

1 State of Arkansas As Engrossed: H4/12/13 H4/16/13

2 89th General Assembly

# A Bill

3 Regular Session, 2013

HOUSE BILL 2006

4

5 By: Representative Leding

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## For An Act To Be Entitled

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

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## Subtitle

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TO AUTHORIZE ISSUANCE OR RENEWAL OF A

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DRIVER'S LICENSE FOR ELIGIBLE

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NONIMMIGRANT EMPLOYEES AND THEIR

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DEPENDENTS FOR PERIODS OF EXTENSION OR

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APPLICATION FOR EXTENSION.

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

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

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

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



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

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

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8 (a) If an applicant for a driver's license under this chapter is not a  
9 citizen of the United States as provided under ~~§ 27-16-1105(a)(1)(D)(ii)-(ix)~~  
10 § 27-16-1105(a)(1)(D)(ii)-(xi), the expiration date of the driver's license  
11 shall be the shortest of:

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

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

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

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

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

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

31 (B) If the applicant is a spouse or minor child as  
32 described under 8 U.S.C. § 1101(a)(15)(F)(ii) as in effect on January 1,  
33 2013, of a bona fide student under 8 U.S.C. § 1101(a)(15)(F)(i) as in effect  
34 on January 1, 2013, who has been given authorization for optional practical  
35 training under 8 C.F.R. § 214.2(f)(10)(ii) as in effect on January 1, 2013,  
36 the end date on the employment authorization document issued by the United

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

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

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 7 (a) If an applicant for an identification card under this chapter is  
 8 not a citizen of the United States as provided under ~~§ 27-16-~~  
 9 ~~1105(a)(1)(D)(ii)-(ix)~~ § 27-16-1105(a)(1)(D)(ii)-(xi), the expiration date of  
 10 the identification card shall be the shortest of:

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

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

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

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

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

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

30 (B) If the applicant is a spouse or minor child as  
 31 described under 8 U.S.C. § 1101(a)(15)(F)(ii) as in effect on January 1,  
 32 2013, of a bona fide student under 8 U.S.C. § 1101(a)(15)(F)(i) as in effect  
 33 on January 1, 2013, who has been given authorization for optional practical  
 34 training under 8 C.F.R. § 214.2(f)(10)(ii) as in effect on January 1, 2013,  
 35 the end date on the employment authorization document issued by the United  
 36 States Citizenship and Immigration Services of the United States Department

1 of Homeland Security for the bona fide student.

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

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*/s/Leding*

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**APPROVED: 04/22/2013**

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