

By: Guillen

H.B. No. 3641

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to residency requirements for driver's licenses and  
3 personal identification certificates.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 521.101, Transportation Code, is amended  
6 by amending Subsections (f-1) and (j) to read as follows:

7 (f-1) A personal identification certificate issued to a  
8 person whose address of principal residence [~~or domicile~~] is a  
9 correctional facility or a parole facility expires on the first  
10 birthday of the license holder occurring after the first  
11 anniversary of the date of issuance.

12 (j) The department may not issue a personal identification  
13 certificate to a person who has not established an address of  
14 principal residence [~~a domicile~~] in this state.

15 SECTION 2. Section 521.1015(c), Transportation Code, is  
16 amended to read as follows:

17 (c) Notwithstanding Section 521.101, Section 521.1426, or  
18 any other provision of this chapter, a child or youth described by  
19 Subsection (b) may, in applying for a personal identification  
20 certificate:

21 (1) provide a copy of the child's or youth's birth  
22 certificate as proof of the child's or youth's identity and United  
23 States citizenship, as applicable; and

24 (2) if the child or youth does not have an address of

1 principal [~~a~~] residence [~~or domicile~~]:

2 (A) provide a letter certifying the child or  
3 youth is a homeless child or youth issued by:

4 (i) the school district in which the child  
5 or youth is enrolled;

6 (ii) the director of an emergency shelter  
7 or transitional housing program funded by the United States  
8 Department of Housing and Urban Development; or

9 (iii) the director of:

10 (a) a basic center for runaway and  
11 homeless youth; or

12 (b) a transitional living program; or

13 (B) use the address of the regional office where  
14 the Department of Family and Protective Services caseworker for the  
15 child or youth is based.

16 SECTION 3. Section 521.1016(c), Transportation Code, is  
17 amended to read as follows:

18 (c) Notwithstanding Section 521.101, Section 521.1426, or  
19 any other provision of this chapter, an individual described by  
20 Subsection (b) may, in applying for a personal identification  
21 certificate:

22 (1) provide a copy of the individual's birth  
23 certificate as proof of the individual's identity and United States  
24 citizenship, as applicable; and

25 (2) if the individual does not have an address of  
26 principal [~~a~~] residence [~~or domicile~~], provide a letter certifying  
27 the individual is homeless issued by:

- 1 (A) an advocate;
- 2 (B) a licensed mental health services provider  
3 who examined and evaluated the individual; or
- 4 (C) the director of an emergency shelter or  
5 transitional housing program funded by the United States Department  
6 of Housing and Urban Development or through the Victims of Crime Act  
7 of 1984 (Title II, Pub. L. No. 98-473).

8 SECTION 4. Section 521.1426, Transportation Code, is  
9 amended to read as follows:

10 Sec. 521.1426. ADDRESS OF PRINCIPAL RESIDENCE [~~DOMICILE~~]  
11 REQUIREMENT; VERIFICATION. (a) The department may not issue a  
12 driver's license or a personal identification certificate to a  
13 person who has not established an address of principal residence [~~a~~  
14 ~~domicile~~] in this state.

15 (b) The department shall adopt rules for determining  
16 whether an address of principal residence [~~a domicile~~] has been  
17 established, including rules prescribing the types of  
18 documentation the department may require from the applicant to  
19 verify the validity of the claimed principal residence [~~domicile~~].

20 (c) The department may contract with a third-party personal  
21 data verification service to assist the department in verifying a  
22 claim of an address of principal residence [~~domicile~~], including  
23 whether the physical address provided by the applicant is the  
24 applicant's actual principal residence.

25 SECTION 5. Sections 521.271(a) and (b), Transportation  
26 Code, are amended to read as follows:

27 (a) Each original driver's license, provisional license,

1 learner license, or occupational driver's license issued to an  
2 applicant who is a citizen, national, or legal permanent resident  
3 of the United States or a refugee or asylee lawfully admitted into  
4 the United States expires as follows:

5 (1) except as provided by Section 521.2711, a driver's  
6 license expires on the first birthday of the license holder  
7 occurring after the eighth anniversary of the date of the  
8 application;

9 (2) a provisional license expires on the 18th birthday  
10 of the license holder;

11 (3) a learner license expires on the 18th birthday of  
12 the license holder;

13 (4) an occupational driver's license expires on the  
14 first anniversary of the court order granting the license; and

15 (5) unless an earlier date is otherwise provided, a  
16 driver's license issued to a person whose address of principal  
17 residence [~~or domicile~~] is a correctional facility or a parole  
18 facility expires on the first birthday of the license holder  
19 occurring after the first anniversary of the date of issuance.

20 (b) Except as provided by Section 521.2711, a driver's  
21 license that is renewed expires on the earlier of:

22 (1) the eighth anniversary of the expiration date  
23 before renewal if the applicant is a citizen, national, or legal  
24 permanent resident of the United States or a refugee or asylee  
25 lawfully admitted into the United States;

26 (1-a) for an applicant not described by Subdivision  
27 (1):

1 (A) the earlier of:  
2 (i) the eighth anniversary of the  
3 expiration date before renewal; or

4 (ii) the expiration date of the applicant's  
5 authorized stay in the United States; or

6 (B) the first anniversary of the date of  
7 issuance, if there is no definite expiration date for the  
8 applicant's authorized stay in the United States; or

9 (2) for a renewal driver's license issued to a person  
10 whose address of principal residence [~~or domicile~~] is a  
11 correctional facility or a parole facility, the first birthday of  
12 the license holder occurring after the first anniversary of the  
13 date of issuance unless an earlier date is otherwise provided.

14 SECTION 6. Section 521.421(a-2), Transportation Code, is  
15 amended to read as follows:

16 (a-2) Except as provided by Subsection (a-1), the  
17 department by rule shall establish the fee for a personal  
18 identification certificate or driver's license issued to a person  
19 whose address of principal residence [~~or domicile~~] is a  
20 correctional facility or a parole facility.

21 SECTION 7. The changes in law made by this Act apply to an  
22 application for a driver's license or personal identification  
23 certificate submitted on or after the effective date of this Act.  
24 An application for a driver's license or personal identification  
25 certificate submitted before the effective date of this Act is  
26 governed by the law in effect on the date the application was  
27 submitted, and the former law is continued in effect for that

1 purpose.

2 SECTION 8. This Act takes effect September 1, 2023.