

By: Middleton

S.B. No. 430

A BILL TO BE ENTITLED

AN ACT

relating to the expiration date of driver's licenses and renewal driver's licenses issued to noncitizens.

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

SECTION 1. Section 521.013, Transportation Code, as added by Chapter 818 (H.B. 2497), Acts of the 87th Legislature, Regular Session, 2021, is redesignated as Section 521.014, Transportation Code, and amended to read as follows:

Sec. 521.014 [~~521.013~~]. TEXAS 1836 PROJECT PAMPHLET. (a) The department shall provide the pamphlet described by Section 451.005, Government Code, to persons who receive a driver's license:

(1) after applying under Section 521.144; or

(2) with an expiration provided by Section 521.2712 [~~521.271(a-2) or (a-3)~~].

(b) The department shall make the pamphlet described by Section 451.005, Government Code, available to the public on the department's Internet website.

SECTION 2. Subchapter M, Chapter 521, Transportation Code, is amended by adding Section 521.2712 to read as follows:

Sec. 521.2712. EXPIRATION OF NONCITIZEN LICENSE AND RENEWAL. (a) Except as provided by Subsection (b), each original driver's license issued to an applicant who is not a citizen and each renewal of those licenses expires on the earliest of:

1           (1) the first anniversary of the date of issuance or  
2 renewal, as applicable;

3           (2) the expiration date of the applicant's or license  
4 holder's lawful presence in the United States as determined by the  
5 appropriate United States agency in compliance with federal law, if  
6 there is a definite expiration date for the applicant's or license  
7 holder's authorized stay in the United States; or

8           (3) another date applicable under this subchapter,  
9 including the date of a court order under Section 521.271(a)(4).

10           (b) Each original provisional or learner license issued to  
11 an applicant who is not a citizen and each renewal of those licenses  
12 expires on the earliest of:

13           (1) the first anniversary of the date of issuance or  
14 renewal, as applicable;

15           (2) the 18th birthday of the license holder; or

16           (3) the expiration of the applicant's or license  
17 holder's lawful presence in the United States as determined by the  
18 appropriate United States agency in compliance with federal law, if  
19 there is a definite expiration date for the applicant's or license  
20 holder's authorized stay in the United States.

21           SECTION 3. Sections 521.271(a) and (b), Transportation  
22 Code, are amended to read as follows:

23           (a) Except as provided by this subchapter, including  
24 Sections 521.2711 and 521.2712, each [Each] original driver's  
25 license, provisional license, learner license, or occupational  
26 driver's license [issued to an applicant who is a citizen,  
27 national, or legal permanent resident of the United States or a

1 ~~refugee or asylee lawfully admitted into the United States]~~ expires  
2 as follows:

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

7 (2) a provisional license expires on the 18th birthday  
8 of the license holder;

9 (3) a learner license expires on the 18th birthday of  
10 the license holder;

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

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

18 (b) Except as otherwise provided by this subchapter,  
19 including Sections ~~[Section]~~ 521.2711 and 521.2712, a driver's  
20 license that is renewed expires on the earlier of:

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

25 ~~[(1-a) for an applicant not described by Subdivision~~  
26 ~~(1):~~

27 ~~[(A) the earlier of:~~

1                   ~~[(i) the eighth anniversary of the~~  
2 ~~expiration date before renewal, or~~

3                   ~~[(ii) the expiration date of the~~  
4 ~~applicant's authorized stay in the United States, or~~

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

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

13                   SECTION 4. Section [521.272\(c\)](#), Transportation Code, is  
14 amended to read as follows:

15                   (c) Notwithstanding Sections [521.271](#) and [521.2711](#), a  
16 driver's license issued under this section, including a renewal,  
17 duplicate, or corrected license, expires[+

18                   ~~[(1) if the license holder is a citizen, national, or~~  
19 ~~legal permanent resident of the United States or a refugee or asylee~~  
20 ~~lawfully admitted into the United States,]~~ on the first birthday of  
21 the license holder occurring after the date of application, except  
22 that:

23                   (1) ~~[(A)]~~ the initial license issued under this  
24 section expires on the second birthday of the license holder  
25 occurring after the date of application, subject to Subdivision (2)  
26 ~~[Paragraph (B)]~~; and

27                   (2) ~~[(B)]~~ a license issued under this section to a

1 person described by Article 62.2021, Code of Criminal Procedure,  
2 expires on the sixth anniversary of the date on which the license  
3 was issued~~[, or~~

4 ~~[(2) if the applicant is not described by Subdivision~~  
5 ~~(1), on the earlier of:~~

6 ~~[(A) the expiration date of the applicant's~~  
7 ~~authorized stay in the United States; or~~

8 ~~[(B) as applicable:~~

9 ~~[(i) the first birthday of the license~~  
10 ~~holder occurring after the date of application;~~

11 ~~[(ii) if the license holder holds an~~  
12 ~~initial license issued under this section, the second birthday of~~  
13 ~~the license holder occurring after the date of application; or~~

14 ~~[(iii) if the license holder is a person~~  
15 ~~described by Article 62.2021, Code of Criminal Procedure, the sixth~~  
16 ~~anniversary of the date on which the license was issued].~~

17 SECTION 5. The following provisions of the Transportation  
18 Code are repealed:

19 (1) Sections 521.271(a-2), (a-3), and (a-4); and

20 (2) Section 521.2711(c).

21 SECTION 6. The changes in law made by this Act apply only to  
22 a driver's license issued or renewed on or after June 1, 2024. A  
23 driver's license issued or renewed before June 1, 2024, is governed  
24 by the law in effect immediately before the effective date of this  
25 Act, and the former law is continued in effect for that purpose.

26 SECTION 7. This Act takes effect September 1, 2023.