

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1318
(Representatives Kasper, Hoverson, Koppelman, Rohr, D. Ruby, M. Ruby, Steiner)
(Senators Myrdal, Vedaa)

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

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

1. The director shall provide central identity management for all state agencies for citizens who possess a nondriver photo identification card or driver's license ~~utilizing~~using driver record data. Upon an individual's change in citizenship status under section 39-06-03.1 or 39-06-14,

the director shall report to the secretary of state the individual's updated information as required under section 16.1-02-09.

Dennis E. Johnson
Speaker of the House

Timmy Miller
President of the Senate

Buell J. Reich
Chief Clerk of the House

Shanda Meyer
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1318.

House Vote: Yeas 90 Nays 0 Absent 4

Senate Vote: Yeas 44 Nays 3 Absent 0

Buell J. Reich
Chief Clerk of the House

Received by the Governor at 8:51 AM. on March 31, 2023.

Approved at 4:24 PM. on April 4, 2023.

Doug Burgum
Governor

Filed in this office this 5th day of April, 2023,

at 11:32 o'clock A M.

Michael Howe
Secretary of State