

1 **IMPLEMENTATION OF FEDERAL REAL ID**
2 **ACT**

3 2008 GENERAL SESSION
4 STATE OF UTAH

5 **Chief Sponsor: Glenn A. Donnelson**

6 Senate Sponsor: _____

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Uniform Driver License Act by amending provisions relating to
11 the federal REAL ID Act of 2005.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ provides legislative findings regarding the federal REAL ID Act of 2005;
- 15 ▶ prohibits the state from participating in the implementation of the REAL ID Act of
16 2005;
- 17 ▶ prohibits the Driver License Division from implementing the provisions of the
18 REAL ID Act of 2005; and
- 19 ▶ requires the Driver License Division to report any attempts to implement the

20 provisions of the REAL ID Act of 2005 to the governor **↔** and the Legislature's Government

20a Operations Interim Committee **↔** .

21 **Monies Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 ENACTS:

27 **53-3-104.5**, Utah Code Annotated 1953



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29 *Be it enacted by the Legislature of the state of Utah:*30 Section 1. Section **53-3-104.5** is enacted to read:31 **53-3-104.5. Legislative finding -- Prohibition on implementing REAL ID Act.**32 (1) As used in this section, "REAL ID Act" means the REAL ID ACT of 2005 enacted
33 by the United States Congress as part of the Emergency Supplemental Appropriations Act for
34 Defense, the Global War on Terror, and Tsunami Relief Act, Pub. L. No. 109-13.35 (2) The Legislature finds that the United States Congress' enactment of the REAL ID
36 Act into law:37 (a) is inimical to the security and well-being of the people of this state;38 (b) will cause unneeded expense and inconvenience to the people of this state; and39 (c) was adopted in violation of the principles of federalism contained in the 10th
40 amendment to the United States Constitution.41 (3) (a) The state may not participate in the implementation of the REAL ID Act.42 (b) The division:43 (i) may not implement the provisions of the REAL ID Act; and44 (ii) shall report to the governor ~~H~~→ and the Legislature's Government Operations44a Interim Committee, ←H any attempt by an agency or an agent of the United45 States Department of Homeland Security to secure the implementation of the REAL ID Act46 through the operations of the division.

Legislative Review Note**as of 2-7-08 9:13 AM****Office of Legislative Research and General Counsel**

H.B. 449 - Implementation of Federal Real Id Act

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for businesses, or local governments. Individuals may have to obtain alternative identification documents acceptable for official federal purposes.
