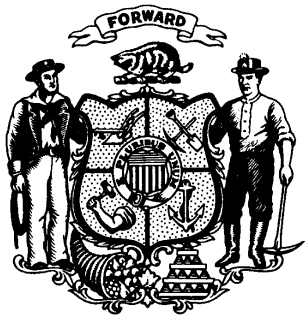
State of Wisconsin



Date of enactment: April 9, 2026
2025 Assembly Bill 759 Date of publication*: April 10, 2026

2025 WISCONSIN ACT 240

AN ACT *to create* 995.40 of the statutes; **relating to:** eligibility to receive occupational credentials for recipients of deferred action under the Deferred Action for Childhood Arrivals program.

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

SECTION 1. 995.40 of the statutes is created to read:

995.40 Eligibility of certain individuals who are not U.S. citizens for occupational authorization. (1) In this section:

(a) "Affiliated credentialing board" has the meaning given in s. 15.01 (1g).

(b) "Department" has the meaning given in s. 15.01 (5). "Department" includes the state superintendent of public instruction.

(c) "Division" has the meaning given in s. 15.01 (6).

(d) "Examining board" has the meaning given in s. 15.01 (7).

(e) "Independent agency" has the meaning given in s. 15.01 (9). "Independent agency" includes the commissioner of insurance.

(f) "Issuing authority" means the department, division, independent agency, examining board, section of an examining board, or affiliated credentialing board that issues an occupational authorization.

(g) "Occupational authorization" means any credential, license, certificate, permit, registration, or approval that is issued to an individual by any department, division, independent agency, examining board, section of an examining board, or affiliated credentialing board.

(2) Pursuant to 8 USC 1621 (d), an individual who is not a U.S. citizen is eligible to receive any occupational authorization despite the individual's citizenship status if all of the following apply:

(a) The individual has been granted deferred action under the deferred action for childhood arrivals program of the federal department of homeland security.

(b) The individual's deferred action under the deferred action for childhood arrivals program of the federal department of homeland security is not expired.

(c) The individual possesses an unexpired employment authorization document issued by the federal department of homeland security.

(3) Nothing in this section affects any requirement or qualification for an applicant to obtain an occupational authorization that is not related to the citizenship status of the applicant.

(4) For each individual who applies for an occupational authorization and to whom this section applies, the issuing authority shall verify the individual's employment authorization document issued by the federal department of homeland security through the systematic alien verification for entitlements program operated by the federal department of homeland security or an equivalent program designated by the federal department of homeland security prior to issuing an occupational authorization.

* Section 991.11, WISCONSIN STATUTES: 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."

(5) If an individual's employment authorization is withdrawn, the individual shall cease practice under the individual's occupational authorization and immediately notify the issuing authority.

(6) Any occupational authorization issued to an individual to whom this section applies shall be valid only for the period of time during which the individual's employment authorization document issued by the federal department of homeland security is valid. If an individual's employment authorization expires prior to the renewal date specified for the occupational authorization that the individual is applying for under state law, the issuing authority shall provide a credential expiration date corresponding to the date that the individual's employment authorization expires. An individual may renew a credential that expires due to the expiration of the individual's employment authorization by renewing the individual's employment authorization, notifying the issuing authority that his or her employment authorization was renewed, and satisfying any other requirements for renewal of the individual's occupational authorization.

(7) An issuing authority may adjust the fees associated with an occupational authorization to correspond to the increased cost of collecting numeric identifiers for verification that are required under federal law. An issuing authority may only adjust fees under this subsection to recoup the exact cost of collecting numeric identifiers for verification that are required under federal law.

(8) Nothing in this section may be construed to grant eligibility to an individual for any public benefits other than receiving an occupational authorization.

(9) This section applies only to an individual who was granted deferred action for the first time under the deferred action for childhood arrivals program that was established by the federal department of homeland security on June 15, 2012, and does not apply to any individual who is granted deferred action for the first time under that program after the effective date of this subsection .... [LRB insert date].