

BILL ANALYSIS

Senate Research Center

S.B. 132
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Transportation & Homeland Security
7/28/2011
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In accordance with the Military Selective Service Act, 50 U.S.C. App 453, any male United States citizen who is at least 18 but less than 26 years of age must register with the United States Selective Service System. Texas currently ranks 49th in the nation for registration completion by 19-year-old men. If a man is not registered before he turns age 26, he forfeits the opportunity to ever register, has violated federal law, and could lose benefits linked to registration, including federal and state student financial aid, jobs, and job training.

The Texas Transportation Code currently requires the Texas Department of Public Safety (DPS) to offer the option of registration with the Selective Service System upon application for a driver's license or personal identification card. S.B. 132 makes registration with the Selective Service System mandatory for males at least 18 years of age but not more than 26 years of age upon application for an original, renewal, or duplicate driver's license or personal identification card, and requires DPS to provide written and conspicuous notice of such on the application.

S.B. 132 amends current law relating to registration with the Selective Service System of certain applicants for a driver's license or personal identification certificate.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Department of Public Safety of the State of Texas is rescinded in SECTION 1 (Section 521.147, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.147, Transportation Code, as follows:

Sec. 521.147. New heading: REGISTRATION WITH SELECTIVE SERVICE SYSTEM. (a) Requires the Department of Public Safety of the State of Texas (DPS), after an application for an original, renewal, or duplicate driver's license or personal identification certificate is submitted by a male applicant who on the date of the application is at least 18 years of age but younger than 26 years of age, to send in an electronic format to the United States Selective Service System the information from the application necessary to register the applicant under the Military Selective Service Act (50 U.S.C. App. Section 451 et seq.).

(b) Requires that an application under this section give written notice to an applicant that the application also constitutes registration with the United States Selective Service System for persons who are subject to registration and have not previously registered. Requires that the notice be conspicuous on the application. Sets forth the required language of the notice.

(c) Requires that an application under this section give written notice to an applicant that information regarding alternative service options for applicants who object to conventional military service for religious or other conscientious reasons is available from DPS upon request.

(d) Provides that the applicant's submission of the application following this notification constitutes the applicant's consent to the sending of the information and the registration. Deletes existing text requiring DPS by rule to develop a selective service consent statement as a part of the application for an original, renewal, or duplicate driver's license or personal identification certificate. Deletes existing text related to required context of the selective service consent statement. Deletes existing text requiring DPS to take certain actions with relation to the statement and registration and providing that a response is required to complete an application for a license or certificate.

(e) Redesignates existing Subsection (b) as Subsection (e). Authorizes DPS, in addition to the notifications required by Subsections (b) and (c), to conspicuously post at each location where applications for driver's licenses and personal identification certificates are accepted one or more signs, in English and Spanish, providing the information contained in the notifications. Deletes existing text authorizing DPS, in addition to the statement required by Subsection (a), to conspicuously post at each location where applications for driver's licenses are accepted one or more signs, in English and Spanish, providing the information contained in the statement.

(e) Provides that Subsections (a) and (d) do not apply to an applicant concerning whom DPS has previously sent information to the Selective Service System.

SECTION 2. Provides that this Act applies only to an application for the issuance of a driver's license or personal identification certificate submitted on or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2011.