

By: Farrar

H.B. No. 1700

A BILL TO BE ENTITLED

AN ACT

relating to the proof of citizenship or lawful presence in the United States for issuance of a driver's license, personal identification certificate, or commercial driver's license.

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

SECTION 1. Section 521.041(b), Transportation Code, is amended to read as follows:

(b) The department shall maintain suitable indexes, in alphabetical or numerical order, that contain:

(1) each denied application and the reasons for the denial;

(2) each application that is granted; and

(3) the name of each license holder whose license has been suspended, canceled, or revoked and the reasons for that action[~~, and~~

~~[(4) the citizenship status of each holder of a license or personal identification certificate].~~

SECTION 2. Section 521.101(f), Transportation Code, is amended to read as follows:

(f) A personal identification certificate [~~+~~

~~[(1) for an applicant who is a citizen, national, or legal permanent resident of the United States or a refugee or asylee lawfully admitted into the United States.~~

~~[(A)]~~ expires on a date specified by the

1 department, except that a certificate issued to a person 60 years of  
2 age or older does not expire [~~if the applicant is younger than 60~~  
3 ~~years of age ; or~~

4 [~~(B) does not expire if the applicant is 60 years~~  
5 ~~of age or older; or~~

6 [~~(2) for an applicant not described by Subdivision~~  
7 ~~(1), expires on:~~

8 [~~(A) the earlier of:~~

9 [~~(i) a date specified by the department; or~~

10 [~~(ii) the expiration date of the~~  
11 ~~applicant's authorized stay in the United States; or~~

12 [~~(B) the first anniversary of the date of~~  
13 ~~issuance, if there is no definite expiration date for the~~  
14 ~~applicant's authorized stay in the United States].~~

15 SECTION 3. Section 521.142(a), Transportation Code, is  
16 amended to read as follows:

17 (a) An application for an original license must state the  
18 applicant's full name and place and date of birth. This  
19 information must be verified by presentation of proof of identity  
20 satisfactory to the department. [~~An applicant who is not a citizen~~  
21 ~~of the United States must present to the department documentation~~  
22 ~~issued by the appropriate United States agency that authorizes the~~  
23 ~~applicant to be in the United States before the applicant may be~~  
24 ~~issued a driver's license.] The department must accept as  
25 satisfactory proof of identity under this subsection an offender  
26 identification card or similar form of identification issued to an  
27 inmate by the Texas Department of Criminal Justice if the applicant~~

1 also provides supplemental verifiable records or documents that aid  
2 in establishing identity.

3 SECTION 4. Section 521.1425(a), Transportation Code, is  
4 amended to read as follows:

5 (a) Except as provided by Subsection [~~Subsections~~] (b) [~~and~~  
6 ~~(c)~~], the department may require each applicant for an original,  
7 renewal, or duplicate driver's license to furnish to the department  
8 the information required by Section 521.142.

9 SECTION 5. Sections 521.271(a) and (b), Transportation  
10 Code, are amended to read as follows:

11 (a) Each original driver's license, provisional license,  
12 instruction permit, or occupational driver's license [~~issued to an~~  
13 ~~applicant who is a citizen, national, or legal permanent resident~~  
14 ~~of the United States or a refugee or asylee lawfully admitted into~~  
15 ~~the United States~~] expires as follows:

16 (1) except as provided by Section 521.2711, a driver's  
17 license expires on the first birthday of the license holder  
18 occurring after the sixth anniversary of the date of the  
19 application;

20 (2) a provisional license expires on the 18th birthday  
21 of the license holder;

22 (3) an instruction permit expires on the 18th birthday  
23 of the license holder;

24 (4) an occupational driver's license expires on the  
25 first anniversary of the court order granting the license; and

26 (5) unless an earlier date is otherwise provided, a  
27 driver's license issued to a person whose residence or domicile is a

1 correctional facility or a parole facility expires on the first  
2 birthday of the license holder occurring after the first  
3 anniversary of the date of issuance.

