

By: McClendon

H.B. No. 1515

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the assumption of the powers and duties relating to  
3 driver's licenses and personal identification cards by the Texas  
4 Department of Motor Vehicles and the authority of a county to  
5 provide driver's licenses and other identification certificate  
6 services.

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

8 SECTION 1. Section 502.357(b), Transportation Code, is  
9 amended to read as follows:

10 (b) Fees collected under this section shall be deposited to  
11 the credit of the state highway fund. Subject to appropriations,  
12 the money shall be used by the department [~~Department of Public~~  
13 ~~Safety~~] to:

14 (1) support the department's [~~Department of Public~~  
15 ~~Safety's~~] reengineering of the driver's license system to provide  
16 for the issuance by the department [~~Department of Public Safety~~] of  
17 a driver's license or personal identification certificate, to  
18 include use of image comparison technology;

19 (2) establish and maintain a system to support the  
20 driver responsibility program under Chapter 708; and

21 (3) make lease payments to the master lease purchase  
22 program for the financing of the driver's license reengineering  
23 project.

24 SECTION 2. Sections 521.001(a)(1-a) and (2),

1 Transportation Code, are amended to read as follows:

2 (1-a) "Department" means the Texas Department of Motor  
3 Vehicles [~~Public Safety~~].

4 (2) "Director" means the executive [~~public safety~~]  
5 director of the department.

6 SECTION 3. Subchapter A, Chapter 521, Transportation Code,  
7 is amended by adding Section 521.008 to read as follows:

8 Sec. 521.008. AGREEMENT REGARDING THE PROVISION OF DRIVER'S  
9 LICENSES AND OTHER IDENTIFICATION CERTIFICATE SERVICES. (a) The  
10 department may enter into an agreement with a county  
11 assessor-collector to train county assessor-collector employees to  
12 provide services at county offices relating to the issuance of  
13 driver's licenses, election identification certificates, and  
14 personal identification certificates, including:

15 (1) issuing renewal or duplicate driver's licenses;

16 (2) taking photographs;

17 (3) administering vision tests;

18 (4) updating a driver's license, election  
19 identification certificate, or personal identification certificate  
20 to change a name, address, or photo;

21 (5) distributing and collecting information relating  
22 to donations under Section 521.401;

23 (6) collecting fees; and

24 (7) performing other basic administrative functions  
25 and tasks necessary to issue renewal and duplicate driver's  
26 licenses, election identification certificates, and personal  
27 identification certificates.

1       (b) An agreement under Subsection (a) may not include  
2 training to administer an examination for driver's license  
3 applicants under Subchapter H.

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

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

10       SECTION 4. Section 522.003(8), Transportation Code, is  
11 amended to read as follows:

12               (8) "Department" means the Texas Department of Motor  
13 Vehicles [~~Public Safety~~].

14       SECTION 5. Section 522.007, Transportation Code, is amended  
15 to read as follows:

16       Sec. 522.007. EXEMPTION FOR NEIGHBORING STATES. (a) The  
17 executive [~~public safety~~] director of the department shall enter  
18 negotiations with an appropriate person or entity of a state  
19 bordering this state for the purpose of applying the exemption  
20 contained in Section 522.004(a)(1) to residents of that state.

21       (b) The executive [~~public safety~~] director of the  
22 department may enter an agreement to apply the exemption contained  
23 in Section 522.004(a)(1) to residents of a bordering state only if  
24 that state extends a similar exemption to residents of this state.

25       SECTION 6. Sections 523.003(2) and (5), Transportation  
26 Code, are amended to read as follows:

27               (2) "Executive director" means the executive director

1 of the Texas Department of Motor Vehicles [~~Public Safety~~] or the  
2 equivalent officer of another state.

3 (5) "Licensing authority" means the Texas Department  
4 of Motor Vehicles [~~Public Safety~~] or the equivalent agency of  
5 another state.

6 SECTION 7. Sections 524.001(8) and (9), Transportation  
7 Code, are amended to read as follows:

8 (8) "Department" means the Texas Department of Motor  
9 Vehicles [~~Public Safety~~].

10 (9) "Director" means the executive [~~public safety~~]  
11 director of the department.

12 SECTION 8. Section 525.001(b), Transportation Code, is  
13 amended to read as follows:

14 (b) The Texas Department of Motor Vehicles [~~Public Safety~~]  
15 shall include motorcycle and bicycle awareness information in [~~any~~  
16 ~~edition of~~] the Texas driver's handbook [~~published after the~~  
17 ~~department exhausts the supply of the handbook that the department~~  
18 ~~had on September 1, 1993~~].

19 SECTION 9. Section 601.233(a), Transportation Code, is  
20 amended to read as follows:

21 (a) A citation for an offense under Section 601.191 issued  
22 as a result of Section 601.053 must include, in type larger than  
23 other type on the citation, except for the type of the statement  
24 required by Section 708.105, the following statement:

25 "A second or subsequent conviction of an offense under  
26 the Texas Motor Vehicle Safety Responsibility Act will  
27 result in the suspension of your driver's license and

1 motor vehicle registration unless you file and  
2 maintain evidence of financial responsibility with the  
3 Texas Department of Motor Vehicles [~~Public Safety~~] for  
4 two years from the date of conviction. The department  
5 may waive the requirement to file evidence of  
6 financial responsibility if you file satisfactory  
7 evidence with the department showing that at the time  
8 this citation was issued, the vehicle was covered by a  
9 motor vehicle liability insurance policy or that you  
10 were otherwise exempt from the requirements to provide  
11 evidence of financial responsibility."

12 SECTION 10. Section 411.0111, Government Code, is  
13 transferred to Chapter 1003, Transportation Code, and redesignated  
14 as Section 1003.006, Transportation Code, to read as follows:

15 Sec. 1003.006 [~~411.0111~~]. PROVISION OF CERTAIN  
16 INFORMATION TO COMPTROLLER. (a) Not later than June 1 of every  
17 fifth year, the department shall provide to the comptroller, for  
18 the purpose of assisting the comptroller in the identification of  
19 persons entitled to unclaimed property reported to the comptroller,  
20 the name, address, social security number, date of birth, and  
21 driver's license or state identification number of each person  
22 about whom the department has such information in its records.

23 (b) Information provided to the comptroller under this  
24 section is confidential and may not be disclosed to the public.

25 (c) The department shall provide the information in the  
26 format prescribed by rule of the comptroller.

27 SECTION 11. Section 106.03(b), Alcoholic Beverage Code, is

1 amended to read as follows:

2 (b) A person who sells a minor an alcoholic beverage does  
3 not commit an offense if the minor falsely represents himself to be  
4 21 years old or older by displaying an apparently valid proof of  
5 identification that contains a physical description and photograph  
6 consistent with the minor's appearance, purports to establish that  
7 the minor is 21 years of age or older, and was issued by a  
8 governmental agency. The proof of identification may include a  
9 driver's license or identification card issued by the Texas  
10 Department of Motor Vehicles [~~Public Safety~~], a passport, or a  
11 military identification card.

12 SECTION 12. Section 106.06(d), Alcoholic Beverage Code, is  
13 amended to read as follows:

14 (d) A judge, acting under Article 42.12, Code of Criminal  
15 Procedure, who places a defendant charged with an offense under  
16 this section on community supervision under that article shall, if  
17 the defendant committed the offense at a gathering where  
18 participants were involved in the abuse of alcohol, including binge  
19 drinking or forcing or coercing individuals to consume alcohol, in  
20 addition to any other condition imposed by the judge:

21 (1) require the defendant to:

22 (A) perform community service for not less than  
23 20 or more than 40 hours; and

24 (B) attend an alcohol awareness program approved  
25 under Section 106.115; and

26 (2) order the Texas Department of Motor Vehicles  
27 [~~Public Safety~~] to suspend the driver's license or permit of the

1 defendant or, if the defendant does not have a driver's license or  
2 permit, to deny the issuance of a driver's license or permit to the  
3 defendant for 180 days.

