

## **BILL ANALYSIS**

Senate Research Center

S.B. 1934  
By: Campbell  
State Affairs  
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Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Because the driver's license is the most prevalent source of identification in the United States, it is important to ensure that a driver's license and a similar source of identification, a state-issued identification card, are issued to the rightful person and not to a person whose intent is to perpetuate fraud or identity theft. One way S.B. 1934 addresses this is by requiring a person with a state-issued identification card to surrender it when applying for a driver's license and vice-versa. Further, the bill aligns the requirements for the issuance of an identification card with those of a driver's license.

S.B. 1934 amends current law relating to requirements for the issuance of a driver's license or personal identification certificate and to a study on digital identification and proof of licensure.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Reenacts Section 521.044(a), Transportation Code, as amended by Chapters 1012 (H.B. 2512) and 1105 (H.B. 3787), Acts of the 83rd Legislature, Regular Session, 2013, and amends it, as follows:

(a) Authorizes information provided on a driver's license or personal identification certificate application that relates to the applicant's social security number to be used only by the Department of Public Safety of the State of Texas (DPS) or disclosed only to:

(1)-(3) Makes no change to these subdivisions;

(4) and (5) Makes nonsubstantive changes;

(6) the secretary of state for the purposes of voter registration or the administration of elections; or

(7) an agency of another state responsible for issuing driver's licenses or identification documents.

SECTION 2. Amends Sections 521.044(b) and (e), Transportation Code, as follows:

(b) Requires DPS to enter an applicant's social security number in DPS's electronic database but prohibits DPS from printing the number on the applicant's driver's license or personal identification certificate.

(e) Adds a reference to personal identification certificates and makes no further change.

SECTION 3. Amends Section 521.101(f), Transportation Code, as follows:

(f) Provides that 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, expires on a date specified by DPS; or

(2) for an applicant not described by Subdivision (1), expires on certain other dates.

Deletes existing text providing that a personal identification certificate 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 expires on a date specified by DPS if the applicant is younger than 60 years of age or does not expire if the applicant is 60 years of age or older. Makes nonsubstantive changes

SECTION 4. Amends Section 521.142(g), Transportation Code, to require DPS to require an applicant to provide the applicant's social security number or proof that the applicant is not eligible for a social security number, rather than to authorize DPS to require an applicant to provide the applicant's social security number only for a purpose permitted by Section 521.044.

SECTION 5. Amends Subchapter I, Chapter 521, Transportation Code, by adding Section 521.183, as follows:

Sec. 521.183. SURRENDER OF DRIVER'S LICENSE OR PERSONAL IDENTIFICATION CERTIFICATE. (a) Provides that a person is not entitled to receive a driver's license until the person surrenders to DPS each personal identification certificate in the person's possession that was issued by this state.

(b) Provides that a person is not entitled to receive a personal identification certificate until the person surrenders to DPS each driver's license in the person's possession that was issued by this state.

SECTION 6. Amends Chapter 411, Government Code, by adding Subchapter Z, as follows:

#### SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 411.951. STUDY ON DIGITAL IDENTIFICATION AND PROOF OF LICENSURE. (a) Requires DPS to conduct a study:

(1) determining the feasibility of altering state requirements for the issuance of a driver's license to allow a person to use a digital form of a driver's license displayed on an electronic device to prove that the person has a driver's license;

(2) evaluating risks to personal information security that a system described by Subdivision (1) might create; and

(3) surveying and evaluating electronic driver's license policies in other states.

(b) Requires DPS, not later than September 1, 2016, to submit a detailed report of its findings and recommendations to the legislature.

(c) Provides that this section expires January 1, 2017.

SECTION 7. Provides the changes in law made by this Act apply only to a driver's license or personal identification certificate for which an application is submitted on or after the effective date of this Act. Makes application of this Act prospective.

SECTION 8. Provides that to the extent of any conflict, this Act prevails over another Act of the 84th Legislature, Regular Session, 2015, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 9. Effective date: September 1, 2015.