

**NOTE:** At the time of the vote, the Legislature did not have an available copy of the bill text as voted on. For your convenience, Vote Smart staff has created this updated version of the bill by incorporating changes made by published Committee Reports and/or Amendments into the available text. This updated version accurately reflects the state of the bill as voted on.

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## State of Wisconsin

2015 – 2016 LEGISLATURE

### 2015 SENATE BILL 533

January 8, 2016 – Introduced by Senators WANGGAARD, LeMAHIEU, LASEE, GUDEx, KAPENGA, STROEBEL, NASS and LAZICH, cosponsored by Representatives SANFELIPPO, BRANDTJEN, ALLEN, BORN, CRAIG, DUCHOW, GANNON, KREMER, J. OTT, RODRIGUEZ, SKOWRONSKI and WEATHERSTON. Referred to Committee on Elections and Local Government.

**AN ACT** to amend 6.34 (3) (a) 3.; and to create 66.0438 of the statutes; relating to: regulating the production and use of photo identification cards by local units of government.

#### ***Analysis by the Legislative Reference Bureau***

This bill prohibits towns and counties from issuing, or expending funds for the issuance of a photo identification card for any resident of the town or county, other than an employment-related identification card for employees of the town or county.

The bill also provides that an ID card issued by a city or village may not be used for voting, registration for voting, or to obtain public benefits, such as Wisconsin Works, including Wisconsin Shares; the food stamp program; the Medical Assistance program; and the programs that provide state supplemental payments to persons receiving federal supplemental security income. Under the bill, if a city or village issues an ID card, the card must state clearly on its face that the card is not authorized for voting purposes.

The bill specifies that any card issued by a city, village, town, or county that had been used as an identification document for proof of residence for voting registration may no longer be used for that purpose.

For further information see the state and local 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.** 6.34 (3) (a) 3. of the statutes is amended to read:

6.34 (3) (a) 3. ~~Any~~ Subject to s. 66.0438, any other official identification card or license issued by a Wisconsin governmental body or unit.

**SECTION 2.** 66.0438 of the statutes is created to read:

**66.0438 Limitations on locally issued identification cards. (1)**

DEFINITION. In this section, "public assistance benefits" means services, benefits, payments, or other assistance provided under a program administered by the department of health services or the department of children and families under s. 253.06 or ch. 49.

**(2) TOWNS AND COUNTIES.** (a) Except as provided in par. (b), no town or county may issue, or expend any funds for the issuance of, a photo identification card for any resident of the town or county.

(b) Notwithstanding par. (a), a town or county may issue, or expend funds for the issuance of, a photo identification card to any of the following individuals or for any of the following purposes:

1. An employee or elected official of the town or county, if the photo identification card relates to the employee's or official's job duties.
2. An employee of a vendor or contractor that contracts with the town or county, or an employee of a subcontractor that contracts with such a vendor or contractor, if the photo identification card relates to the employee's job duties for the town or county.

3. To use a transit system owned or operated by the town or county.
4. To use or access services or facilities owned by the town or county.
5. An employee of, or a student who is attending, an institution of higher education that contracts with the town or county, if the photo identification card relates to the employee's or student's job duties for the town or county.

(c) If a town or county has issued an identification card, other than a card described in par. (b), that has been used before the effective date of this paragraph... [LRB inserts date], as an identification document to establish proof of residence under s. 6.34 (3) (a) 3., that card is not valid for such purposes on or after the effective date of this paragraph .... [LRB inserts date].

**(3) CITIES AND VILLAGES.** (a) If a city or village issues, or expends funds for the issuance of, a photo identification card for any resident of the city or village, the card must state clearly on its face, in 12 point type, "Not authorized for voting purposes."

(b) A photo identification card issued by, or at the direction of, a city or village, as described under par. (a), may not be used for any of the following purposes:

1. As an identification document to establish proof of residence under s. 6.34 (3) (a) 3.
2. As proof of identification under s. 6.79 (2), 6.82 (1) (a), 6.86, 6.87, or 6.875.

3. To obtain public assistance benefits. (c) If a city or village has issued an identification card that has been used before the effective date of this paragraph .... [LRB inserts date], as an identification document to establish proof of residence under s. 6.34 (3) (a) 3., that card is not valid for such purposes on or after the effective date of this paragraph .... [LRB inserts date]. (END)