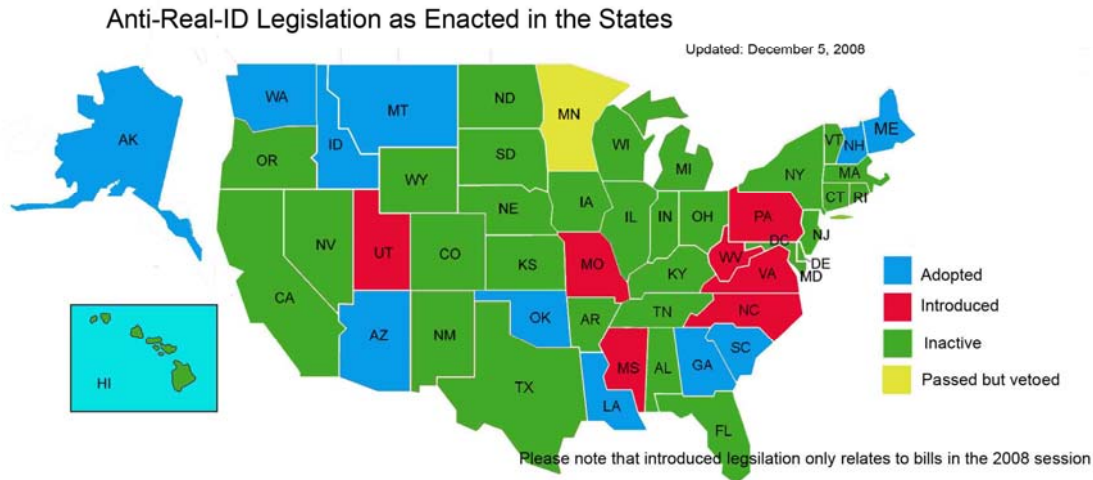


2008 Year End Real ID State Status Report



Legislation

In 2008, four other states passed binding legislation against the Real ID Act. The bills prohibiting implementation are detailed below, bringing the total number of states with binding legislation against Real ID to eleven – AK, AZ, GA, ID, LA, ME, MT, NH, OK, SC, WA.

Please note that **Minnesota** continued to waver back and forth on legislation that would prohibit implementation of Real ID. On May 16, 2008, Governor Pawlenty vetoed Chapter 334, House File 3807, an act that would permanently prohibit Minnesota from participating in or planning for the federal Real ID program. The legislature’s motion to override that veto was tabled. On May 17, 2008 Governor Pawlenty then signed Executive Order 08-08 which states that Minnesota will not implement Real ID unless authorized by the legislature. Text of this Executive Order is available [here](#).

AK SB202 Regular Session

Title: Prohibit State spending for the Real ID Act

Sponsors: Senator(s) Wielechowski, Elton, Ellis, French

Summary: An Act relating to prohibiting expenditures in aid of or to implement the provisions of the federal Real ID Act.

Adopted: 5/30/08 – became law without Governor’s signature; Chapter 44 SLA 08.

Effective date of law: 8/26/08

AZ HB2677 Regular Session

Title: REAL ID act; implementation prohibited

Sponsors: Burges, Pearce, Sinema, Blendu, Johnson, Biggs, Campbell, Clark, Crump, Farnsworth, Gallardo, Murphy, Nichols, Weirs JP, Aboud, Allen, Burns, Gray C, Gray L, Harper, Verschoor

Summary: An Act amending title 28, chapter 2, article 2, Arizona Revised Statutes, by adding section 28-336; relating to the REAL ID Act of 2005.

Adopted: 6/17/08 – Chapter 272

ID HB606 Regular Session

Title: Real ID Act, not implemented

Sponsors: State Affairs

Summary: Relating to implementation of the federal Real ID Act of 2005; stating findings of the legislature; and amending Chapter 3, Title 40, Idaho Code, by the addition of a new section 40-322, Idaho Code, to state findings of the legislature, to direct the Idaho Transportation Board and the Idaho Transportation Department not to implement the provisions of the Real ID Act of 2005 and to require reporting to the Governor and the Constitutional Defense Council of attempts by federal agencies to secure implementation of the federal Act.

Adopted: 4/09/08 by Governor's Executive Order

LA HB715 Regular Session

Title: Directs the Department of Public Safety and Corrections not to implement the federal Real ID Act of 2005.

Sponsors Geymann

Summary: An Act to direct the Department of Public Safety and Corrections to not implement the provisions of the Federal Real ID Act of 2005; and to provide for related matters.

Adopted: 7/07/08

In 2008, seven states introduced legislation opposing real ID but that legislation did not pass. These states were:

- Mississippi - HB 302
- Missouri – HB 1716 – privacy
- North Carolina – HB 2136, SB 1786
- Pennsylvania – HB 2537, SB 1220
- Utah – HB 449
- Virginia – HB 1557
- West Virginia – SB 248

In 2007, seven states passed binding legislation against Real ID.

- GA SB 5 permits the Governor of Georgia to delay implementing the requirements of the Real ID Act until the DHS has issued regulations that the Governor finds will adequately protect the interests of the citizens of Georgia; the bill also requires the presentation of secure and verifiable documents for purposes of obtaining a driver's license by a noncitizen.
- ME HB 831 Prohibits Maine from Participating in a National Identification Card System

- MT HB 287 opposes the implementation of the federal Real ID Act and directs the Montana department of Justice not to implement the provisions of the Act.
- NH HB 685 prohibits New Hampshire from participating in a national identification card system and establishes additional limitations on the release of data by the department of safety.
- OK SB 464 prohibiting implementation of the federal REAL ID Act.
- SC SB 449 states that the state shall not participate in the Real ID Act.
- WA SB 5087 states that a state agency or program may not expend funds to implement or comply with the REAL ID Act of 2005, P.L. 109-13, unless: (1) certain privacy restrictions are met; and (2) sufficient federal funds are received by the state of Washington and are specifically allocated to fund REAL ID implementation.