

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 21, 2009**

**TO:** Honorable Tommy Merritt, Chair, House Committee on Public Safety

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB1785** by Carona (Relating to the regulation of driver's licenses and personal identification certificates by the Department of Public Safety of the State of Texas, including enforcement measures against fictitious or fraudulently obtained licenses or certificates; providing a criminal penalty. ), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend Chapters 521 and 522 of the Transportation Code, which would require the Department of Public Safety (DPS) to create a section to review and reconcile issues related to an applicant's identity and residency requirements for a driver's license or identification certificate. The bill requires DPS to develop customer service, cultural diversity, and proof of citizenship document training to be completed by all driver license staff that interact with the public. The bill would require the DPS to adopt rules establishing a system to detect multiple instances of addresses on driver licenses and identification certificates that could indicate fraud. The bill authorizes DPS to contract with a third party data verification service to assist in implementing this requirement including contract requirements to protect personal data.

The bill allows DPS to deny the issuance of a license or certificate to an applicant whose residence address cannot be verified. The bill would allow DPS to issue a temporary personal identification certificate and driver's license to a holder whose lawful presence in the United States has expired. The bill also would prohibit the use of a post office box or private mail facility as a residence address. The bill states that, unless an exception exists under state or federal law, an applicant may receive delivery of a license or identification certificate at a post office box, but must provide a physical address and DPS may require documentation of the physical address. The Department may contract with a third party to verify a physical address including contract requirements to protect personal data. The bill would take effect on September 1, 2009.

DPS anticipates no significant fiscal impact to their agency. The bill would establish a fee for licenses or personal identification certificates issued to an applicant who is not a citizen of the United States. The Comptroller of Public Accounts (CPA) states the fee amounts for the licenses and certificates to be issued to noncitizens by DPS would be set by agency rule. The CPA states that because the amount of the license or certificate fee is not known, and the number of noncitizens applying for these licenses or certificates is not known, the fiscal impact of this provision of the bill cannot be estimated. This analysis assumes that the fiscal impact to DPS would not be significant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, ESi, GG, LG