4 SECTION 13. Section 106.071(d), Alcoholic Beverage Code, is  
5 amended to read as follows:

6 (d) In addition to any fine and any order issued under  
7 Section 106.115:

8 (1) the court shall order a minor placed on deferred  
9 disposition for or convicted of an offense to which this section  
10 applies to perform community service for:

11 (A) not less than eight or more than 12 hours, if  
12 the minor has not been previously convicted of an offense to which  
13 this section applies; or

14 (B) not less than 20 or more than 40 hours, if the  
15 minor has been previously convicted once of an offense to which this  
16 section applies; and

17 (2) the court shall order the Texas Department of  
18 Motor Vehicles [~~Public Safety~~] to suspend the driver's license or  
19 permit of a minor convicted of an offense to which this section  
20 applies or, if the minor does not have a driver's license or permit,  
21 to deny the issuance of a driver's license or permit for:

22 (A) 30 days, if the minor has not been previously  
23 convicted of an offense to which this section applies;

24 (B) 60 days, if the minor has been previously  
25 convicted once of an offense to which this section applies; or

26 (C) 180 days, if the minor has been previously  
27 convicted twice or more of an offense to which this section applies.

1 SECTION 14. Sections 106.115(d) and (e), Alcoholic Beverage  
2 Code, are amended to read as follows:

3 (d) If the defendant does not present the required evidence  
4 within the prescribed period, the court:

5 (1) shall order the Texas Department of Motor Vehicles  
6 [~~Public Safety~~] to:

7 (A) suspend the defendant's driver's license or  
8 permit for a period not to exceed six months or, if the defendant  
9 does not have a license or permit, to deny the issuance of a license  
10 or permit to the defendant for that period; or

11 (B) if the defendant has been previously  
12 convicted of an offense under one or more of the sections listed in  
13 Subsection (a), suspend the defendant's driver's license or permit  
14 for a period not to exceed one year or, if the defendant does not  
15 have a license or permit, to deny the issuance of a license or  
16 permit to the defendant for that period; and

17 (2) may order the defendant or the parent, managing  
18 conservator, or guardian of the defendant to do any act or refrain  
19 from doing any act if the court determines that doing the act or  
20 refraining from doing the act will increase the likelihood that the  
21 defendant will present evidence to the court that the defendant has  
22 satisfactorily completed an alcohol awareness program or performed  
23 the required hours of community service.

24 (e) The Texas Department of Motor Vehicles [~~Public Safety~~]  
25 shall send notice of the suspension or prohibition order issued  
26 under Subsection (d) by first class mail to the defendant. The  
27 notice must include the date of the suspension or prohibition



1 order, the reason for the suspension or prohibition, and the period  
2 covered by the suspension or prohibition.

3 SECTION 15. Section 106.15(e), Alcoholic Beverage Code, is  
4 amended to read as follows:

5 (e) A person does not commit an offense under Subsection (a)  
6 if the person younger than 18 years of age falsely represents the  
7 person's age to be at least 18 years of age by displaying an  
8 apparently valid Texas driver's license or an identification card  
9 issued by the Texas Department of Motor Vehicles [~~Public Safety~~]  
10 containing a physical description consistent with the person's  
11 appearance.

12 SECTION 16. Article 42.016, Code of Criminal Procedure, is  
13 amended to read as follows:

14 Art. 42.016. SPECIAL DRIVER'S LICENSE OR IDENTIFICATION  
15 REQUIREMENTS FOR CERTAIN SEX OFFENDERS. If a person is convicted  
16 of, receives a grant of deferred adjudication for, or is  
17 adjudicated as having engaged in delinquent conduct based on a  
18 violation of an offense for which a conviction or adjudication  
19 requires registration as a sex offender under Chapter 62, the court  
20 shall:

21 (1) issue an order requiring the Texas Department of  
22 Motor Vehicles [~~Public Safety~~] to include in any driver's license  
23 record or personal identification certificate record maintained by  
24 the department for the person an indication that the person is  
25 subject to the registration requirements of Chapter 62;

26 (2) require the person to apply to the Texas  
27 Department of Motor Vehicles [~~Public Safety~~] in person for an

1 original or renewal driver's license or personal identification  
2 certificate not later than the 30th day after the date the person is  
3 released or the date the department sends written notice to the  
4 person of the requirements of Article 62.060, as applicable, and to  
5 annually renew the license or certificate;

6 (3) notify the person of the consequence of the  
7 conviction or order of deferred adjudication as it relates to the  
8 order issued under this article; and

9 (4) send to the Texas Department of Motor Vehicles  
10 [~~Public Safety~~] a copy of the record of conviction, a copy of the  
11 order granting deferred adjudication, or a copy of the juvenile  
12 adjudication, as applicable, and a copy of the order issued under  
13 this article.

14 SECTION 17. Sections 13(h), (j), (l), and (m), Article  
15 42.12, Code of Criminal Procedure, are amended to read as follows:

16 (h) If a person convicted of an offense under Sections  
17 49.04-49.08, Penal Code, is placed on community supervision, the  
18 judge shall require, as a condition of the community supervision,  
19 that the defendant attend and successfully complete before the  
20 181st day after the day community supervision is granted an  
21 educational program jointly approved by the Department of State  
22 Health Services [~~Texas Commission on Alcohol and Drug Abuse~~], the  
23 Texas Department of Motor Vehicles [~~Public Safety~~], the Traffic  
24 Safety Section of the Texas Department of Transportation, and the  
25 community justice assistance division of the Texas Department of  
26 Criminal Justice designed to rehabilitate persons who have driven  
27 while intoxicated. The Department of State Health Services [~~Texas~~

1 ~~Commission on Alcohol and Drug Abuse~~] shall publish the jointly  
2 approved rules and shall monitor, coordinate, and provide training  
3 to persons providing the educational programs. The Department of  
4 State Health Services [~~Texas Commission on Alcohol and Drug Abuse~~]  
5 is responsible for the administration of the certification of  
6 approved educational programs and may charge a nonrefundable  
7 application fee for the initial certification of approval and for  
8 renewal of a certificate. The judge may waive the educational  
9 program requirement or may grant an extension of time to  
10 successfully complete the program that expires not later than one  
11 year after the beginning date of the person's community  
12 supervision, however, if the defendant by a motion in writing shows  
13 good cause. In determining good cause, the judge may consider but  
14 is not limited to: the defendant's school and work schedule, the  
15 defendant's health, the distance that the defendant must travel to  
16 attend an educational program, and the fact that the defendant  
17 resides out of state, has no valid driver's license, or does not  
18 have access to transportation. The judge shall set out the finding  
19 of good cause for waiver in the judgment. If a defendant is  
20 required, as a condition of community supervision, to attend an  
21 educational program or if the court waives the educational program  
22 requirement, the court clerk shall immediately report that fact to  
23 the Texas Department of Motor Vehicles [~~Public Safety~~], on a form  
24 prescribed by the department, for inclusion in the person's driving  
25 record. If the court grants an extension of time in which the  
26 person may complete the program, the court clerk shall immediately  
27 report that fact to the Texas Department of Motor Vehicles [~~Public~~

1 ~~Safety~~] on a form prescribed by the department. The report must  
2 include the beginning date of the person's community  
3 supervision. Upon the person's successful completion of the  
4 educational program, the person's instructor shall give notice to  
5 the Texas Department of Motor Vehicles [~~Public Safety~~] for  
6 inclusion in the person's driving record and to the community  
7 supervision and corrections department. The community supervision  
8 and corrections department shall then forward the notice to the  
9 court clerk for filing. If the Texas Department of Motor Vehicles  
10 [~~Public Safety~~] does not receive notice that a defendant required  
11 to complete an educational program has successfully completed the  
12 program within the period required by this section, as shown on  
13 department records, the department shall revoke the defendant's  
14 driver's license, permit, or privilege or prohibit the person from  
15 obtaining a license or permit, as provided by Sections 521.344(e)  
16 and (f), Transportation Code. The Texas Department of Motor  
17 Vehicles [~~Public Safety~~] may not reinstate a license suspended  
18 under this subsection unless the person whose license was suspended  
19 makes application to the department for reinstatement of the  
20 person's license and pays to the department a reinstatement fee of  
21 \$100. The Texas Department of Motor Vehicles [~~Public Safety~~] shall  
22 remit all fees collected under this subsection to the comptroller  
23 for deposit in the general revenue fund. This subsection does not  
24 apply to a defendant if a jury recommends community supervision for  
25 the defendant and also recommends that the defendant's driver's  
26 license not be suspended.

