

By: Watson, et al.
(Naishtat)

S.B. No. 876

Substitute the following for S.B. No. 876:

By: Mallory Caraway

C.S.S.B. No. 876

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the fee for a personal identification certificate for a
3 homeless individual.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter R, Chapter 521, Transportation Code,
6 is amended by adding Section 521.4265 to read as follows:

7 Sec. 521.4265. EXEMPTION FOR A HOMELESS INDIVIDUAL.

8 (a) In this section, "homeless individual":

9 (1) means an individual who:

10 (A) lacks a fixed, regular, and adequate
11 nighttime residence; or

12 (B) has a primary nighttime residence that is:

13 (i) a supervised publicly or privately
14 operated shelter designed to provide temporary living
15 accommodations, including welfare hotels, congregate shelters, and
16 transitional housing for the mentally ill;

17 (ii) an institution that provides a
18 temporary residence for individuals intended to be
19 institutionalized; or

20 (iii) a public or private place not
21 designed for, or ordinarily used as, a regular sleeping
22 accommodation for human beings; and

23 (2) does not include an individual who is imprisoned
24 or otherwise detained in a correctional facility.

1 (b) Except as provided by Subsections (e) and (g), a
2 homeless individual is entitled to an exemption from the payment of
3 fees under this chapter for the issuance of a personal
4 identification certificate.

5 (c) For the purposes of this section, a person's status as a
6 homeless individual may be verified by an affidavit from:

7 (1) an employee of an organization that receives
8 funding from the federal government, this state, or a county or
9 municipality to provide services to homeless individuals;

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

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

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

16 (d) A person may not charge a fee for the affidavit
17 described by Subsection (c).

18 (e) Subsection (b) does not apply to a person subject to the
19 registration requirements of Chapter 62, Code of Criminal
20 Procedure.

21 (f) A homeless individual may receive only one exemption.

22 (g) For each exemption granted under this section the
23 department shall deposit to the credit of the Texas mobility fund
24 the amount of the waived fee that would otherwise be deposited to
25 that account. The department:

26 (1) shall establish a separate account for the purpose
27 of administering this subsection;

1 (2) may accept grants and donations to meet the
2 requirements of this subsection; and

3 (3) may not grant an exemption under this section if
4 money is not available in the account to meet the requirements of
5 this subsection.

6 SECTION 2. This Act takes effect September 1, 2011.