

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~~
15 individual shall update the citizenship status within forty-five days following
16 naturalization. The director shall replace the card ~~may be replaced~~ with a card issued
17 to a citizen of this country and resident of this state only when proof of United States
18 citizenship is provided by the individual and any applicable replacement fee listed in
19 section 39-06-49 is paid. For identification cards issued under this subsection before
20 August 1, 2023, the department of transportation shall provide by mail to each
21 cardholder a written notice that indicates within the forty-five days following
22 naturalization, the naturalized individual shall contact the department of transportation
23 to update the individual's citizenship status.

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

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

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

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