27 (j) The judge shall require a defendant who is punished

1 under Section 49.09, Penal Code, as a condition of community  
2 supervision, to attend and successfully complete an educational  
3 program for repeat offenders approved by the Department of State  
4 Health Services [~~Texas Commission on Alcohol and Drug Abuse~~]. The  
5 Department of State Health Services [~~Texas Commission on Alcohol~~  
6 ~~and Drug Abuse~~] shall adopt rules and shall monitor, coordinate,  
7 and provide training to persons providing the educational programs.  
8 The Department of State Health Services [~~Texas Commission on~~  
9 ~~Alcohol and Drug Abuse~~] is responsible for the administration of  
10 the certification of approved educational programs and may charge a  
11 nonrefundable application fee for initial certification of  
12 approval or for renewal of the certification. The judge may waive  
13 the educational program requirement only if the defendant by a  
14 motion in writing shows good cause. In determining good cause, the  
15 judge may consider the defendant's school and work schedule, the  
16 defendant's health, the distance that the defendant must travel to  
17 attend an educational program, and whether the defendant resides  
18 out of state or does not have access to transportation. The judge  
19 shall set out the finding of good cause in the judgment. If a  
20 defendant is required, as a condition of community supervision, to  
21 attend an educational program, the court clerk shall immediately  
22 report that fact to the Texas Department of Motor Vehicles [~~Public~~  
23 ~~Safety~~], on a form prescribed by the department, for inclusion in  
24 the defendant's driving record. The report must include the  
25 beginning date of the defendant's community supervision. On the  
26 defendant's successful completion of the educational program for  
27 repeat offenders, the defendant's instructor shall give notice to

1 the Texas Department of Motor Vehicles [~~Public Safety~~] for  
2 inclusion in the defendant's driving record and to the community  
3 supervision and corrections department. The community supervision  
4 and corrections department shall then forward the notice to the  
5 court clerk for filing. If the Texas Department of Motor Vehicles  
6 [~~Public Safety~~] does not receive notice that a defendant required  
7 to complete an educational program has successfully completed the  
8 program for repeat offenders within the period required by the  
9 judge, as shown on department records, the department shall revoke  
10 the defendant's driver's license, permit, or privilege or prohibit  
11 the defendant from obtaining a license or permit, as provided by  
12 Sections 521.344(e) and (f), Transportation Code.

13 (l) If the Texas Department of Motor Vehicles [~~Public~~  
14 ~~Safety~~] receives notice that a defendant has been required or  
15 permitted to attend a subsequent educational program under  
16 Subsection (h), (j), or (k) of this section, although the  
17 previously required attendance had been waived, but the judge has  
18 not ordered a period of suspension, the department shall suspend  
19 the defendant's driver's license, permit, or operating privilege,  
20 or shall issue an order prohibiting the defendant from obtaining a  
21 license or permit for a period of 365 days.

22 (m) If a judge revokes the community supervision of a  
23 defendant for an offense under Section 49.04, Penal Code, or an  
24 offense involving the operation of a motor vehicle under Section  
25 49.07, Penal Code, and the driver's license or privilege to operate  
26 a motor vehicle has not previously been ordered by the judge to be  
27 suspended, or if the suspension was previously probated, the judge

1 shall suspend the license or privilege for a period provided under  
2 Subchapter O, Chapter 521, Transportation Code. The suspension  
3 shall be reported to the Texas Department of Motor Vehicles [~~Public~~  
4 ~~Safety~~] as provided under Section 521.347, Transportation Code.

5 SECTION 18. Articles 45.050(c) and (f), Code of Criminal  
6 Procedure, are amended to read as follows:

7 (c) If a child fails to obey an order of a justice or  
8 municipal court under circumstances that would constitute contempt  
9 of court, the justice or municipal court, after providing notice  
10 and an opportunity to be heard, may:

11 (1) refer the child to the appropriate juvenile court  
12 for delinquent conduct for contempt of the justice or municipal  
13 court order; or

14 (2) retain jurisdiction of the case, hold the child in  
15 contempt of the justice or municipal court, and order either or both  
16 of the following:

17 (A) that the contemnor pay a fine not to exceed  
18 \$500; or

19 (B) that the Texas Department of Motor Vehicles  
20 [~~Public Safety~~] suspend the contemnor's driver's license or permit  
21 or, if the contemnor does not have a license or permit, to deny the  
22 issuance of a license or permit to the contemnor until the contemnor  
23 fully complies with the orders of the court.

24 (f) A court that orders suspension or denial of a driver's  
25 license or permit under Subsection (c)(2)(B) shall notify the Texas  
26 Department of Motor Vehicles [~~Public Safety~~] on receiving proof of  
27 compliance with the orders of the court.

1 SECTION 19. Articles 45.0511(c), (c-1), and (1), Code of  
2 Criminal Procedure, are amended to read as follows:

3 (c) The court shall enter judgment on the defendant's plea  
4 of no contest or guilty at the time the plea is made, defer  
5 imposition of the judgment, and allow the defendant 90 days to  
6 successfully complete the approved driving safety course or  
7 motorcycle operator training course and present to the court:

8 (1) a uniform certificate of completion of the driving  
9 safety course or a verification of completion of the motorcycle  
10 operator training course;

11 (2) unless the judge proceeds under Subsection (c-1),  
12 the defendant's driving record as maintained by the Texas  
13 Department of Motor Vehicles [~~Public Safety~~], if any, showing that  
14 the defendant had not completed an approved driving safety course  
15 or motorcycle operator training course, as applicable, within the  
16 12 months preceding the date of the offense;

17 (3) an affidavit stating that the defendant was not  
18 taking a driving safety course or motorcycle operator training  
19 course, as applicable, under this article on the date the request to  
20 take the course was made and had not completed such a course that is  
21 not shown on the defendant's driving record within the 12 months  
22 preceding the date of the offense; and

23 (4) if the defendant does not have a valid Texas  
24 driver's license or permit and is a member, or the spouse or  
25 dependent child of a member, of the United States military forces  
26 serving on active duty, an affidavit stating that the defendant was  
27 not taking a driving safety course or motorcycle operator training



1 course, as appropriate, in another state on the date the request to  
2 take the course was made and had not completed such a course within  
3 the 12 months preceding the date of the offense.

4 (c-1) In this subsection, "state electronic Internet  
5 portal" has the meaning assigned by Section 2054.003, Government  
6 Code. As an alternative to receiving the defendant's driving  
7 record under Subsection (c)(2), the judge, at the time the  
8 defendant requests a driving safety course or motorcycle operator  
9 training course dismissal under this article, may require the  
10 defendant to pay a fee in an amount equal to the sum of the amount of  
11 the fee established by Section 521.048, Transportation Code, and  
12 the state electronic Internet portal fee and, using the state  
13 electronic Internet portal, may request the Texas Department of  
14 Motor Vehicles [~~Public Safety~~] to provide the judge with a copy of  
15 the defendant's driving record that shows the information described  
16 by Section 521.047(b), Transportation Code. As soon as  
17 practicable and using the state electronic Internet portal, the  
18 Texas Department of Motor Vehicles [~~Public Safety~~] shall provide  
19 the judge with the requested copy of the defendant's driving  
20 record. The fee authorized by this subsection is in addition to  
21 any other fee required under this article. If the copy of the  
22 defendant's driving record provided to the judge under this  
23 subsection shows that the defendant has not completed an approved  
24 driving safety course or motorcycle operator training course, as  
25 appropriate, within the 12 months preceding the date of the  
26 offense, the judge shall allow the defendant to complete the  
27 appropriate course as provided by this article. The custodian of a

1 municipal or county treasury who receives fees collected under this  
2 subsection shall keep a record of the fees and, without deduction or  
3 proration, forward the fees to the comptroller, with and in the  
4 manner required for other fees and costs received in connection  
5 with criminal cases. The comptroller shall credit fees received  
6 under this subsection to the Texas Department of Motor Vehicles  
7 [~~Public Safety~~].

