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1 **AN ACT** to create 995.70 of the statutes; **relating to:** tribal identification cards.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council’s Special Committee on State–Tribal Relations. The draft provides that identification cards issued by an American Indian tribe or band must be accepted as sufficient proof of identity for the purpose of any law that requires a person to present identification. Examples of laws to which this provision applies include the following:

1. Proof of residency for the purpose of voting. [s. 6.34 (3) (a), stats.]
2. Proof of age for purchase of alcohol beverages. [s. 125.085 (1), stats.]
3. Proof of identity for sales to scrap dealers, pawn brokers, and antique dealers. [ss. 134.405 (3) and 134.71, stats.]
4. Proof of identity for a license to carry a concealed weapon. [s. 175.60, stats.]
5. Proof of identity for purchase of schedule II and III controlled substances. [s. 450.11, stats.]

The draft specifies that a tribal identification card is sufficient identification for purposes of a law only if it includes the full name, address, and birth date of the card holder, a photograph of the card holder, and any other information required by the law. For example, the election law cited above requires that the identification used have the complete and current name and address of the person; a tribal identification card would be sufficient identification for this purpose only if it included the holder’s complete and current name and address. Similarly, the law cited above relating to sales to a scrap dealer requires that identification presented include a photograph of the card holder, the card holder’s name, address, and date of birth, and a “recognized identification number”; a tribal identification card would be sufficient identification for this purpose only if it met those requirements.

The draft includes provisions relating to enforcement that are modeled on provisions of the state open records law. It provides that, if a person refuses to accept a tribal identification card that meets the requirements established by the draft, the card holder or the tribe that issued the card

