

HOUSE BILL NO. 1318

Introduced by

Representatives Kasper, Hoverson, Koppelman, Rohr, D. Ruby, M. Ruby, Steiner

Senators Myrdal, Veda

1 A BILL for an Act to amend and reenact subsection 2 of section 39-06-03.1, subsection 5 of
2 section 39-06-14, and subsection 1 of section 39-06-14.2 of the North Dakota Century Code,
3 relating to nondriver photo identification cards and operator licenses for noncitizens.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 39-06-03.1 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 2. The director shall issue a nondriver color photo identification card to any resident who
8 at the time of application is not a citizen of the United States and who fulfills the
9 requirements of this section. The identification card must be designed in a manner to
10 clearly make the card distinguishable from a similar card issued to a citizen of the
11 United States and resident of this state. Upon the issuance of an identification card,
12 the department of transportation shall provide a written notice that indicates within the
13 forty-five days following naturalization, the naturalized individual shall contact the
14 department of transportation to update the individual's citizenship status. The director
15 shall replace the card may be replaced with a card issued to a citizen of this country
16 and resident of this state only when proof of United States citizenship is provided by
17 the individual and any applicable replacement fee listed in section 39-06-49 is paid.
18 For identification cards issued under this subsection before August 1, 2023, the
19 department of transportation shall provide by mail to each cardholder a written notice
20 that indicates within the forty-five days following naturalization, the naturalized
21 individual shall contact the department of transportation to update the individual's
22 citizenship status.

23 **SECTION 2. AMENDMENT.** Subsection 5 of section 39-06-14 of the North Dakota Century
24 Code is amended and reenacted as follows:

1 5. The director shall issue an operator's license to any resident who at the time of
2 application is not a citizen of the United States and who fulfills the requirements of this
3 section. The license must be designed in a manner to distinguish the license clearly
4 from a similar license issued to a citizen of the United States and resident of this state.
5 Upon the issuance of a license, the department of transportation shall provide a
6 written notice that indicates within the forty-five days following naturalization, the
7 naturalized individual shall contact the department of transportation to update the
8 individual's citizenship status. The director shall replace the license issued under this
9 ~~subsection may be replaced~~ with a card issued to a citizen of this country and resident
10 of this state only when proof of United States citizenship is provided by the individual
11 and the replacement fee listed in section 39-06-49 is paid. For licenses issued under
12 this subsection before August 1, 2023, the department of transportation shall provide
13 by mail to each licenseholder a written notice that indicates within the forty-five days
14 following naturalization, the naturalized individual shall contact the department of
15 transportation to update the individual's citizenship status.

16 **SECTION 3. AMENDMENT.** Subsection 1 of section 39-06-14.2 of the North Dakota
17 Century Code is amended and reenacted as follows:

18 1. The director shall provide central identity management for all state agencies for
19 citizens who possess a nondriver photo identification card or driver's license
20 utilizing ~~using~~ driver record data. Upon an individual's change in citizenship status
21 under section 39-06-03.1 or 39-06-14, the director shall report to the secretary of state
22 the individual's updated information as required under section 16.1-02-09.