8 (1) When a defendant complies with Subsection (c), the court  
9 shall:

10 (1) remove the judgment and dismiss the charge;

11 (2) report the fact that the defendant successfully  
12 completed a driving safety course or a motorcycle operator training  
13 course and the date of completion to the Texas Department of Motor  
14 Vehicles [~~Public Safety~~] for inclusion in the person's driving  
15 record; and

16 (3) state in that report whether the course was taken  
17 under this article to provide information necessary to determine  
18 eligibility to take a subsequent course under Subsection (b).

19 SECTION 20. Article 45.054(f), Code of Criminal Procedure,  
20 is amended to read as follows:

21 (f) In addition to any other order authorized by this  
22 article, the court may order the Texas Department of Motor Vehicles  
23 [~~Public Safety~~] to suspend the driver's license or permit of the  
24 individual who is the subject of the hearing or, if the individual  
25 does not have a license or permit, to deny the issuance of a license  
26 or permit to the individual for a period specified by the court not  
27 to exceed 365 days.

1           SECTION 21. Section 13.002(c), Election Code, is amended to  
2 read as follows:

3           (c) A registration application must include:

4                 (1) the applicant's first name, middle name, if any,  
5 last name, and former name, if any;

6                 (2) the month, day, and year of the applicant's birth;

7                 (3) a statement that the applicant is a United States  
8 citizen;

9                 (4) a statement that the applicant is a resident of the  
10 county;

11                (5) a statement that the applicant has not been  
12 determined by a final judgment of a court exercising probate  
13 jurisdiction to be:

14                         (A) totally mentally incapacitated; or

15                         (B) partially mentally incapacitated without the  
16 right to vote;

17                 (6) a statement that the applicant has not been  
18 finally convicted of a felony or that the applicant is a felon  
19 eligible for registration under Section 13.001;

20                 (7) the applicant's residence address or, if the  
21 residence has no address, the address at which the applicant  
22 receives mail and a concise description of the location of the  
23 applicant's residence;

24                 (8) the following information:

25                         (A) the applicant's Texas driver's license number  
26 or the number of a personal identification card issued by the Texas  
27 Department of Motor Vehicles [~~Public Safety~~];

1 (B) if the applicant has not been issued a number  
2 described by Paragraph (A), the last four digits of the applicant's  
3 social security number; or

4 (C) a statement by the applicant that the  
5 applicant has not been issued a number described by Paragraph (A) or  
6 (B);

7 (9) if the application is made by an agent, a statement  
8 of the agent's relationship to the applicant; and

9 (10) the city and county in which the applicant  
10 formerly resided.

11 SECTION 22. Section 13.004(c), Election Code, is amended to  
12 read as follows:

13 (c) The following information furnished on a registration  
14 application is confidential and does not constitute public  
15 information for purposes of Chapter 552, Government Code:

16 (1) a social security number;

17 (2) a Texas driver's license number;

18 (3) a number of a personal identification card issued  
19 by the Texas Department of Motor Vehicles [~~Public Safety~~];

20 (4) an indication that an applicant is interested in  
21 working as an election judge; or

22 (5) the residence address of the applicant, if the  
23 applicant is a federal judge or state judge, as defined by Section  
24 13.0021, or the spouse of a federal judge or state judge, and  
25 included an affidavit with the registration application under  
26 Section 13.0021 or the registrar has received an affidavit  
27 submitted under Section 15.0215.

1 SECTION 23. Section 13.072(a), Election Code, is amended to  
2 read as follows:

3 (a) Unless the registrar challenges the applicant, the  
4 registrar shall approve the application if:

5 (1) the registrar determines that an application  
6 complies with Section 13.002 and indicates that the applicant is  
7 eligible for registration; and

8 (2) for an applicant who has not included a statement  
9 described by Section 13.002(c)(8)(C), the registrar verifies with  
10 the secretary of state:

11 (A) the applicant's Texas driver's license number  
12 or number of a personal identification card issued by the Texas  
13 Department of Motor Vehicles [~~Public Safety~~]; or

14 (B) the last four digits of the applicant's  
15 social security number.

16 SECTION 24. Section 13.122(a), Election Code, is amended to  
17 read as follows:

18 (a) In addition to the other statements and spaces for  
19 entering information that appear on an officially prescribed  
20 registration application form, each official form must include:

21 (1) the statement: "I understand that giving false  
22 information to procure a voter registration is perjury and a crime  
23 under state and federal law.";

24 (2) a space for the applicant's registration number;

25 (3) a space for the applicant's Texas driver's license  
26 number or number of a personal identification card issued by the  
27 Texas Department of Motor Vehicles [~~Public Safety~~];

- 1           (4) a space for the applicant's telephone number;
- 2           (5) a space for the applicant's social security  
3 number;
- 4           (6) a space for the applicant's sex;
- 5           (7) a statement indicating that the furnishing of the  
6 applicant's telephone number and sex is optional;
- 7           (8) a space or box for indicating whether the  
8 applicant or voter is submitting new registration information or a  
9 change in current registration information;
- 10           (9) a statement instructing a voter who is using the  
11 form to make a change in current registration information to enter  
12 the voter's name and the changed information in the appropriate  
13 spaces on the form;
- 14           (10) a statement that if the applicant declines to  
15 register to vote, that fact will remain confidential and will be  
16 used only for voter registration purposes;
- 17           (11) a statement that if the applicant does register  
18 to vote, information regarding the agency or office to which the  
19 application is submitted will remain confidential and will be used  
20 only for voter registration purposes;
- 21           (12) a space or box for indicating whether the  
22 applicant is interested in working as an election judge;
- 23           (13) a statement warning that a conviction for making  
24 a false statement may result in imprisonment for up to the maximum  
25 amount of time provided by law, a fine of up to the maximum amount  
26 provided by law, or both the imprisonment and the fine; and
- 27           (14) any other voter registration information

1 required by federal law or considered appropriate and required by  
2 the secretary of state.

3 SECTION 25. Section 16.031(a), Election Code, is amended to  
4 read as follows:

5 (a) The registrar shall cancel a voter's registration  
6 immediately on receipt of:

7 (1) notice under Section 13.072(b) or 15.021 or a  
8 response under Section 15.053 that the voter's residence is outside  
9 the county;

10 (2) an abstract of the voter's death certificate under  
11 Section 16.001(a) or an abstract of an application indicating that  
12 the voter is deceased under Section 16.001(b);

13 (3) an abstract of a final judgment of the voter's  
14 total mental incapacity, partial mental incapacity without the  
15 right to vote, conviction of a felony, or disqualification under  
16 Section 16.002, 16.003, or 16.004;

17 (4) notice under Section 112.012 that the voter has  
18 applied for a limited ballot in another county;

19 (5) notice from a voter registration official in  
20 another state that the voter has registered to vote outside this  
21 state;

22 (6) notice from the early voting clerk under Section  
23 101.053 [~~101.0041~~] that a federal postcard application submitted by  
24 an applicant states a voting residence address located outside the  
25 registrar's county; or

26 (7) notice from the secretary of state that the voter  
27 has registered to vote in another county, as determined by the

1 voter's driver's license number or personal identification card  
2 number issued by the Texas Department of Motor Vehicles [~~Public~~  
3 ~~Safety~~] or social security number.

4 SECTION 26. Section 20.063(a), Election Code, is amended to  
5 read as follows:

6 (a) The Texas Department of Motor Vehicles [~~Public Safety~~]  
7 shall provide to each person who applies in person at the  
8 department's offices for an original or renewal of a driver's  
9 license, a personal identification card, or a duplicate or  
10 corrected license or card an opportunity to complete a voter  
11 registration application form.

