



State of Wisconsin
2017 - 2018 LEGISLATURE

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2017 ASSEMBLY BILL 576

October 24, 2017 - Introduced by Representatives MURSAU, EDMING, BALLWEG, BERCEAU, CONSIDINE, GENRICH, HORLACHER, KOLSTE, MILROY, OHNSTAD, SKOWRONSKI, SPIROS, SPREITZER, SUBECK, C. TAYLOR and TUSLER, cosponsored by Senators PETROWSKI, WANGGAARD, BEWLEY, CARPENTER, MILLER, RINGHAND and L. TAYLOR. Referred to Committee on State Affairs.

1 **AN ACT** *to amend* 125.085 (3) (a) 3. and 134.405 (3) (a) 1.; and *to create* 6.34 (3)
2 (a) 13., 125.085 (1) (f), 134.66 (1) (c) 4., 134.695 (1) (cm), 134.695 (2) (b) 6., 134.71
3 (8) (a) 10. and 450.11 (1b) (a) 2. e. of the statutes; **relating to:** using a tribal
4 identification card for various purposes.

Analysis by the Legislative Reference Bureau

This bill allows an individual to use an identification card issued by a federally recognized Indian tribe in this state as proof of residence for voter registration purposes if the identification card indicates the individual's current and complete name and residential address. Current law allows an individual to use an identification card issued by a federally recognized Indian tribe in this state as proof of identification for voting purposes.

This bill expands the definition of "official identification card," for purposes related to purchasing alcohol beverages, to include a valid identification card issued by a federally recognized Indian tribe in this state that contains the card holder's photograph, full name, address, and date of birth. Current law does not require a person to present an official identification card in order to purchase alcohol beverages. However, a licensed retailer of alcohol beverages may require a person to present an official identification card, documentary proof of age, a driver's license issued by another state, or any other form of identification or proof of age acceptable to the retailer before providing alcohol beverages to the person or allowing the person to enter the retail licensed premises. In addition, current law imposes a variety of

ASSEMBLY BILL 576

penalties for various offenses relating to the falsification, adulteration, or misuse of an official identification card.

The bill also allows an individual to use a valid identification card issued by a federally recognized Indian tribe in this state that contains the card holder's photograph, full name, address, and date of birth for the purpose of certain sales and purchases that, under current law, require the seller or purchaser to present a valid identification card, including 1) purchasing cigarettes, nicotine products, or tobacco products; 2) selling nonferrous scrap and other metal articles to a scrap dealer; 3) selling used home furnishings to an antique dealer or recycler; and 4) selling secondhand articles or secondhand jewelry to a pawnbroker, secondhand article dealer, or secondhand jewelry dealer.

Finally, current law prohibits certain prescribed controlled substances from being dispensed to an individual by a pharmacist or other practitioner unless the individual presents valid identification. The bill adds to the list of valid forms of identification for this purpose a valid identification card issued by a federally recognized Indian tribe in this state that contains the card holder's photograph, full name, address, and date of birth.

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

1 **SECTION 1.** 6.34 (3) (a) 13. of the statutes is created to read:

2 6.34 **(3)** (a) 13. An identification card issued by a federally recognized Indian
3 tribe in this state.

4 **SECTION 2.** 125.085 (1) (f) of the statutes is created to read:

5 125.085 **(1)** (f) A valid identification card issued by a federally recognized
6 American Indian tribe or band in this state that contains the card holder's
7 photograph, full name, address, and date of birth.

8 **SECTION 3.** 125.085 (3) (a) 3. of the statutes is amended to read:

9 125.085 **(3)** (a) 3. Subdivisions 1. and 2. do not apply to a person who is
10 authorized to make an official identification card under ch. 343 or under authority
11 of a tribal government.

12 **SECTION 4.** 134.405 (3) (a) 1. of the statutes is amended to read:

ASSEMBLY BILL 576

1 134.405 (3) (a) 1. If the seller of nonferrous scrap, metal articles, or proprietary
2 articles is an individual, at the time of the sale, the seller provides to the scrap dealer
3 the seller's motor vehicle operator's license, tribal identification card, as defined in
4 s. 134.695 (1) (cm), or other government-issued, current photographic identification
5 that includes the seller's full name, current address, date of birth, and recognized
6 identification number. If the seller is not an individual, at the time of the sale, the
7 individual who delivers the seller's nonferrous scrap, metal articles, or proprietary
8 articles provides to the dealer the deliverer's motor vehicle operator's license, tribal
9 identification card, as defined in s. 134.695 (1) (cm), or other government-issued,
10 current photographic identification that includes the deliverer's full name, current
11 address, date of birth, and recognized identification number.

12 **SECTION 5.** 134.66 (1) (c) 4. of the statutes is created to read:

13 134.66 (1) (c) 4. A tribal identification card, as defined in s. 134.695 (1) (cm).

14 **SECTION 6.** 134.695 (1) (cm) of the statutes is created to read:

15 134.695 (1) (cm) "Tribal identification card" means a valid identification card
16 issued by a federally recognized American Indian tribe or band in this state that
17 contains the card holder's photograph, full name, address, and date of birth.

18 **SECTION 7.** 134.695 (2) (b) 6. of the statutes is created to read:

19 134.695 (2) (b) 6. The person's tribal identification card number.

20 **SECTION 8.** 134.71 (8) (a) 10. of the statutes is created to read:

21 134.71 (8) (a) 10. A tribal identification card, as defined in s. 134.695 (1) (cm).

22 **SECTION 9.** 450.11 (1b) (a) 2. e. of the statutes is created to read:

23 450.11 (1b) (a) 2. e. A tribal identification card, as defined in s. 134.695 (1) (cm).

24 **(END)**