

By: Naishtat

H.B. No. 2042

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the expiration date of a driver's license, personal
3 identification certificate, commercial driver's license, or
4 commercial driver learner's permit issued to a sex offender;
5 increasing a fee.

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

7 SECTION 1. Article 42.016, Code of Criminal Procedure, is
8 amended to read as follows:

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

16 (1) issue an order requiring the Texas Department of
17 Public Safety to include in any driver's license record or personal
18 identification certificate record maintained by the department for
19 the person an indication that the person is subject to the
20 registration requirements of Chapter 62;

21 (2) require the person to apply to the Texas
22 Department of Public Safety in person for an original or renewal
23 driver's license or personal identification certificate not later
24 than the 30th day after the date the person is released or the date

1 the department sends written notice to the person of the
2 requirements of Article 62.060, as applicable, and to [~~annually~~]
3 renew the license or certificate according to the timeline provided
4 by Section 521.272, Transportation Code;

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

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

12 SECTION 2. The heading to Section 521.103, Transportation
13 Code, is amended to read as follows:

14 Sec. 521.103. EXPIRATION [~~AND RENEWAL REQUIREMENTS~~] FOR
15 CERTAIN SEX OFFENDERS.

16 SECTION 3. Sections 521.103(a) and (b), Transportation
17 Code, are amended to read as follows:

18 (a) The department may issue an original or renewal personal
19 identification certificate to a person whose driver's license or
20 personal identification certificate record indicates that the
21 person is subject to the registration requirements of Chapter 62,
22 Code of Criminal Procedure, only if the person:

23 (1) applies in person for the issuance of a
24 certificate under this section; and

25 (2) pays a fee of \$80 [~~\$20~~].

26 (b) A personal identification certificate issued under this
27 section, including a renewal, duplicate, or corrected certificate,

1 expires on the fourth [~~first~~] birthday of the certificate holder
2 occurring after the date of application[, ~~except that the initial~~
3 ~~certificate issued under this section expires on the second~~
4 ~~birthday of the certificate holder occurring after the date of~~
5 ~~application~~].

6 SECTION 4. The heading to Section 521.272, Transportation
7 Code, is amended to read as follows:

8 Sec. 521.272. [~~RENEWAL OF~~] LICENSE ISSUED TO CERTAIN SEX
9 OFFENDERS.

10 SECTION 5. Section 521.272(c), Transportation Code, is
11 amended to read as follows:

12 (c) Notwithstanding Sections 521.271 and 521.2711, a
13 driver's license issued under this section, including a renewal,
14 duplicate, or corrected license, expires:

15 (1) if the license holder is a citizen, national, or
16 legal permanent resident of the United States or a refugee or asylee
17 lawfully admitted into the United States, on the fourth [~~first~~]
18 birthday of the license holder occurring after the date of
19 application[, ~~except that the initial license issued under this~~
20 ~~section expires on the second birthday of the license holder~~
21 ~~occurring after the date of application~~]; or

22 (2) if the applicant is not described by Subdivision
23 (1), on the earlier of:

24 (A) the expiration date of the applicant's
25 authorized stay in the United States; or

26 (B) the fourth [~~first~~] birthday of the license
27 holder occurring after the date of application[, ~~except that the~~

1 ~~initial license issued under this section expires on the second~~
2 ~~birthday of the license holder occurring after the date of~~
3 ~~application].~~

4 SECTION 6. Section 521.421(h), Transportation Code, is
5 amended to read as follows:

6 (h) The fee for issuance or renewal of a driver's license, a
7 provisional license, an instruction permit, or a hardship license
8 issued to a person subject to the registration requirements under
9 Chapter 62, Code of Criminal Procedure, is \$80 [~~\$20~~].

10 SECTION 7. Section 522.033, Transportation Code, is amended
11 to read as follows:

12 Sec. 522.033. COMMERCIAL DRIVER'S LICENSE ISSUED TO CERTAIN
13 SEX OFFENDERS. (a) The department may issue an original or renewal
14 commercial driver's license or commercial driver learner's permit
15 to a person whose driver's license or personal identification
16 certificate record indicates that the person is subject to the
17 registration requirements of Chapter 62, Code of Criminal
18 Procedure, only if the person is otherwise eligible for the
19 commercial driver's license or commercial driver learner's permit
20 and:

21 (1) applies in person for the issuance of a license or
22 permit under this section; and

23 (2) pays a fee of \$80 [~~\$20~~].

24 (b) Notwithstanding Section 522.051, a commercial driver's
25 license or commercial driver learner's permit issued under this
26 section, including a renewal, duplicate, or corrected license,
27 expires:

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

8 (2) if the applicant is not described by Subdivision
9 (1), on the earlier of:

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

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

17 SECTION 8. Article [62.060](#)(b), Code of Criminal Procedure,
18 is repealed.

19 SECTION 9. The changes in law made by this Act to Sections
20 [521.103](#), [521.272](#), [521.421](#), and [522.033](#), Transportation Code, apply
21 only to a driver's license, personal identification certificate,
22 commercial driver's license, or commercial driver learner's permit
23 issued or renewed on or after the effective date of this Act. A
24 driver's license, personal identification certificate, commercial
25 driver's license, or commercial driver learner's permit issued or
26 renewed before the effective date of this Act is governed by the law
27 in effect when the license, certificate, or permit was issued, and

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1 the former law is continued in effect for that purpose.

2 SECTION 10. This Act takes effect September 1, 2015.