

1-1 By: Watson S.B. No. 876
1-2 (In the Senate - Filed February 23, 2011; March 1, 2011,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; March 24, 2011, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; March 24, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the fee for a personal identification certificate for a
1-9 homeless individual.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter R, Chapter 521, Transportation Code,
1-12 is amended by adding Section 521.4265 to read as follows:

1-13 Sec. 521.4265. EXEMPTION FOR A HOMELESS INDIVIDUAL.

1-14 (a) In this section, "homeless individual":

1-15 (1) means an individual who:

1-16 (A) lacks a fixed, regular, and adequate
1-17 nighttime residence; or

1-18 (B) has a primary nighttime residence that is:

1-19 (i) a supervised publicly or privately
1-20 operated shelter designed to provide temporary living
1-21 accommodations, including welfare hotels, congregate shelters, and
1-22 transitional housing for the mentally ill;

1-23 (ii) an institution that provides a
1-24 temporary residence for individuals intended to be
1-25 institutionalized; or

1-26 (iii) a public or private place not
1-27 designed for, or ordinarily used as, a regular sleeping
1-28 accommodation for human beings; and

1-29 (2) does not include an individual who is imprisoned
1-30 or otherwise detained in a correctional facility.

1-31 (b) Except as provided by Subsections (e) and (g), a
1-32 homeless individual is entitled to an exemption from the payment of
1-33 fees under this chapter for the issuance of a personal
1-34 identification certificate.

1-35 (c) For the purposes of this section, a person's status as a
1-36 homeless individual may be verified by an affidavit from:

1-37 (1) an employee of an organization that receives
1-38 funding from the federal government, this state, or a county or
1-39 municipality to provide services to homeless individuals;

1-40 (2) an employee of a faith-based organization that
1-41 provides services to homeless individuals;

1-42 (3) an attorney licensed to practice law in this
1-43 state; or

1-44 (4) a public school homeless liaison, public school
1-45 counselor, or public school social worker.

1-46 (d) A person may not charge a fee for the affidavit
1-47 described by Subsection (c).

1-48 (e) Subsection (b) does not apply to a person subject to the
1-49 registration requirements of Chapter 62, Code of Criminal
1-50 Procedure.

1-51 (f) A homeless individual may receive only one exemption.

1-52 (g) Not more than 10,000 homeless individuals may receive an
1-53 exemption under this section per fiscal biennium.

1-54 SECTION 2. This Act takes effect September 1, 2011.

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