4 (b) Except as provided by Section 521.2711, a driver's  
5 license that is renewed expires on the earlier of:

6 (1) the sixth anniversary of the expiration date  
7 before renewal ~~[if the applicant is a citizen, national, or legal~~  
8 ~~permanent resident of the United States or a refugee or asylee~~  
9 ~~lawfully admitted into the United States;~~

10 ~~[(1-a) for an applicant not described by Subdivision~~  
11 ~~(1);~~

12 ~~[(A) the earlier of:~~

13 ~~[(i) the sixth anniversary of the~~  
14 ~~expiration date before renewal; or~~

15 ~~[(ii) the expiration date of the~~  
16 ~~applicant's authorized stay in the United States; or~~

17 ~~[(B) the first anniversary of the date of~~  
18 ~~issuance, if there is no definite expiration date for the~~  
19 ~~applicant's authorized stay in the United States]; or~~

20 (2) for a renewal driver's license issued to a person  
21 whose residence or domicile is a correctional facility or a parole  
22 facility, the first birthday of the license holder occurring after  
23 the first anniversary of the date of issuance unless an earlier date  
24 is otherwise provided.

25 SECTION 6. Section 521.272(c), Transportation Code, is  
26 amended to read as follows:

27 (c) Notwithstanding Sections 521.271 and 521.2711, a

1 driver's license issued under this section, including a renewal,  
2 duplicate, or corrected license, expires[+]

3 ~~[(1) if the license holder is a citizen, national, or~~  
4 ~~legal permanent resident of the United States or a refugee or asylee~~  
5 ~~lawfully admitted into the United States,]~~ on the first birthday of  
6 the license holder occurring after the date of application, except  
7 that the initial license issued under this section expires on the  
8 second birthday of the license holder occurring after the date of  
9 application[+~~or~~

10 ~~[(2) if the applicant is not described by Subdivision~~  
11 ~~(1), on the earlier of:~~

12 ~~[(A) the expiration date of the applicant's~~  
13 ~~authorized stay in the United States; or~~

14 ~~[(B) the first birthday of the license holder~~  
15 ~~occurring after the date of application, except that the initial~~  
16 ~~license issued under this section expires on the second birthday of~~  
17 ~~the license holder occurring after the date of application].~~

18 SECTION 7. Section 522.033(b), Transportation Code, is  
19 amended to read as follows:

20 (b) Notwithstanding Section 522.051, a commercial driver's  
21 license or commercial driver learner's permit issued under this  
22 section, including a renewal, duplicate, or corrected license,  
23 expires [+]

24 ~~[(1) if the license or permit holder is a citizen,~~  
25 ~~national, or legal permanent resident of the United States or a~~  
26 ~~refugee or asylee lawfully admitted into the United States,]~~ on the  
27 first birthday of the license holder occurring after the date of

1 application, except that the initial license issued under this  
2 section expires on the second birthday of the license holder  
3 occurring after the date of application [~~or~~

4 ~~[(2) if the applicant is not described by Subdivision~~  
5 ~~(1), on the earlier of:~~

6 ~~[(A) the expiration date of the applicant's~~  
7 ~~authorized stay in the United States; or~~

8 ~~[(B) the first birthday of the license holder~~  
9 ~~occurring after the date of application, except that the initial~~  
10 ~~license issued under this section expires on the second birthday of~~  
11 ~~the license holder occurring after the date of application].~~

12 SECTION 8. The following provisions of the Transportation  
13 Code are repealed:

- 14 (1) Section 521.007;  
15 (2) Sections 521.101(d-1), (f-2), (f-3), and (f-4);  
16 (3) Section 521.103(c);  
17 (4) Sections 521.1425(c) and (d);  
18 (5) Sections 521.271(a-2), (a-3), and (a-4);  
19 (6) Section 521.2711(c);  
20 (7) Section 521.421(a-3); and  
21 (8) Sections 522.052(i) and (j).

22 SECTION 9. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2013.