

BILL ANALYSIS

Senate Research Center
78R11320 JRJ-D

C.S.S.B. 944
By: Ogden
Infrastructure Development and Security
4/8/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, a noncitizen is not required to provide documentation of legal status in the United States in order to be issued a driver's license or identification card. In addition, there is no requirement that these forms of identification expire at the same time the person's legal stay in the country expires. C.S.S.B. 944 ensures the integrity of Texas driver's licenses and identification cards by requiring a license or card issued to a noncitizen to expire when the individual's legal stay in the United States ends, if it occurs prior to the regular expiration date.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 521A, Transportation Code, by adding Section 521.007, as follows:

Sec. 521.007. USE OF STATE HIGHWAY FUND. Authorizes the costs of additional requirements imposed by this chapter for the issuance of a driver's license or personal identification certificate to a person who is not a citizen of the United States to be paid only from funds appropriated from the state highway fund.

SECTION 2. Amends Section 521.101, Transportation Code, by amending Subsection (f) and adding Subsection (j), as follows:

(f) Provides that a certificate expires on a date specified by the Department of Public Safety (DPS), except that a certificate issued to a person 60 years of age or older, other than a person described by Subdivision (2), does not expire and a certificate issued to a person who is not a citizen of the United States expires the earlier of:

- (A) six years from the date of issuance;
- (B) a date corresponding to the end of the period of legal stay as indicated by documentation issued by the federal agency responsible for citizenship and immigration; or
- (C) one year from the date of issuance if there is no definite end to the period of legal stay.

(j) Requires the DPS to indicate "TEMPORARY ISSUANCE" on the face of a personal identification certificate valid for less than six years that is issued to a person who is not a citizen of the United States.

SECTION 3. Amends Chapter 521F, Transportation Code, by adding Section 521.127, as follows:

Sec. 521.127. DESIGNATOR ON LICENSE ISSUED TO A NONCITIZEN. Requires DPS to indicate "TEMPORARY ISSUANCE" on the face of a license valid for less than six years that is held by a person who is not a citizen of the United States.

SECTION 4. Amends Section 521.142, Transportation Code, by adding Subsection (h), to require an applicant who is not a citizen of the United States to present to DPS documentation issued by the federal agency responsible for citizenship and immigration authorizing the applicant to be in the United States.

SECTION 5. Amends Section 521.1425(b), Transportation Code, to require DPS to require each applicant for an original, renewal, or duplicate driver's license to furnish to the DPS the information required by Sections 521.142(c)(7) and (8) and (h).

SECTION 6. Amends Section 521.271(a), Transportation Code, to provide an exception.

SECTION 7. Amends Chapter 521M, Transportation Code, by adding Section 521.2715, as follows:

Sec. 521.2715. LICENSE EXPIRATION: NONCITIZENS. Provides that a driver's license held by a person who is not a citizen of the United States, including a renewal, duplicate, or corrected license, expires on the earlier of the date specified in Section 521.271; the date corresponding to the end of the period of legal stay as indicated by documentation issued by the federal agency responsible for citizenship and immigration; or one year from the date of issuance if there is no definite end to the period of legal stay.

SECTION 8. Amends Section 521.421, Transportation Code, by adding Subsection (k), to require DPS to prorate the fee according to the number of years the license is to be in effect, if a driver's license issued to a person who is not a citizen of the United States expires before the date specified in Section 521.271.

SECTION 9. Amends Section 521.422(a), Transportation Code, to provide a schedule of fees for a personal identification certificate.

SECTION 10. Amends Chapter 522A, Transportation Code, by adding Section 522.008, as follows:

Sec. 522.008. USE OF STATE HIGHWAY FUND. Authorizes the cost of additional requirements imposed by this chapter for the issuance of a commercial driver's license or permit to a person who is not a citizen of the United States to be paid only from funds appropriated from the state highway fund.

SECTION 11. Amends Section 522.021, Transportation Code, by amending Subsection (a) and adding Subsection (e), as follows:

(a) Requires an application for a commercial driver's license or commercial driver learner's permit to include certain items.

(e) Requires an applicant who is not a citizen of the United States to present to DPS documentation issued by the federal agency responsible for citizenship and immigration authorizing the applicant to be in the United States.

SECTION 12. Amends Section 522.029, Transportation Code, by amending Subsection (a) and adding Subsection (i), as follows:

(a) Provides that the fee for a commercial driver's license or commercial driver learner's permit issued by DPS is \$60, except as provided by Subsections (f), (h), and (i).

(i) Requires DPS to prorate the fee according to the number of years the license or permit is to be in effect if a commercial driver's license or commercial driver learner's permit issued to a person who is not a citizen of the United States expires before the date specified in Section 522.051.

SECTION 13. Amends Section 522.030, Transportation Code, regarding what a commercial

driver's license is required to contain, to require that if the person is not a citizen of the United States, the word "TEMPORARY ISSUANCE" to be on the face of the license.

SECTION 14. Amends Section 522.051(a), Transportation Code, to provide an additional exception.

SECTION 15. Amends Chapter 522E, Transportation Code, by adding Section 522.0515, as follows:

Sec. 522.0515. EXPIRATION OF LICENSE OR PERMIT: NONCITIZENS. Provides that a commercial driver's license or commercial driver learner's permit held by a person who is not a citizen of the United States, including a renewal, duplicate, or corrected license, expires on the earlier of the date specified in Section 522.051 or 522.052; the date corresponding to the end of the period of legal stay as indicated by documentation issued by the federal agency responsible for citizenship and immigration; or one year from the date of issuance if there is no definite end to the period of legal stay.

SECTION 16. Amends Section 522.052, Transportation Code, by adding Subsection (h), to require DPS to require each applicant to furnish to DPS the information required by Sections 522.021(a)(6) and (e) for a renewal, duplicate, or corrected commercial driver's license or duplicate or corrected commercial driver learner's permit.

SECTION 17. Makes application of this Act prospective.

SECTION 18. Effective date: September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

Differs from As Filed by adding a new SECTION 1, to amend Chapter 521A, Transportation Code. Renumbers original SECTION 1 as SECTION 2.

SECTION 2. Differs from As Filed by adding exceptions to a certificate expiring on a date specified by the department to Section 521.101(a). Differs from As Filed in Section 521.101(j), by changing what is required to be on the face of a personal identification certificate which is now valid for less than six years that is held by a person who is not a citizen of the United States.

Differs from As Filed by adding a new SECTION 4, to amend Chapter 521.142, Transportation Code. Renumbers original SECTIONS 4 through 6 as SECTIONS 5 through 7.

SECTION 7. Differs from As Filed by adding exceptions to a certificate expiring on a date specified by the department to Section 521.2715. Renumbers original SECTIONS 7 and 8 as SECTIONS 8 and 9.

Differs from As Filed in SECTION 13 by changing what is required to be on the face of a license.

Differs from As Filed by adding a new SECTION 10, to amend Chapter 522A, Transportation Code. Renumbers original SECTIONS 9 through 16 as SECTIONS 11 through 18.

Differs from As Filed in SECTION 15 changing the dates of expiration of certain licenses or permits.