12 SECTION 27. Section 63.0101, Election Code, is amended to  
13 read as follows:

14 Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION.  
15 The following documentation is an acceptable form of photo  
16 identification under this chapter:

17 (1) a driver's license, election identification  
18 certificate, or personal identification card issued to the person  
19 by the Texas Department of Motor Vehicles [~~Public Safety~~] that has  
20 not expired or that expired no earlier than 60 days before the date  
21 of presentation;

22 (2) a United States military identification card that  
23 contains the person's photograph that has not expired or that  
24 expired no earlier than 60 days before the date of presentation;

25 (3) a United States citizenship certificate issued to  
26 the person that contains the person's photograph;

27 (4) a United States passport issued to the person that



1 has not expired or that expired no earlier than 60 days before the  
2 date of presentation; or

3 (5) a license to carry a concealed handgun issued to  
4 the person by the Department of Public Safety that has not expired  
5 or that expired no earlier than 60 days before the date of  
6 presentation.

7 SECTION 28. Section 65.060, Election Code, is amended to  
8 read as follows:

9 Sec. 65.060. DISCLOSURE OF SOCIAL SECURITY, DRIVER'S  
10 LICENSE, OR PERSONAL IDENTIFICATION NUMBER ON PROVISIONAL BALLOT  
11 AFFIDAVIT. A social security number, Texas driver's license  
12 number, or number of a personal identification card issued by the  
13 Texas Department of Motor Vehicles [~~Public Safety~~] furnished on a  
14 provisional ballot affidavit is confidential and does not  
15 constitute public information for purposes of Chapter 552,  
16 Government Code. The general custodian of election records shall  
17 ensure that a social security number, Texas driver's license  
18 number, or number of a personal identification card issued by the  
19 Texas Department of Motor Vehicles [~~Public Safety~~] is excluded from  
20 disclosure.

21 SECTION 29. Section 2.005(b), Family Code, is amended to  
22 read as follows:

23 (b) The proof must be established by:

24 (1) a driver's license or identification card issued  
25 by this state, another state, or a Canadian province that is current  
26 or has expired not more than two years preceding the date the  
27 identification is submitted to the county clerk in connection with

- 1 an application for a license;
- 2 (2) a United States passport;
- 3 (3) a current passport issued by a foreign country or a  
4 consular document issued by a state or national government;
- 5 (4) an unexpired Certificate of United States  
6 Citizenship, Certificate of Naturalization, United States Citizen  
7 Identification Card, Permanent Resident Card, Temporary Resident  
8 Card, Employment Authorization Card, or other document issued by  
9 the federal Department of Homeland Security or the United States  
10 Department of State including an identification photograph;
- 11 (5) an unexpired military identification card for  
12 active duty, reserve, or retired personnel with an identification  
13 photograph;
- 14 (6) an original or certified copy of a birth  
15 certificate issued by a bureau of vital statistics for a state or a  
16 foreign government;
- 17 (7) an original or certified copy of a Consular Report  
18 of Birth Abroad or Certificate of Birth Abroad issued by the United  
19 States Department of State;
- 20 (8) an original or certified copy of a court order  
21 relating to the applicant's name change or sex change;
- 22 (9) school records from a secondary school or  
23 institution of higher education;
- 24 (10) an insurance policy continuously valid for the  
25 two years preceding the date of the application for a license;
- 26 (11) a motor vehicle certificate of title;
- 27 (12) military records, including documentation of

1 release or discharge from active duty or a draft record;

2 (13) an unexpired military dependent identification  
3 card;

4 (14) an original or certified copy of the applicant's  
5 marriage license or divorce decree;

6 (15) a voter registration certificate;

7 (16) a pilot's license issued by the Federal Aviation  
8 Administration or another authorized agency of the United States;

9 (17) a license to carry a concealed handgun under  
10 Subchapter H, Chapter 411, Government Code;

11 (18) a temporary driving permit or a temporary  
12 identification card issued by the Texas Department of Motor  
13 Vehicles [~~Public Safety~~]; or

14 (19) an offender identification card issued by the  
15 Texas Department of Criminal Justice.

16 SECTION 30. Sections 54.042(a), (b), (f), and (g), Family  
17 Code, are amended to read as follows:

18 (a) A juvenile court, in a disposition hearing under Section  
19 54.04, shall:

20 (1) order the Texas Department of Motor Vehicles  
21 [~~Public Safety~~] to suspend a child's driver's license or permit, or  
22 if the child does not have a license or permit, to deny the issuance  
23 of a license or permit to the child if the court finds that the child  
24 has engaged in conduct that:

25 (A) violates a law of this state enumerated in  
26 Section 521.342(a), Transportation Code; or

27 (B) violates a penal law of this state or the

1 United States, an element or elements of which involve a severe form  
2 of trafficking in persons, as defined by 22 U.S.C. Section 7102; or

3 (2) notify the Texas Department of Motor Vehicles  
4 [~~Public Safety~~] of the adjudication, if the court finds that the  
5 child has engaged in conduct that violates a law of this state  
6 enumerated in Section 521.372(a), Transportation Code.

7 (b) A juvenile court, in a disposition hearing under Section  
8 54.04, may order the Texas Department of Motor Vehicles [~~Public~~  
9 ~~Safety~~] to suspend a child's driver's license or permit or, if the  
10 child does not have a license or permit, to deny the issuance of a  
11 license or permit to the child, if the court finds that the child  
12 has engaged in conduct that violates Section 28.08, Penal Code.

13 (f) A juvenile court, in a disposition hearing under Section  
14 54.04, may order the Texas Department of Motor Vehicles [~~Public~~  
15 ~~Safety~~] to suspend a child's driver's license or permit or, if the  
16 child does not have a license or permit, to deny the issuance of a  
17 license or permit to the child for a period not to exceed 12 months  
18 if the court finds that the child has engaged in conduct in need of  
19 supervision or delinquent conduct other than the conduct described  
20 by Subsection (a).

21 (g) A juvenile court that places a child on probation under  
22 Section 54.04 may require as a reasonable condition of the  
23 probation that if the child violates the probation, the court may  
24 order the Texas Department of Motor Vehicles [~~Public Safety~~] to  
25 suspend the child's driver's license or permit or, if the child does  
26 not have a license or permit, to deny the issuance of a license or  
27 permit to the child for a period not to exceed 12 months. The court

1 may make this order if a child that is on probation under this  
2 condition violates the probation. A suspension under this  
3 subsection is cumulative of any other suspension under this  
4 section.

5 SECTION 31. Sections 203.007(b) and (g), Family Code, are  
6 amended to read as follows:

7 (b) A domestic relations office is entitled to obtain from  
8 the Texas Department of Motor Vehicles and the Department of Public  
9 Safety records that relate to:

- 10 (1) a person's date of birth;
- 11 (2) a person's most recent address;
- 12 (3) a person's current driver's license status;
- 13 (4) motor vehicle accidents involving a person;
- 14 (5) reported traffic-law violations of which a person  
15 has been convicted; and
- 16 (6) a person's criminal history record information.

17 (g) The Texas Department of Motor Vehicles, the Department  
18 of Public Safety, the Texas Workforce Commission, or the office of  
19 the secretary of state may charge a domestic relations office a fee  
20 not to exceed the charge paid by the Title IV-D agency for  
21 furnishing records under this section.

22 SECTION 32. Section 277.002(a), Finance Code, is amended to  
23 read as follows:

24 (a) A financial institution shall require, as a condition of  
25 opening or maintaining a business checking account, that the  
26 applicant or account holder provide:

- 27 (1) if the business is a sole proprietorship:

1 (A) the name of the business owner;  
2 (B) the physical address of the business;  
3 (C) the home address of the business owner; and  
4 (D) the driver's license number of the business  
5 owner or the personal identification card number issued to the  
6 business owner by the Texas Department of Motor Vehicles [~~Public~~  
7 ~~Safety~~]; or

8 (2) if the business is a corporation or other legal  
9 entity, a copy of the business's certificate of incorporation or a  
10 comparable document and an assumed name certificate, if any.

