

1 On page 84, after line 7 of the amendment, insert the following:

2 "NEW SECTION. **Sec. 702.** A new section is added to chapter 46.20  
3 RCW to read as follows:

4 (1) Beginning August 1, 2016, any person obtaining or renewing  
5 his or her driver's license, driver's instruction permit,  
6 agricultural driving permit, identicard, or intermediate license must  
7 show proof of his or her United States citizenship or his or her  
8 lawful presence within the United States. An original or renewal  
9 application must not be granted to any person who does not provide  
10 verified proof of his or her United States citizenship or his or her  
11 lawful presence within the United States. A person who is a citizen  
12 or national of the United States, or who is a legal permanent  
13 resident alien, must not be required to provide proof under this  
14 subsection, so long as the department has a record of the person's  
15 status in compliance with subsection (4) of this section.

16 (2) A person may prove his or her citizenship by providing a  
17 valid, unexpired United States passport or passport card, a certified  
18 copy of a birth certificate, a consular report of birth abroad issued  
19 by the United States department of state, a certificate of  
20 naturalization issued by the department of homeland security, or a  
21 certificate of citizenship.

22 (3) A person may prove his or her lawful presence within the  
23 United States by providing documentation that he or she is an alien:

24 (a) Lawfully admitted for permanent or temporary residence in the  
25 United States;

26 (b) With conditional permanent resident status in the United  
27 States;

28 (c) Who has an approved application for asylum in the United  
29 States or has entered into the United States in refugee status;

30 (d) Who has a valid nonimmigrant status in the United States;

31 (e) Who has a pending application for asylum in the United  
32 States;

1 (f) Who has a pending or approved application for temporary  
2 protected status in the United States;

3 (g) Who has a pending application for lawful permanent residence  
4 or conditional permanent resident status; or

5 (h) Who has approved deferred action status from a deferred  
6 action program established before November 20, 2014. A person with  
7 approved deferred action status from a program established before  
8 November 1, 2014, that is based on any expansion of eligibility  
9 criteria to the deferred action program that occurred after November  
10 20, 2014, is not an acceptable form of lawful presence under this  
11 subsection (3).

12 (4) The department must maintain records of an applicant's status  
13 as a United States citizen or as a noncitizen, including the type of  
14 document provided and the expiration of the applicant's authorization  
15 to lawfully be within the United States. The department must make  
16 such records available to the secretary of state and state and local  
17 criminal justice agencies.

18 (5) The department must verify the status of an applicant through  
19 either the systematic alien verification for entitlements program or  
20 through verification of the applicant's social security number with  
21 the United States social security administration.

22 (6) Any driver's license, driver's instruction permit,  
23 agricultural driving permit, identicard, or intermediate license  
24 issued to a person who has established lawful presence under  
25 subsection (3) of this section expires at the same time as the  
26 expiration date for the person's authorization to be in the United  
27 States, but under no circumstances may the expiration date of the  
28 license, identicard, or permit being issued by the department exceed  
29 the maximum term provided in statute for each license, identicard, or  
30 permit.

31 (7) The department may adopt rules to implement this section and  
32 to bring the state into compliance with the REAL ID act of 2005, 49  
33 U.S.C. Sec. 30301, as it existed on January 1, 2015, or such  
34 subsequent date as may be provided by the department by rule,  
35 consistent with the purposes of this section.

36 NEW SECTION. **Sec. 703.** A new section is added to chapter 46.20  
37 RCW to read as follows:

38 Any driver's license or other form of identification issued by a  
39 state that accepts as proof of lawful presence an approved deferred

1 action status based on eligibility criteria that was established  
2 after November 20, 2014, must not be considered a valid form of  
3 identification in Washington state by the department. This  
4 restriction also applies to drivers' licenses or other forms of  
5 identification from states that accept as lawful presence an approved  
6 deferred action status from a deferred action program that was  
7 expanded after November 1, 2014.

8 NEW SECTION. **Sec. 704.** The following acts or parts of acts are  
9 each repealed:

10 (1) RCW 43.41.390 (Implementation of federal REAL ID Act of 2005)  
11 and 2007 c 85 s 1; and

12 (2) RCW 46.20.191 (Compliance with federal REAL ID Act of 2005  
13 requirements) and 2007 c 85 s 2."

14 Renumber the remaining section consecutively and correct any  
15 internal references accordingly.

**ESHB 2524** - S AMD TO S AMD (S-5060.4/16) **745**  
By Senator Benton

**RULED BEYOND SCOPE 03/08/2016**

16 On page 85, line 6 of the title amendment, after "(uncodified);"  
17 strike all material through "(uncodified);" on line 7 and insert  
18 "adding new sections to chapter 46.20 RCW; adding new sections to  
19 2015 1st sp.s. c 10 (uncodified); repealing RCW 43.41.390 and  
20 46.20.191;"

EFFECT: Requires an applicant to submit proof of his or her  
lawful presence in the United States with an application for an  
original or renewal of a driver's license, identicard, agricultural  
permit, and intermediate driver's license. Directs DOL to adopt rules  
to bring the state into compliance with the REAL ID Act of 2005.  
Repeals the statutes prohibiting DOL from expending any funds to  
implement the REAL ID Act of 2005.

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