

BILL ANALYSIS

C.S.H.B. 827
By: King, Ken
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law does not authorize an entity other than the Department of Public Safety (DPS) to issue renewal and duplicate driver's licenses and personal identification certificates. Some small Texas counties have no such DPS office located in the county to assist with these services. Interested parties report that it is often inconvenient for a person living in a rural area to obtain a renewal or duplicate driver's license or other state-issued identification document because of the distance between rural towns and the nearest DPS office. In an effort to provide greater convenience to the public, decrease crowding and wait times at DPS offices, and reduce the commute for these services, C.S.H.B. 827 seeks to authorize DPS to contract with a county commissioners court to permit county employees to provide services relating to the issuance of renewal and duplicate driver's licenses and other state identification documents.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 827 amends the Transportation Code to authorize the Department of Public Safety (DPS) to enter into an agreement with the commissioners court of a county to permit county employees to provide services at a county office relating to the issuance of renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates, including the following: taking photographs; updating those documents to change a name, address, or photograph; distributing and collecting information relating to anatomical donations; collecting fees; and performing other basic ministerial functions and tasks necessary to issue renewal and duplicate documents. The bill requires a participating county to remit to DPS for deposit, as required by statutory provisions regarding driver's licenses and certificates, fees collected for the issuance of a renewal or duplicate driver's license or personal identification certificate. The bill authorizes a county office that provides written consent to the county commissioners court to provide services under such an agreement and requires DPS to provide all equipment necessary to perform the services under an agreement, including network connectivity. The bill requires DPS to adopt rules to administer an agreement under the bill's provisions and the remittance of fees under such an agreement.

C.S.H.B. 827 authorizes a county that provides services under such an agreement to collect an additional \$1 fee for each transaction provided that relates to driver's license and personal identification certificate services only and to retain money collected from the fee to cover the costs of providing those services.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 827 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter A, Chapter 521, Transportation Code, is amended by adding Section 521.008 to read as follows:

Sec. 521.008. AGREEMENT REGARDING THE PROVISION OF RENEWAL AND DUPLICATE DRIVER'S LICENSE AND OTHER IDENTIFICATION CERTIFICATE SERVICES. (a) This section applies only to a county that has a population of 50,000 or less.

(b) The department may enter into an agreement with a county clerk to train county clerk employees to provide services at the county clerk's office relating to the issuance of renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates, including:

- (1) taking photographs;
- (2) updating a driver's license, election identification certificate, or personal identification certificate to change a name, address, or photograph;
- (3) distributing and collecting information relating to donations under Section 521.401;
- (4) collecting fees; and
- (5) performing other basic ministerial functions and tasks necessary to issue renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates.

(c) A participating county clerk must remit to the department for deposit as required by this chapter fees collected for the issuance of a renewal or duplicate driver's license or personal identification certificate.

(d) The department shall adopt rules to administer this section.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter A, Chapter 521, Transportation Code, is amended by adding Section 521.008 to read as follows:

Sec. 521.008. AGREEMENT REGARDING THE PROVISION OF RENEWAL AND DUPLICATE DRIVER'S LICENSE AND OTHER IDENTIFICATION CERTIFICATE SERVICES. (a)

The department may enter into an agreement with the commissioners court of a county to permit county employees to provide services at a county office relating to the issuance of renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates, including:

- (1) taking photographs;
- (2) updating a driver's license, election identification certificate, or personal identification certificate to change a name, address, or photograph;
- (3) distributing and collecting information relating to donations under Section 521.401;
- (4) collecting fees; and
- (5) performing other basic ministerial functions and tasks necessary to issue renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates.

(b) A participating county must remit to the department for deposit as required by this chapter fees collected for the issuance of a renewal or duplicate driver's license or personal identification certificate.

(c) A county office that provides written consent to the commissioners court may provide services under an agreement described by this section.

(d) The department shall provide all equipment necessary to perform the services described by Subsection (a), including network connectivity.

(e) The department shall adopt rules to administer this section.

SECTION 2. Subchapter R, Chapter 521, Transportation Code, is amended by adding Section 521.428 to read as follows:

Sec. 521.428. COUNTY CLERK FEE. (a) A county clerk that provides services under an agreement described by Section 521.008 may collect an additional fee of \$1 for each transaction provided that relates to driver's license and personal identification certificate services only.

(b) Notwithstanding Sections 521.425 and 521.427, the county clerk may retain money collected under this section to cover the costs of providing services described by Subsection (a).

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 2. Subchapter R, Chapter 521, Transportation Code, is amended by adding Section 521.428 to read as follows:

Sec. 521.428. COUNTY SERVICES FEE. (a) A county that provides services under an agreement described by Section 521.008 may collect an additional fee of \$1 for each transaction provided that relates to driver's license and personal identification certificate services only.

(b) Notwithstanding Sections 521.425 and 521.427, the county may retain money collected under this section to cover the costs of providing services described by Subsection (a).

SECTION 3. Same as introduced version.