 of a license under s. 343.03 (3m); status as a victim of domestic abuse, sexual assault,
5 or stalking, as defined in s. 106.50 (1m) (u); whether the person holds, or has applied
6 for, a registry identification card, as defined in s. 146.44 (1) (g), has been the subject
7 of a written certification, as defined in s. 146.44 (1) (h), or is or has been a member
8 of a treatment team, as defined in s. 961.01 (20t); or creed, and that contractors and
9 subcontractors engaged in the construction of economic development or housing
10 projects, shall provide an equal opportunity for employment, without discrimination
11 as to sex, race, religion, sexual orientation, or creed.

****NOTE: This is reconciled s. 234.29. This SECTION has been affected by drafts
with the following LRB numbers: -1539/P8 and -2232/P1.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2232/P2dn
MED:amn

February 25, 2019

This draft reconciles LRB-1539/P8 and LRB-2232/P1. Both of these drafts should continue to appear in the compiled bill.

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