



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1635/P3
EVM:amn

DOA:.....Aslesen, BB0506 - Issuance of ID and drivers licenses to persons living undocumented in the United States

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

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:

SECTION 1. 66.1011 (1) of the statutes is amended to read:

66.1011 (1) DECLARATION OF POLICY. The right of all persons to have equal opportunities for housing regardless of their sex, race, color, disability, as defined in s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), religion, national origin, marital status, family status, as defined in s. 106.50 (1m) (k), status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), status as a holder or nonholder of a license under s. 343.03 (3r), lawful source of income, age, or ancestry is a matter both of statewide concern under ss. 101.132 and 106.50 and also of local interest under this section and s. 66.0125. The enactment of ss. 101.132 and 106.50 by the legislature does not preempt the subject matter of equal opportunities in housing from consideration by political subdivisions, and does not exempt political subdivisions from their duty, nor deprive them of their right, to enact ordinances that prohibit discrimination in any type of housing solely on the basis of an individual being a member of a protected class.

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

66.1201 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit, facility, or privilege in any manner for any purpose nor be discriminated against because of sex, race, color, creed, national origin, sexual orientation, status as a

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 16. 111.31 (1) of the statutes, as affected by 2021 Wisconsin Act ... (this act), is amended to read:

111.31 (1) The legislature finds that the practice of unfair discrimination in employment against properly qualified individuals by reason of their age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, substantially and adversely affects the general welfare of the state. Employers, labor organizations, employment agencies, and licensing agencies that deny employment opportunities and discriminate in employment against properly qualified individuals solely because of their age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, status as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, deprive those individuals of the earnings that are necessary to maintain a just and decent standard of living.

****NOTE: This is reconciled s. 111.31 (1). This SECTION has been affected by drafts with the following LRB numbers: -0812/p1 and -1635/p1.

SECTION 17. 111.31 (2) of the statutes, as affected by 2021 Wisconsin Act (this act), is amended to read:

111.31 (2) It is the intent of the legislature to protect by law the rights of all individuals to obtain gainful employment and to enjoy privileges free from employment discrimination because of age, race, creed, color, disability, marital

status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, status as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, and to encourage the full, nondiscriminatory utilization of the productive resources of the state to the benefit of the state, the family, and all the people of the state. It is the intent of the legislature in promulgating this subchapter to encourage employers to evaluate an employee or applicant for employment based upon the individual qualifications of the employee or applicant rather than upon a particular class to which the individual may belong.

***NOTE: This is reconciled s. 111.31 (2). This SECTION has been affected by drafts with the following LRB numbers: -0812/p1 and -1635/p1.

SECTION 18. 111.31 (3) of the statutes, as affected by 2021 Wisconsin Act (this act), is amended to read:

111.31 (3) In the interpretation and application of this subchapter, and otherwise, it is declared to be the public policy of the state to encourage and foster to the fullest extent practicable the employment of all properly qualified individuals regardless of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, status as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters. Nothing in this subsection requires an affirmative action program to correct an imbalance in the

work force. This subchapter shall be liberally construed for the accomplishment of this purpose.

****NOTE: This is reconciled s. 111.31 (3). This SECTION has been affected by drafts with the following LRB numbers: -0812/p1 and -1635/p1.

SECTION 19. 111.321 of the statutes, as affected by 2021 Wisconsin Act (this act), is amended to read:

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

****NOTE: This is reconciled s. 111.321. This SECTION has been affected by drafts with the following LRB numbers: -0812/p1 and -1635/p1.

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

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

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

224.77 (1) (o) In the course of practice as a mortgage banker, mortgage loan originator, or mortgage broker, except in relation to housing designed to meet the needs of elderly individuals, treat a person unequally solely because of sex, race,

color, handicap, sexual orientation, as defined in s. 111.32 (13m), religion, national origin, age, or ancestry, the person's lawful source of income, or the sex, marital status, status as a holder or nonholder of a license under s. 343.03 (3r), or status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), of the person maintaining a household.

