

BILL ANALYSIS

Senate Research Center

H.B. 598
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Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In an effort to strengthen court security, the U.S. Congress responded with a number of measures that affected both the federal and state judicial systems. Because of the need to increase protection of federal and state judges, the Court Security Protection Act allows for states, in lieu of home addresses, to display the courthouse address on the drivers' licenses of state and federal judges and their spouses. Texas laws does not explicitly authorize the Department of Public Safety of the State of Texas (DPS) to display courthouse addresses on such drivers' licenses.

This bill authorizes DPS to develop a procedure, following sufficient documentary evidence, to allow a federal judge or state judge, or the spouse of a federal judge or a state judge, to use the courthouse address, rather than a home addresses, for their drivers' licenses. The judges' actual home addresses would still be on file with DPS following the adoption of this procedure.

H.B. 598 amends current law relating to the information displayed on certain licenses.

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 Section 521.001(a), Transportation Code, by adding Subdivisions (3-a) and (8-a), to define "federal judge" and "state judge."

SECTION 2. Amends Sections 521.054(a) and (b), Transportation Code, as follows:

(a) Provides that this section applies to a person who after applying for or being issued a license or certificate moves to a new residence address, and has used the procedure under Section 521.121(c) and whose status as a federal judge, a state judge, or the spouse of a federal or state judge becomes inapplicable. Deletes existing text providing that this section applies to a person who after applying for the license or certificate moves from the address stated in the person's application for a license or certificate, or moves from the address shown on the license or certificate held by the person.

(b) Requires that the duplicate license include the person's current residence address.

SECTION 3. Amends Section 521.121, Transportation Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Requires that the driver's license include certain information, including the license holder's residence address or, for a license holder using the procedure under Subsection (c), the street address of the courthouse in which the license holder or license holder's spouse serves as a federal judge or state judge, rather than the residence address of the holder.

(c) Requires the Department of Public Safety of the State of Texas (DPS) to establish a procedure for a federal judge, a state judge, or the spouse of a federal or state judge to omit the license holder's residence address on the license and to include, in lieu of that address, the street address of the courthouse in which the license holder or license

holder's spouse serves as a federal judge or state judge. Requires DPS, in establishing the procedure, to require sufficient documentary evidence to establish the license holder's status as a federal judge, a state judge, or the spouse of a federal or state judge.

SECTION 4. Amends Section 521.142(c), Transportation Code, to require the application to state the residence address of the applicant, or if the applicant is a federal judge, a state judge, or the spouse of a federal or state judge using the procedure developed under Section 521.121(c), the street address of the courthouse in which the applicant or the applicant's spouse serves as a federal judge or a state judge, among other information.

SECTION 5. Amends Section 411.179(c), Government Code, as added by Chapter 1222 (H.B. 2300), Acts of the 80th Legislature, Regular Session, 2007, to require DPS, in adopting the form of the license under Subsection (a), to establish a procedure for the license of a qualified handgun instructor or of a judge, justice, prosecuting attorney, or assistant prosecuting attorney, as described by Section 46.15(a)(4) (relating to a judge or justice of certain courts licensed to carry a concealed handgun) or (6) (relating to certain attorneys licensed to carry a concealed handgun), Penal Code, to indicate on the license the license holder's status as a qualified handgun instructor or as a judge, justice, district attorney, criminal district attorney, or county attorney.

SECTION 6. Reenacts Sections 411.181(a) and (b), Government Code, as amended by Chapters 594 (H.B. 41) and 1222 (H.B. 2300), Acts of the 80th Legislature, Regular Session, 2007, and amends them as follows:

(a) Requires the person, if a person who is a current license holder moves from any residence address stated on the license, if the name of the person is changed by marriage or otherwise, or if the person's status becomes inapplicable for purposes of the information required to be displayed on the license under Section 411.179 (Form of License), to, not later than the 30th day after the date of the address, name, or status change, notify DPS and provide DPS with the number of the person's license and, as applicable, the person's former and new status, among other information. Deletes existing text requiring a person, if a person who is a current license holder moves from the address stated on the license to a new residence address, if the name of the person is changed by marriage or otherwise, or if the person's status as a judge, justice, district attorney, prosecuting attorney, or assistant prosecuting attorney, as a federal judge, a state judge, or the spouse of a federal judge or state judge, becomes inapplicable for the purposes of Section 411.179(c), to, not later than the 30th day after the date of the address, name, or status change, notify DPS and provide DPS with the number of the person's license and, as applicable, certain information.

(b) Requires the person, if the name of the license holder is changed by marriage or otherwise, or if the person's status becomes inapplicable, rather than if the person's status becomes inapplicable as a federal judge or state judge, or the spouse of a federal judge or state judge, as described by Subsection (a), to apply for a duplicate license. Requires the duplicate license to reflect, rather than include, the person's current name, residence address, and status.

SECTION 7. Amends Section 411.187(a), Government Code, to authorize a license to be suspended under this section if the license holder takes or fails to take certain actions, including failing to notify DPS of a change of address, name, or status as required by Section 411.181 (Notice of Change of Address or Name).

SECTION 8. Effective date: September 1, 2009.