

BILL ANALYSIS

C.S.S.B. 876
By: Watson
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Interagency Council for the Homeless estimates that over 200,000 people in Texas are homeless. Surviving while homeless often results in the loss of personal belongings such as birth certificates, social security cards, driver's licenses, and other forms of personal identification. Without some proof of identity, homeless individuals are not able to access the employment opportunities and permanent housing they need in order to work toward economic self-sufficiency and move out of the cycle of homelessness. C.S.S.B. 876 seeks to address this concern by exempting certain homeless individuals from the payment of a fee for a personal identification certificate if the individual presents a valid affidavit from a certain specified entity verifying that the individual is homeless and if the Department of Public Safety has funds available for the exemption.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 876 amends the Transportation Code to entitle a homeless individual, unless the individual is subject to sex offender registration requirements, to an exemption from a payment of fees required under state law for the issuance of a personal identification certificate. The bill authorizes a person's status as a homeless individual to be verified by an affidavit from any of the following: an employee of an organization that receives funding from the federal government, this state, or a county or municipality to provide services to homeless individuals; an employee of a faith-based organization that provides services to homeless individuals; an attorney licensed to practice law in Texas; or a public school homeless liaison, public school counselor, or public school social worker. The bill prohibits a person from charging a fee for such an affidavit and authorizes a homeless individual to receive only one exemption.

C.S.S.B. 876 requires the Department of Public Safety (DPS), for each exemption granted to a homeless individual under the bill's provisions, to deposit to the credit of the Texas mobility fund the amount of the waived fee that would otherwise be deposited to that account and to establish a separate account for the purpose of administering the deposits. The bill authorizes DPS to accept grants and donations to meet the requirements relating to the deposits and prohibits DPS from granting an exemption if money is not available in the account to meet such requirements. The bill defines "homeless individual."

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.S.B. 876 contains provisions not included in the original requiring the Department of Public Safety (DPS), for each exemption from payment of personal identification certificate fees granted to a homeless individual, to deposit to the credit of the Texas mobility fund the amount of the waived fee that would otherwise be deposited to that account, requiring DPS to establish a separate account for the purpose of administering the deposits, authorizing DPS to accept grants and donations to meet the requirements relating to the deposits, and prohibiting DPS from granting an exemption if money is not available in the account to meet such requirements.

C.S.S.B. 876 omits a provision included in the original capping at 10,000 the number of homeless individuals who are authorized to receive an exemption per fiscal biennium.