

By: Estes

S.C.R. No. 40

CONCURRENT RESOLUTION

1 WHEREAS, On March 1, 2007, the United States Department of
2 Homeland Security announced the federal guidelines for state
3 implementation of the federal REAL ID Act of 2005; the regulations
4 establish strict standards for the issuance of state driver's
5 licenses and identification (ID) cards that must be implemented by
6 December 2009; and

7 WHEREAS, These standards require each state to verify the
8 original documentation establishing the identity of an applicant,
9 such as birth certificates and social security cards, cross-check
10 the documents against federal databases, and reissue the license or
11 ID card in a format that incorporates specific security features
12 into the design; additionally, the rules set safety measures that
13 must be followed with regard to the physical location where
14 licenses and cards are issued; and

15 WHEREAS, Cards that do not meet the federal standards will
16 not be accepted as official federal identification anywhere in the
17 United States or abroad, preventing the holder from boarding
18 commercial flights, entering federal buildings, conducting
19 business at certain financial institutions, and even applying for
20 federal programs such as Medicare; and

21 WHEREAS, A joint study released in September 2006 by the
22 National Conference of State Legislatures, the National Governors
23 Association, and the American Association of Motor Vehicle
24 Administrators estimates the initial cost of implementing the REAL

1 ID Act of 2005 to be more than \$11 billion; according to the study,
2 the most costly provisions in the act are those requiring driver's
3 license and card holders to present original documents in person
4 for reverification by the state motor vehicle department within
5 five years, forcing states to hire additional employees, expand
6 business hours, and even construct new facilities to meet the
7 reenrollment deadline; and

8 WHEREAS, Regretfully, in federal fiscal year 2006, congress
9 appropriated a mere \$40 million to support the states'
10 implementation of the REAL ID Act, not sufficient to cover even
11 Texas' needs; in fact, the Texas Department of Public Safety's
12 projected cost to the state is \$167.4 million for the first year of
13 implementation and \$101.3 million for each subsequent year of
14 operation; the agency submitted a request for \$268.7 million in the
15 2008-2009 biennium for REAL ID-related expenditures, including 737
16 new full-time employees; and

17 WHEREAS, Implementation of the REAL ID Act could cost Texas
18 taxpayers more than \$572 million over the next five years;
19 considering this enormous expense and the meager congressional
20 financial support for the endeavor, the requirements made by the
21 REAL ID Act of 2005 constitute a virtual unfunded mandate on the
22 State of Texas and, as such, a significant burden to the state's
23 residents; now, therefore, be it

24 RESOLVED, That the 80th Legislature of the State of Texas
25 hereby oppose the federal REAL ID Act as an unfunded mandate; and,
26 be it further

27 RESOLVED, That the Texas secretary of state forward official

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1 copies of this resolution to the president of the United States, to
2 the speaker of the house of representatives and the president of the
3 senate of the United States Congress, and to all the members of the
4 Texas delegation to the congress with the request that this
5 resolution be officially entered in the Congressional Record as a
6 memorial to the Congress of the United States of America.