11 SECTION 33. Sections 62.001(a), (f), (h), and (i),  
12 Government Code, are amended to read as follows:

13 (a) The jury wheel must be reconstituted by using, as the  
14 source:

15 (1) the names of all persons on the current voter  
16 registration lists from all the precincts in the county; and

17 (2) all names on a current list to be furnished by the  
18 Texas Department of Motor Vehicles [~~Public Safety~~], showing the  
19 citizens of the county who:

20 (A) hold a valid Texas driver's license or a  
21 valid personal identification card or certificate issued by the  
22 department; and

23 (B) are not disqualified from jury service under  
24 Section 62.102(1), (2), or (7).

25 (f) The Texas Department of Motor Vehicles [~~Public Safety~~]  
26 shall furnish a list to the secretary of state that shows the names  
27 required under Subsection (a)(2) and that contains any of the

1 information enumerated in Subsection (c) that is available to the  
2 department, including citizenship status and county of residence.  
3 The list shall exclude the names of convicted felons, persons who  
4 are not citizens of the United States, persons residing outside the  
5 county, and the duplicate name of any registrant. The department  
6 shall furnish the list to the secretary of state on or before the  
7 first Monday in October of each year.

8 (h) If the secretary of state is unable to furnish the list  
9 as provided in this section because of the failure of the voter  
10 registrar to furnish the county voter registration list to the  
11 secretary of state, the county tax assessor-collector, sheriff,  
12 county clerk, and district clerk in the county shall meet at the  
13 county courthouse between January 1 and January 15 of the following  
14 year and shall reconstitute the jury wheel for the county, except as  
15 provided under a plan adopted under Section 62.011. The deadlines  
16 included in the plan control for preparing the list and  
17 reconstituting the wheel. The secretary of state shall send the  
18 list furnished by the Texas Department of Motor Vehicles [~~Public~~  
19 ~~Safety~~] as provided by Subsection (f) to the voter registrar, who  
20 shall combine the lists as described in this section for use as the  
21 juror source and certify the combined list as required of the  
22 secretary of state under Subsection (g).

23 (i) The commissioners court may, instead of using the method  
24 provided by Subsections (c) through (h), contract with another  
25 governmental unit or a private person to combine the voter  
26 registration list with the list furnished by the Texas Department  
27 of Motor Vehicles [~~Public Safety~~]. Subsections (c) through (h) do

1 not apply to a county in which the commissioners court has  
2 contracted with another governmental unit or a private person under  
3 this subsection. The Texas Department of Motor Vehicles [~~Public~~  
4 ~~Safety~~] may not charge a fee for furnishing a list under this  
5 subsection. Each list must contain the name, date of birth,  
6 address, county of residence, and citizenship status of each person  
7 listed. If practical, each list must contain any other information  
8 useful in determining if the person is qualified to serve as a  
9 juror.

10 SECTION 34. Section 411.174(b), Government Code, is amended  
11 to read as follows:

12 (b) An applicant must provide on the application a statement  
13 of the applicant's:

- 14 (1) full name and place and date of birth;
- 15 (2) race and sex;
- 16 (3) residence and business addresses for the preceding  
17 five years;
- 18 (4) hair and eye color;
- 19 (5) height and weight;
- 20 (6) driver's license number or identification  
21 certificate number issued by the Texas Department of Motor Vehicles  
22 [~~department~~];

23 (7) criminal history record information of the type  
24 maintained by the department under this chapter, including a list  
25 of offenses for which the applicant was arrested, charged, or under  
26 an information or indictment and the disposition of the offenses;  
27 and



1           (8) history, if any, of treatment received by,  
2 commitment to, or residence in:

3           (A) a drug or alcohol treatment center licensed  
4 to provide drug or alcohol treatment under the laws of this state or  
5 another state, but only if the treatment, commitment, or residence  
6 occurred during the preceding five years; or

7           (B) a psychiatric hospital.

8           SECTION 35. Section 411.179(a), Government Code, is amended  
9 to read as follows:

10          (a) The department by rule shall adopt the form of the  
11 license. A license must include:

12           (1) a number assigned to the license holder by the  
13 department;

14           (2) a statement of the period for which the license is  
15 effective;

16           (3) a statement of the category or categories of  
17 handguns the license holder may carry as provided by Subsection  
18 (b);

19           (4) a color photograph of the license holder;

20           (5) the license holder's full name, date of birth, hair  
21 and eye color, height, weight, and signature;

22           (6) the license holder's residence address or, as  
23 provided by Subsection (d), the street address of the courthouse in  
24 which the license holder or license holder's spouse serves as a  
25 federal judge or the license holder serves as a state judge; and

26           (7) the number of a driver's license or an  
27 identification certificate issued to the license holder by the

1 Texas Department of Motor Vehicles [~~department~~].

2 SECTION 36. Section 411.205, Government Code, is amended to  
3 read as follows:

4 Sec. 411.205. REQUIREMENT TO DISPLAY LICENSE. If a license  
5 holder is carrying a handgun on or about the license holder's person  
6 when a magistrate or a peace officer demands that the license holder  
7 display identification, the license holder shall display both the  
8 license holder's driver's license or identification certificate  
9 issued by the Texas Department of Motor Vehicles [~~department~~] and  
10 the license holder's handgun license.

11 SECTION 37. Section 509.004(a), Government Code, is amended  
12 to read as follows:

13 (a) The division shall require each department to:

14 (1) keep financial and statistical records determined  
15 necessary by the division;

16 (2) submit a community justice plan and all supporting  
17 information requested by the division;

18 (3) present data requested by the division as  
19 necessary to determine the amount of state aid for which the  
20 department is eligible;

21 (4) submit periodic financial audits and statistical  
22 reports to the division; and

23 (5) submit to the Texas Department of Motor Vehicles  
24 [~~Public Safety~~] the full name, address, date of birth, social  
25 security number, and driver's license number of each person  
26 restricted to the operation of a motor vehicle equipped with a  
27 device that uses a deep-lung breath analysis mechanism to make

1 impractical the operation of the motor vehicle if ethyl alcohol is  
2 detected in the breath of the restricted operator.

3 SECTION 38. Section 531.1533, Government Code, is amended  
4 to read as follows:

5 Sec. 531.1533. REQUIREMENTS ON ADMISSIONS OF CHILDREN TO  
6 CERTAIN INSTITUTIONS. On the admission of a child to an institution  
7 described by Section 531.151(3)(A), (B), or (D), the Department of  
8 Aging and Disability Services shall require the child's parent or  
9 guardian to submit:

10 (1) an admission form that includes:

11 (A) the parent's or guardian's:

12 (i) name, address, and telephone number;

13 (ii) driver's license number and state of  
14 issuance or personal identification card number issued by the Texas  
15 Department of Motor Vehicles [~~Public Safety~~]; and

16 (iii) place of employment and the  
17 employer's address and telephone number; and

18 (B) the name, address, and telephone number of a  
19 relative of the child or other person whom the department or  
20 institution may contact in an emergency, a statement indicating the  
21 relation between that person and the child, and at the parent's or  
22 guardian's option, that person's:

23 (i) driver's license number and state of  
24 issuance or personal identification card number issued by the Texas  
25 Department of Motor Vehicles [~~Public Safety~~]; and

26 (ii) the name, address, and telephone  
27 number of that person's employer; and

1 (2) a signed acknowledgment of responsibility stating  
2 that the parent or guardian agrees to:

3 (A) notify the institution in which the child is  
4 placed of any changes to the information submitted under  
5 Subdivision (1)(A); and

6 (B) make reasonable efforts to participate in the  
7 child's life and in planning activities for the child.

8 SECTION 39. Section 12.092(b), Health and Safety Code, is  
9 amended to read as follows:

10 (b) The medical advisory board shall assist:

11 (1) the Texas Department of Motor Vehicles [~~Public~~  
12 ~~Safety of the State of Texas~~] in determining whether [+

13 [~~(1)~~] an applicant for a driver's license or a license  
14 holder is capable of safely operating a motor vehicle; and [~~or~~]

15 (2) the Department of Public Safety in determining  
16 whether an applicant for or holder of a license to carry a concealed  
17 handgun under the authority of Subchapter H, Chapter 411,  
18 Government Code, is capable of exercising sound judgment with  
19 respect to the proper use and storage of a handgun.

