

The Senate Public Safety Committee offered the following substitute to SB 122:

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,
 2 relating to the issuance, expiration, and renewal of drivers' licenses, so as to authorize the
 3 issuance of a temporary driving permit or identification card to a noncitizen applicant whose
 4 Georgia driver's license or identification card has expired, or will expire, who has filed a
 5 request for an extension to remain lawfully within the United States; to provide for related
 6 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to the
 10 issuance, expiration, and renewal of drivers' licenses, is amended by revising Code Section
 11 40-5-21.1, relating to temporary licenses, permits, or special identification cards, foreign
 12 licenses or identification cards as evidence of legal presence in the United States, as follows:

13 "40-5-21.1.

14 (a) Notwithstanding any other provision of this title, an applicant who presents in person
 15 valid documentary evidence of:

16 (1) Admission to the United States in a valid, unexpired nonimmigrant status;

17 (2) A pending or approved application for asylum in the United States;

18 (3) Admission into the United States in refugee status;

19 (4) An approved application for temporary protected status in the United States;

20 (5) Approved deferred action status;

21 (6) Other federal documentation verified by the United States Department of Homeland
 22 Security to be valid documentary evidence of lawful presence in the United States under
 23 federal immigration law; or

24 (7) Verification of lawful presence as provided by Code Section 40-5-21.2

25 may be issued a temporary license, permit, or special identification card. Such temporary
 26 license, permit, or special identification card shall be valid only during the period of time
 27 of the applicant's authorized stay in the United States or five years, whichever occurs first.

28 (b) A driver's license or identification card issued by any state or territory which, on or
29 after July 1, 2006, authorized such driver's license or identification card to be issued to
30 persons not lawfully present in the United States may not be accepted as evidence of legal
31 presence in the United States.

32 (c) Any noncitizen applicant whose Georgia driver's license or identification card has
33 expired, or will expire within 30 days, who has filed, or on whose behalf has been filed, a
34 request for an extension with the United States Department of Homeland Security, or
35 similar such federal issuing agency, for time to remain lawfully within the United States
36 shall be issued a temporary driving permit or identification card valid for 120 days from
37 the date of the expiration of his or her valid driver's license or identification card. The
38 noncitizen applicant shall be required to present evidence of the application for extension
39 by submitting a copy or copies of documentation designated by the department. A
40 temporary driving permit or identification card shall be issued upon submission of the
41 required documentation and a \$50.00 application fee. Upon the expiration of the temporary
42 driving permit or identification card, no further consecutive temporary permits or
43 identification cards shall be authorized; provided, however, application may be made
44 following the expiration of an additional valid Georgia driver's license or identification
45 card."

46 **SECTION 2.**

47 This Act shall become effective on January 1, 2014.

48 **SECTION 3.**

49 All laws and parts of laws in conflict with this Act are repealed.