

No. 2012-38

## AN ACT

SB 354

Relating to compliance with the Federal REAL ID Act of 2005.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the REAL ID Nonparticipation Act.

Section 2. Participation in the REAL ID Act of 2005.

(a) Prohibition.—Neither the Governor nor the Department of Transportation or any other Commonwealth agency shall participate in the REAL ID Act of 2005 or regulations promulgated thereunder.

(b) Definition.—As used in this section, the term "REAL ID Act of 2005" means Division B of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror and Tsunami Relief, 2005 (Public Law 109-13, 119 Stat. 302).

Section 3. Legal challenge.

Either the Governor or the Attorney General may file an action in a court of competent jurisdiction to challenge the constitutionality or legality of the REAL ID Act of 2005.

Section 20. Effective date.

This act shall take effect in 60 days.

APPROVED—The 8th day of May, A.D. 2012

TOM CORBETT