

BILL ANALYSIS

Senate Research Center
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S.B. 876
By: Watson
Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of S.B. 876 is to provide personal identification certificates, otherwise known as state identification cards, to certain homeless persons at no charge.

Many Texans facing homelessness are unable to access certain social services, permanent housing, and meaningful employment because they cannot afford the cost of identification, which is frequently lost in the everyday activities of surviving while homeless. This law would mark the elimination of a powerful obstacle to those experiencing homelessness and poverty in Texas.

Current law allows for certain disabled veterans of the armed forces of the United States to be exempt from the payment of fees for the issuance of a driver's license (Section 521.426 (Disabled Veteran Exemption), Transportation Code). This bill takes a similar approach with regard to the issuance of a personal identification certificate.

S.B. 876 amends Chapter 521 (Driver's Licenses and Certificates), Transportation Code, to provide an exemption from the payment of fees for the issuance of a personal identification certificate under Section 501.101 (Personal Identification Certificate), Transportation Code. This bill requires that homeless individuals certify their homeless status through an affidavit provided by a social service agency (faith-based or state-funded), attorney, or public school homeless liaison.

S.B. 876 limits participation in the waiver program to one waiver per individual and prohibits the number of waivers distributed per biennium from exceeding 10,000.

As proposed, S.B. 876 amends current law relating to the fee for a personal identification certificate for a homeless individual.

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 Subchapter R, Chapter 521, Transportation Code, by adding Section 521.4265, as follows:

Sec. 521.4265. EXEMPTION FOR A HOMELESS INDIVIDUAL. (a) Defines "homeless individual" in this section.

(b) Entitles a homeless individual, except as provided by Subsections (e) and (g), to an exemption from the payment of fees under this chapter for the issuance of a personal identification certificate.

(c) Authorizes that, for the purposes of this section, a person's status as a homeless individual be verified by an affidavit from:

(1) 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;

(2) an employee of a faith-based organization that provides services to homeless individuals;

(3) an attorney licensed to practice law in this state; or

(4) a public school homeless liaison, public school counselor, or public school social worker.

(d) Prohibits a person from charging a fee for the affidavit described by Subsection (c).

(e) Provides that Subsection (b) does not apply to a person subject to the registration requirements of Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure.

(f) Authorizes a homeless individual to receive only one exemption.

(g) Provides that not more than 10,000 homeless individuals may receive an exemption under this section per fiscal biennium.

SECTION 2. Effective date: September 1, 2011.