

HCS HB 151 -- REAL ID COMPLIANT LICENSES (Corlew)

COMMITTEE OF ORIGIN: Standing Committee on Government Efficiency

This bill requires the Department of Revenue to amend its procedures for applying for a driver's license or identification card in order to comply with the federal REAL ID Act. The department is currently prevented from complying with the act. This bill requires that the department give applicants the option of either a compliant license or a license that is not in compliance with the federal REAL ID Act. The department will be required to inform applicants of the differences between the compliant and non-compliant forms of license, specifically that the REAL ID compliant driver's license can be used for federal purposes such as commercial domestic air travel and gaining access to military bases and most federal government facilities, while the non-compliant license cannot. The bill specifies that any biometric data collected for these purposes will be retained only for the purposes of complying with the REAL ID Act.

If any person, department, or department employee unlawfully and knowingly discloses information required to be retained under the REAL ID Act, that person or employee will be guilty of a class E felony, unless the person or employee acted under the direction of a supervisor, in which case the supervisor will be guilty. The person whose information was unlawfully released may recover monetary damages that cannot be paid from the state legal expense fund.

The bill prohibits the department from implanting a radio frequency identification (RFID) chip or tag in a driver's license or identification card.

The sections of this bill are nonseverable.

If any provision of the REAL ID Act of 2005 is held to be facially unconstitutional, then the sections in this bill will expire.

This bill contains an emergency clause.

This bill is similar to HCS HB 2235 (2016).