20 SECTION 40. Section 81.011, Health and Safety Code, is  
21 amended to read as follows:

22 Sec. 81.011. REQUEST FOR INFORMATION. In times of  
23 emergency or epidemic declared by the commissioner, the department  
24 is authorized to request information pertaining to names, dates of  
25 birth, and most recent addresses of individuals from the driver's  
26 license records of the Texas Department of Motor Vehicles [~~Public~~  
27 ~~Safety~~] for the purpose of notification to individuals of the need

1 to receive certain immunizations or diagnostic, evaluation, or  
2 treatment services for suspected communicable diseases.

3 SECTION 41. Section 161.254, Health and Safety Code, is  
4 amended to read as follows:

5 Sec. 161.254. DRIVER'S LICENSE SUSPENSION OR DENIAL. (a)  
6 If the defendant does not provide the evidence required under  
7 Section 161.253(e) within the period specified by that subsection,  
8 the court shall order the Texas Department of Motor Vehicles  
9 [~~Public Safety~~] to suspend or deny issuance of any driver's license  
10 or permit to the defendant. The order must specify the period of  
11 the suspension or denial, which may not exceed 180 days after the  
12 date of the order.

13 (b) The Texas Department of Motor Vehicles [~~Public Safety~~]  
14 shall send to the defendant notice of court action under Subsection  
15 (a) by first class mail. The notice must include the date of the  
16 order and the reason for the order and must specify the period of  
17 the suspension or denial.

18 SECTION 42. Section 485.032(c), Health and Safety Code, is  
19 amended to read as follows:

20 (c) It is an affirmative defense to prosecution under this  
21 section that:

22 (1) the person making the delivery is an adult having  
23 supervisory responsibility over the person younger than 18 years of  
24 age and:

25 (A) the adult permits the use of the abusable  
26 volatile chemical only under the adult's direct supervision and in  
27 the adult's presence and only for its intended purpose; and

1 (B) the adult removes the chemical from the  
2 person younger than 18 years of age on completion of that use; or

3 (2) the person to whom the abusable volatile chemical  
4 was delivered presented to the defendant an apparently valid Texas  
5 driver's license or an identification certificate, issued by the  
6 Texas Department of Motor Vehicles [~~Public Safety of the State of~~  
7 ~~Texas~~] and containing a physical description consistent with the  
8 person's appearance, that purported to establish that the person  
9 was 18 years of age or older.

10 SECTION 43. Sections 692A.002(11) and (15), Health and  
11 Safety Code, are amended to read as follows:

12 (11) "Driver's license" means a license or permit  
13 issued by the Texas Department of Motor Vehicles [~~Public Safety~~] to  
14 operate a vehicle, whether or not conditions are attached to the  
15 license or permit.

16 (15) "Identification card" means an identification  
17 card issued by the Texas Department of Motor Vehicles [~~Public~~  
18 ~~Safety~~].

19 SECTION 44. Sections 692A.020(d), (e), (f), (g), (h), (i),  
20 and (m), Health and Safety Code, are amended to read as follows:

21 (d) The Texas Department of Motor Vehicles [~~Public Safety~~]  
22 at least monthly shall electronically transfer to the nonprofit  
23 organization under contract with the department the name, date of  
24 birth, driver's license number, most recent address, and any other  
25 relevant information in the possession of the Texas Department of  
26 Motor Vehicles [~~Public Safety~~] for any person who indicates on the  
27 person's driver's license application under Section 521.401,

1 Transportation Code, that the person would like to make an  
2 anatomical gift.

3 (e) The contract between the department and the nonprofit  
4 organization administering the registry must require the  
5 organization to:

6 (1) make information obtained from the Texas  
7 Department of Motor Vehicles [~~Public Safety~~] under Subsection (d)  
8 available to procurement organizations;

9 (2) allow potential donors to submit information in  
10 writing directly to the organization for inclusion in the  
11 Internet-based registry;

12 (3) maintain the Internet-based registry in a manner  
13 that allows procurement organizations to immediately access organ,  
14 tissue, and eye donation information 24 hours a day, seven days a  
15 week through electronic and telephonic methods; and

16 (4) protect the confidentiality and privacy of the  
17 individuals providing information to the Internet-based registry,  
18 regardless of the manner in which the information is provided.

19 (f) Except as otherwise provided by Subsection (e)(3) or  
20 this subsection, the Texas Department of Motor Vehicles [~~Public~~  
21 ~~Safety~~], the nonprofit organization under contract to administer  
22 the registry, or a procurement organization may not sell, rent, or  
23 otherwise share any information provided to the Internet-based  
24 registry. A procurement organization may share any information  
25 provided to the registry with an organ procurement organization or  
26 a health care provider or facility providing medical care to a  
27 potential donor as necessary to properly identify an individual at

1 the time of donation.

2 (g) The Texas Department of Motor Vehicles [~~Public Safety~~],  
3 the nonprofit organization under contract with the department to  
4 administer the registry, or the procurement organizations may not  
5 use any demographic or specific data provided to the Internet-based  
6 registry for any fund-raising activities. Data may only be  
7 transmitted from the selected organization to procurement  
8 organizations through electronic and telephonic methods using  
9 secure, encrypted technology to preserve the integrity of the data  
10 and the privacy of the individuals providing information.

11 (h) In each office authorized to issue driver's licenses or  
12 personal identification certificates, the Texas Department of  
13 Motor Vehicles [~~Public Safety~~] shall make available educational  
14 materials developed by the nonprofit organization administering  
15 the registry.

16 (i) The Texas Department of Motor Vehicles [~~Public Safety~~]  
17 shall remit to the comptroller the money collected under Sections  
18 521.421(g) and 521.422(c), Transportation Code, as provided by  
19 those subsections. A county assessor-collector shall remit to the  
20 comptroller any money collected under Section 502.405 [~~502.1745~~],  
21 Transportation Code, as provided by that section. Money remitted  
22 to the comptroller in accordance with those sections that is  
23 appropriated to the department shall be disbursed to the nonprofit  
24 organization administering the registry under this section under  
25 the terms of the contract between the department and the  
26 organization to pay the costs of:

27 (1) maintaining, operating, and updating the



1 Internet-based registry and establishing procedures for an  
2 individual to be added to the registry;

3 (2) designing and distributing educational materials  
4 for prospective donors as required under this section; and

5 (3) providing education under this chapter.

6 (m) The department may require the nonprofit organization  
7 administering the registry to:

8 (1) implement a training program for all appropriate  
9 Texas Department of Motor Vehicles [~~Public Safety~~] and Texas  
10 Department of Transportation employees on the benefits of organ,  
11 tissue, and eye donation and the procedures for individuals to be  
12 added to the Internet-based registry; and

13 (2) conduct the training described by Subdivision (1)  
14 on an ongoing basis for new employees.

15 SECTION 45. Section 1805.051(d), Occupations Code, is  
16 amended to read as follows:

17 (d) The list required by Subsection (c) must contain:

18 (1) the proposed seller's driver's license number or  
19 Texas Department of Motor Vehicles [~~Public Safety~~] identification  
20 card number, as recorded by the dealer on physical presentation of  
21 the license or identification card by the seller;

22 (2) a complete and accurate description of each  
23 business machine, including its serial number or other identifying  
24 marks or symbols;

25 (3) the proposed seller's certification that the  
26 information is true and complete; and

27 (4) if the business machine is delivered to the

1 secondhand dealer for sale or exchange at an auction, the make,  
2 year, model, color, and registration number of the vehicle in which  
3 the business machine is transported to the auction.

4 SECTION 46. Section 1805.052(b), Occupations Code, is  
5 amended to read as follows:

6 (b) Except as provided by Section 1805.053, a report  
7 required by this chapter must contain:

8 (1) the name and address of the seller of the business  
9 machine;

10 (2) a complete and accurate description of the  
11 business machine for which the report is made, including the serial  
12 number or other identifying marks or symbols;

13 (3) the seller's certification that the information is  
14 true and complete; and

15 (4) the seller's driver's license number or Texas  
16 Department of Motor Vehicles [~~Public Safety~~] identification card  
17 number, as recorded by the dealer on physical presentation of the  
18 license or identification card by the seller.

