

By: Neave

H.B. No. 3354

A BILL TO BE ENTITLED

AN ACT

relating to the fee for a driver's license or personal identification certificate for a homeless individual.

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

SECTION 1. Subchapter R, Chapter 521, Transportation Code, is amended by adding Section 521.4265 to read as follows:

Sec. 521.4265. EXEMPTION FOR A HOMELESS INDIVIDUAL. (a) In this section, "homeless individual":

(1) means an individual who:

(A) lacks a fixed, regular, and adequate nighttime residence; or

(B) has a primary nighttime residence that is:

(i) a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transitional housing for the mentally ill;

(ii) an institution that provides a temporary residence for individuals intended to be institutionalized; or

(iii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; and

(2) does not include an individual who is imprisoned or otherwise detained in a correctional facility.

1       (b) Except as provided by Subsections (f) and (g), a  
2 homeless individual is entitled to an exemption from the payment of  
3 fees under this chapter for the issuance of a driver's license or  
4 personal identification certificate.

5       (c) For the purposes of this section, to confirm a person's  
6 status as a homeless individual he or she must submit a notarized  
7 affidavit from:

8           (1) an employee of a homeless shelter or transitional  
9 housing facility;

10          (2) an employee of an organization that provides to  
11 homeless individuals or assists homeless individuals in obtaining  
12 services such as health services, mental or behavioral health  
13 services, substance abuse services, public assistance services, or  
14 employment services;

15          (3) an attorney licensed to practice law in this  
16 state;

17          (4) a peace officer who is an official homeless  
18 liaison; or

19          (5) an employee of a faith-based organization that  
20 provides benefits or services to homeless individuals.

21       (d) A person may not charge a fee for the affidavit  
22 described by Subsection (c).

23       (e) An affidavit described by Subsection (c) may not be used  
24 for a driver's license or personal identification certificate  
25 application if the affidavit was signed more than 60 days before the  
26 date the application is submitted.

27       (f) Subsection (b) does not apply to a person subject to the

1 registration requirements of Chapter 62, Code of Criminal  
2 Procedure.

3 (g) For each exemption granted under this section the  
4 department shall deposit to the credit of the Texas mobility fund an  
5 amount from the identification fee exemption account under  
6 Subsection (h) that is equal to the amount of the waived fee that  
7 would otherwise be deposited to the mobility fund.

8 (h) The identification fee exemption account is created as  
9 an account in the general revenue fund of the state treasury. The  
10 fund consists of grants and donations made to the department for the  
11 purposes of this section. The department shall administer the  
12 account. Money in the account may be appropriated for the purposes  
13 of Subsection (g).

14 (i) The department may not grant an exemption under this  
15 section if money is not available in the identification fee  
16 exemption account to meet the requirements of Subsection (g).

17 SECTION 2. This Act takes effect September 1, 2017.