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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 354 Session of  
2011

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INTRODUCED BY FOLMER, WOZNIAK, KITCHEN, ERICKSON, KASUNIC,  
D. WHITE, LEACH, ALLOWAY, BOSCOLA, EARLL, PIPPY, WILLIAMS,  
M. WHITE, STACK, FONTANA, ORIE, FARNESE AND FERLO,  
FEBRUARY 1, 2011

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REFERRED TO COMMUNICATIONS AND TECHNOLOGY, FEBRUARY 1, 2011

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AN ACT

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

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

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

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

8 (a) Prohibition.--Neither the Governor nor the Department of  
9 Transportation or any other Commonwealth agency shall  
10 participate in the compliance of any provision of the REAL ID  
11 Act of 2005 or regulations promulgated thereunder.

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

16 Section 3. Legal challenge.

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

4 Section 20. Effective date.

5       This act shall take effect in 60 days.