19 SECTION 47. Section 1956.001(8), Occupations Code, is  
20 amended to read as follows:

21 (8) "Personal identification document" means:

22 (A) a valid driver's license issued by a state in  
23 the United States;

24 (B) a United States military identification  
25 card; or

26 (C) a personal identification certificate issued  
27 by the Texas Department of Motor Vehicles [~~department~~] under

1 Section 521.101, Transportation Code, or a corresponding card or  
2 certificate issued by another state.

3 SECTION 48. Section 1956.062(c), Occupations Code, is  
4 amended to read as follows:

5 (c) The dealer shall record the proposed seller's driver's  
6 license number or [~~department~~] personal identification certificate  
7 number on physical presentation of the license or personal  
8 identification certificate by the seller. The record must  
9 accompany the list.

10 SECTION 49. Sections 11.43(f) and (m), Tax Code, are  
11 amended to read as follows:

12 (f) The comptroller, in prescribing the contents of the  
13 application form for each kind of exemption, shall ensure that the  
14 form requires an applicant to furnish the information necessary to  
15 determine the validity of the exemption claim. The form must  
16 require an applicant to provide the applicant's name and driver's  
17 license number, personal identification certificate number, or  
18 social security account number. If the applicant is a charitable  
19 organization with a federal tax identification number, the form  
20 must allow the applicant to provide the organization's federal tax  
21 identification number in lieu of a driver's license number,  
22 personal identification certificate number, or social security  
23 account number. The comptroller shall include on the forms a notice  
24 of the penalties prescribed by Section 37.10, Penal Code, for  
25 making or filing an application containing a false statement. The  
26 comptroller shall include, on application forms for exemptions that  
27 do not have to be claimed annually, a statement explaining that the

1 application need not be made annually and that if the exemption is  
2 allowed, the applicant has a duty to notify the chief appraiser when  
3 the applicant's entitlement to the exemption ends. In this  
4 subsection:

5 (1) "Driver's license" has the meaning assigned that  
6 term by Section 521.001, Transportation Code.

7 (2) "Personal identification certificate" means a  
8 certificate issued by the Texas Department of Motor Vehicles  
9 [~~Public Safety~~] under Subchapter E, Chapter 521, Transportation  
10 Code.

11 (m) Notwithstanding Subsections (a) and (k), a person who  
12 receives an exemption under Section 11.13, other than an exemption  
13 under Section 11.13(c) or (d) for an individual 65 years of age or  
14 older, in a tax year is entitled to receive an exemption under  
15 Section 11.13(c) or (d) for an individual 65 years of age or older  
16 in the next tax year on the same property without applying for the  
17 exemption if the person becomes 65 years of age in that next year as  
18 shown by:

19 (1) information in the records of the appraisal  
20 district that was provided to the appraisal district by the  
21 individual in an application for an exemption under Section 11.13  
22 on the property or in correspondence relating to the property; or

23 (2) the information provided by the Texas Department  
24 of Motor Vehicles [~~Public Safety~~] to the appraisal district under  
25 Section 521.049, Transportation Code.

26 SECTION 50. Section 411.0085, Government Code, is repealed.

27 SECTION 51. (a) Effective January 1, 2015, the powers and

1 duties of the Department of Public Safety with regard to driver's  
2 licenses and personal identification cards are transferred to the  
3 Texas Department of Motor Vehicles in accordance with this Act.

4 (b) Effective January 1, 2015, all rules of the Department  
5 of Public Safety are continued in effect as rules of the Texas  
6 Department of Motor Vehicles until superseded by a rule of the Texas  
7 Department of Motor Vehicles. A license or certification issued by  
8 the Department of Public Safety is continued in effect as provided  
9 by the law in effect immediately before the effective date of this  
10 Act. A complaint, investigation, contested case, or other  
11 proceeding pending on the effective date of this Act is continued  
12 without change in status after the effective date of this Act. An  
13 activity conducted by the Department of Public Safety is considered  
14 to be an activity conducted by the Texas Department of Motor  
15 Vehicles.

16 (c) On September 1, 2013, or as soon as is possible after  
17 that date, the director of the Department of Public Safety shall  
18 adopt a comprehensive plan to ensure the smooth transition of all  
19 programs operated by the Department of Public Safety relating to  
20 driver's licenses or personal identification cards before January  
21 1, 2015, from the Department of Public Safety to the Texas  
22 Department of Motor Vehicles.

23 SECTION 52. Effective January 1, 2015:

24 (1) all money, contracts, leases, rights, property,  
25 records, and bonds and other obligations of the Department of  
26 Public Safety relating to driver's licenses and personal  
27 identification cards are transferred to the Texas Department of

1 Motor Vehicles; and

2 (2) an employee of the Department of Public Safety  
3 Driver License Division becomes an employee of the Texas Department  
4 of Motor Vehicles.

5 SECTION 53. (a) The unobligated and unexpended balance of  
6 any appropriations made to the Department of Public Safety in  
7 connection with or relating to driver's licenses and personal  
8 identification cards for the state fiscal biennium ending August  
9 31, 2013, is transferred and reappropriated to the Texas Department  
10 of Motor Vehicles for the purpose of implementing the powers,  
11 duties, obligations, and rights of action transferred to that  
12 department under Section 51 of this Act.

13 (b) The Department of Public Safety shall continue, as  
14 necessary, to perform the duties and functions being transferred to  
15 the Texas Department of Motor Vehicles until the transfer of agency  
16 duties and functions is complete.

17 SECTION 54. (a) The boards of the Texas Department of Motor  
18 Vehicles and the Department of Public Safety shall enter into or  
19 revise a joint memorandum of understanding to coordinate the Texas  
20 Department of Motor Vehicles' and the Department of Public Safety's  
21 information systems to allow for the sharing of information so that  
22 each department may effectively and efficiently perform the  
23 functions and duties assigned to it. Neither the Texas Department  
24 of Motor Vehicles nor the Department of Public Safety may impose or  
25 collect a fee or charge in connection with the sharing of  
26 information under the joint memorandum of understanding entered  
27 into or revised under this section.

1           (b) The Texas Department of Motor Vehicles and the  
2 Department of Public Safety shall implement the joint memorandum of  
3 understanding using existing personnel and resources.

4           (c) Otherwise confidential information shared under the  
5 memorandum of understanding remains subject to the same  
6 confidentiality requirements and legal restrictions on access to  
7 the information that are imposed by law on the department that  
8 originally obtained or collected the information.

9           (d) Information may be shared under the memorandum of  
10 understanding without the consent of the person who is the subject  
11 of the information.

12           (e) The memorandum of understanding required by Subsection  
13 (a) of this section must be entered into or revised at the first  
14 official meeting of the board of the Texas Department of Motor  
15 Vehicles occurring after the effective date of this Act.

16           SECTION 55. (a) In addition to the memorandum of  
17 understanding required by Section 54 of this Act, the boards of the  
18 Texas Department of Motor Vehicles and the Department of Public  
19 Safety may enter into or revise one or more other joint memoranda of  
20 understanding necessary to effect the transfer of the powers and  
21 duties of the Department of Public Safety to the Texas Department of  
22 Motor Vehicles under this Act. A memorandum of understanding may  
23 include an agreement for the provision of office space, utilities,  
24 and other facility services; the need for full-time equivalent  
25 positions of the Department of Public Safety to provide support  
26 services in addition to the positions transferred to the Texas  
27 Department of Motor Vehicles under this Act; support services; and

1 the transfer of information technology as necessary or appropriate  
2 to effect the transfer of the powers and duties of the Department of  
3 Public Safety to the Texas Department of Motor Vehicles.

4 (b) Subsections (b), (c), and (d) of Section 54 of this Act  
5 apply to a memorandum of understanding entered into or revised  
6 under Subsection (a) of this section.

7 SECTION 56. This Act takes effect September 1, 2013.