SECTION 22. 230.01 (2) (b) of the statutes, as affected by 2021 Wisconsin Act ... (this act), is amended to read:

230.01 (2) (b) It is the policy of this state to provide for equal employment opportunity by ensuring that all personnel actions including hire, tenure or term, and condition or privilege of employment be based on the ability to perform the duties and responsibilities assigned to the particular position without regard to age, race, creed or religion, color, disability, sex, national origin, ancestry, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), ~~or~~ political affiliation, or status as a holder or nonholder of a license under s. 343.03 (3r).

****NOTE: This is reconciled s. 230.01 (2) (b). This SECTION has been affected by drafts with the following LRB numbers: -0812/p1 and -1635/p1.

SECTION 23. 230.18 of the statutes, as affected by 2021 Wisconsin Act ... (this act), is amended to read:

230.18 Discrimination prohibited. No question in any form of application or in any evaluation used in the hiring process may be so framed as to elicit information concerning the partisan political or religious opinions or affiliations of any applicant nor may any inquiry be made concerning those opinions or affiliations and all disclosures of those opinions or affiliations shall be discountenanced except that the director may evaluate the competence and impartiality of applicants for

positions such as clinical chaplain in a state institutional program. No discriminations may be exercised in the recruitment, application, or hiring process against or in favor of any person because of the person's political or religious opinions or affiliations or because of age, sex, disability, race, color, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), national origin, ~~or ancestry, or status as a holder or nonholder of a license under s. 343.03 (3r)~~ except as otherwise provided.

****NOTE: This is reconciled s. 230.18. This SECTION has been affected by drafts with the following LRB numbers: -0812/p1 and -1635/p1.

SECTION 24. 234.29 of the statutes, as affected by 2021 Wisconsin Act ... (this act), is amended to read:

234.29 Equality of occupancy and employment. The authority shall require that occupancy of housing projects assisted under this chapter be open to all regardless of sex, race, religion, sexual orientation, status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or creed, and that contractors and subcontractors engaged in the construction of economic development or housing projects, shall provide an equal opportunity for employment, without discrimination as to sex, race, religion, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), or creed.

****NOTE: This is reconciled s. 234.29. This SECTION has been affected by drafts with the following LRB numbers: -0812/p1 and -1635/p1.

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

343.03 (3m) NONCITIZEN LIMITED-TERM LICENSE. If the issuance of any license described under sub. (3) requires the license applicant to present any documentary proof specified in s. 343.14 (2) (es) ~~2. to 7.~~ 1m. b. to g. or (im) 2m. b., the license shall

display on the front side of the license, in addition to any legend or label described in sub. (3), a legend identifying the license as limited term or, if the license authorizes the operation of a commercial motor vehicle, as a nondomiciled license. This noncitizen limited-term license may not be renewed except as provided in s. 343.165 (4) (c). A nondomiciled license may not be issued to a resident of Canada or Mexico.

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

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

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

343.14 (2) (br) 1. If Except as provided in subd. 2., if the applicant does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number and is not eligible for a social security number. The statement shall provide the basis or reason that the applicant is not eligible for a social security number, as well as any information requested by the department that may be needed by the department for purposes of verification under s. 343.165 (1) (c). The form of the statement shall be prescribed by the department, with the assistance of the department of children and families.

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

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

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

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

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

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

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

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

343.14 (2j) Except as otherwise required to administer and enforce this chapter, the department of transportation may not disclose a social security number

obtained from an applicant for a license under sub. (2) (bm) to any person except to the department of children and families for the sole purpose of administering s. 49.22, to the department of workforce development for the sole purpose of enforcing or administering s. 108.22, to the department of revenue for the purposes of administering state taxes and collecting debt, to the driver licensing agency of another jurisdiction, or to the elections commission for the sole purpose of allowing the chief election officer to comply with the terms of the agreement under s. 6.36 (1) (ae). The department of transportation may not disclose to any person the fact that an applicant has provided verification under s. 343.165 (7) (c) 2. that the applicant does not have a social security number, except to the elections commission for purposes of administering the agreement described in s. 5.056.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

343.17 (3) (a) 16. If the license is marked as provided in s. 343.03 (3r) and the license applicant did not provide a verified social security number with the license

application, the words “Not valid for voting purposes. Not evidence of citizenship or immigration status.”

