

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H4/12/13 H4/16/13

A Bill

HOUSE BILL 2006

By: Representative Leding

For An Act To Be Entitled

AN ACT TO AUTHORIZE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE FOR ELIGIBLE NONIMMIGRANT EMPLOYEES AND THEIR DEPENDENTS FOR PERIODS OF EXTENSION OR APPLICATION FOR EXTENSION; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE FOR ELIGIBLE NONIMMIGRANT EMPLOYEES AND THEIR DEPENDENTS FOR PERIODS OF EXTENSION OR APPLICATION FOR EXTENSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 27-16-1105(a)(1)(D), concerning minimum issuance standards for driver's licenses, is amended to add additional subdivisions to read as follows:

(x) Has a pending extension Form I-129, Petition for Nonimmigrant Worker or a pending Form I-539, Application to Extend/Change Nonimmigrant Status for dependents, as evidenced by a valid I-797C, Notice of Action; or

(xi) Is a spouse or minor child described under 8 U.S.C. § 1101(a)(15)(F)(ii) as in effect on January 1, 2013, of a bona fide student under 8 U.S.C. § 1101(a)(15)(F)(i) as in effect on January 1, 2013, who has been given authorization for optional practical training under 8 C.F.R. § 212.2(f)(10)(ii) as in effect on January 1, 2013, established by a valid employment authorization document issued by the United States



Citizenship and Immigration Services of the United States Department of Homeland Security.

SECTION 2. Arkansas Code § 27-16-1111(a), concerning the expiration of a driver's license when the applicant is not a United States citizen, is amended to read as follows:

(a) If an applicant for a driver's license under this chapter is not a citizen of the United States as provided under ~~§ 27-16-1105(a)(1)(D)(ii)-(ix)~~ § 27-16-1105(a)(1)(D)(ii)-(xi), the expiration date of the driver's license shall be the shortest of:

(1) The period provided for under § 27-16-901(a)(1)(A); or

~~(2) The date shown on the applicant's United States Immigration and Customs Enforcement of the Department of Homeland Security document I-94;~~
~~or~~

~~(3) The last date the applicant may be present in the United States under federal immigration laws, as verified by the Division of Immigration and Customs Enforcement of the Department of Homeland Security.~~

(2) The last date the applicant may be present in the United States under federal immigration laws, as verified by the United States Citizenship and Immigration Services of the United States Department of Homeland Security according to:

(A)(i) The status completion date on a United States Customs and Border Protection Form I-94, Arrival/Departure Record or admission stamp;

(ii) If the applicant is the holder of a nonimmigrant visa as described in § 27-16-1105(a)(1)(D)(iv), an additional two hundred forty (240) days shall be allowed following the status completion date in subsection (a)(2)(A)(i) of this section if the applicant presents a valid Form I-797C, Notice of Action; or

(B) If the applicant is a spouse or minor child as described under 8 U.S.C. § 1101(a)(15)(F)(ii) as in effect on January 1, 2013, of a bona fide student under 8 U.S.C. § 1101(a)(15)(F)(i) as in effect on January 1, 2013, who has been given authorization for optional practical training under 8 C.F.R. § 214.2(f)(10)(ii) as in effect on January 1, 2013, the end date on the employment authorization document issued by the United

States Citizenship and Immigration Services of the United States Department of Homeland Security for the bona fide student.

SECTION 3. Arkansas Code § 27-16-1112(a) concerning the expiration of non-driver's license identification cards, is amended to read as follows:

(a) If an applicant for an identification card under this chapter is not a citizen of the United States as provided under ~~§ 27-16-1105(a)(1)(D)(ii)-(ix)~~ § 27-16-1105(a)(1)(D)(ii)-(xi), the expiration date of the identification card shall be the shortest of:

(1) The period provided for under § 27-16-805(b);

~~(2) The date shown on the applicant's United States Immigration and Customs Enforcement of the Department of Homeland Security document I-94;~~
or

~~(3) The last date the applicant may be present in the United States under federal immigration laws, as verified by the United States Immigration and Customs Enforcement of the Department of Homeland Security.~~

(2) The last date the applicant may be present in the United States under federal immigration laws, as verified by United States Immigration and Customs Enforcement of the Department of Homeland Security according to:

(A)(i) The status completion date on a United States Customs and Border Protection Form I-94, Arrival/Departure Record or admission stamp;

(ii) If the applicant is the holder of a nonimmigrant visa as described in § 27-16-1105(a)(1)(D)(iv), an additional two hundred forty (240) days shall be allowed following the status completion date in subsection (a)(2)(A)(i) of this section if the applicant presents a valid Form I-797C, Notice of Action; or

(B) If the applicant is a spouse or minor child as described under 8 U.S.C. § 1101(a)(15)(F)(ii) as in effect on January 1, 2013, of a bona fide student under 8 U.S.C. § 1101(a)(15)(F)(i) as in effect on January 1, 2013, who has been given authorization for optional practical training under 8 C.F.R. § 214.2(f)(10)(ii) as in effect on January 1, 2013, the end date on the employment authorization document issued by the United States Citizenship and Immigration Services of the United States Department

of Homeland Security for the bona fide student.

SECTION 4. EFFECTIVE DATE. This act is effective on and after January 1, 2014.

/s/Leding