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

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

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

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

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

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

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

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

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

343.50 **(3)** (a) The card shall be the same size as an operator's license but shall be of a design which is readily distinguishable from the design of an operator's license and bear upon it the words "IDENTIFICATION CARD ONLY." The information on

the card shall be the same as specified under s. 343.17 (3). If the issuance of the card requires the applicant to present any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the card shall display, on the front side of the card, a legend identifying the card as temporary. The card shall contain physical security features consistent with any requirement under federal law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall contain the holder's photograph and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

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

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

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

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

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

a renewed card shall be valid for the succeeding period of 2 years from the card's last expiration date.

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

343.50 (5) (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this paragraph, an identification 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) (es) 1m. shall expire on the date that the person's legal presence in the United States is no longer authorized or on the expiration date determined under par. (b), whichever date is earlier. If the documentary proof as provided under s. 343.14 (2) (es) 1m. 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 period specified in par. (b) except that, if the card was issued or renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the card shall, subject to s. 343.165 (4) (c), expire one year after the date of issuance or renewal. This paragraph does not apply to an identification card that contains the marking specified in sub. (3) (b).

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

343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an identification card, the department shall provide to the card holder notice of renewal of the card either by mail at the card holder's last-known address or, if desired by the card holder, by any electronic means offered by the department. If the card was issued or last renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the notice shall inform the card holder of the requirement under s. 343.165 (4) (c). The department shall include with the notice 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 department may renew an identification card by mail or by any electronic means available to the department, but the department may not make consecutive renewals by mail or electronic means.

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

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

***NOTE: This is reconciled s. 343.50 (8) (c) 6. This SECTION has been affected by drafts with the following LRB numbers: -1461/p1 and -1635/p2.

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

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

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

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

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

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

SECTION 9344. Initial applicability; Transportation.

(1) DRIVER'S CARDS. The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3), 66.1301 (2m), 66.1333 (3) (e) 2., 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m) (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1) (by SECTION 16), (2) (by SECTION 17), and (3) (by SECTION 18), 111.321 (by SECTION 19), 194.025, 224.77 (1) (o), 230.01 (2) (b) (by SECTION 22), 230.18 (by SECTION 23), 234.29 (by SECTION 24), 343.03 (3m) and (3r), 343.14 (2j), 343.165 (1) (c) and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17 (3) (a) 16., 343.20 (1) (a) and (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c) 6., and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s. 343.14 (2) (br) and (es), and the creation of s. 343.14 (2) (br) 2. and (es) 2m. first apply to applications received by the department of transportation on the effective date of this subsection.

SECTION 9444. Effective dates; Transportation.

(1) DRIVER'S CARDS. The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3), 66.1301 (2m), 66.1333 (3) (e) 2., 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m) (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1) (by SECTION 16), (2) (by SECTION 17), and (3) (by SECTION 18), 111.321 (by SECTION 19), 194.025, 224.77 (1) (o), 230.01 (2) (b) (by SECTION 22), 230.18 (by SECTION 23), 234.29 (by SECTION 24), 343.03 (3m) and (3r), 343.14 (2j), 343.165 (1) (c) and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.)

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and (c), 343.17 (3) (a) 16., 343.20 (1) (a) and (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c) 6., and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s. 343.14 (2) (br) and (es), the creation of s. 343.14 (2) (br) 2. and (es) 2m., and SECTION 9344 (1) of this act take effect on the first day of the 4th month beginning after publication.

(END)