

**House Bill 1823**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter A, Chapter 191, Health and Safety Code, is amended by adding Section 191.009 to read as follows:

Sec. 191.009. USE OF DIACRITICAL MARKS. (a) In this section, "diacritical mark" means a mark used in Latin script to change the sound of the letter to which it is added or used to distinguish the meaning of the word in which the letter appears. The term includes accents, tildes, graves, umlauts, and cedillas.

(b) The state registrar shall ensure that a vital statistics record issued under this title properly records any diacritical mark used in a person's name.

SECTION 2. Subchapter F, Chapter 521, Transportation Code, is amended by adding Section 521.127 to read as follows:

Sec. 521.127. USE OF DIACRITICAL MARKS. (a) In this section, "diacritical mark" means a mark used in Latin script to change the sound of a letter to which it is added or used to distinguish the meaning of the word in which the letter appears. The term includes accents, tildes, graves, umlauts, and cedillas.

(b) The department shall ensure that an original or renewal driver's license or personal identification certificate issued under this chapter properly records any diacritical mark used in a person's name.

SECTION 3. Section 522.030, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d) The department shall ensure that an original or renewal

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

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commercial driver's license or commercial learner's permit issued under this chapter properly records any diacritical mark used in a person's name. In this subsection, "diacritical mark" means a mark used in Latin script to change the sound of a letter to which it is added or used to distinguish the meaning of the word in which the letter appears. The term includes accents, tildes, graves, umlauts, and cedillas.

SECTION 4. The change in law made by this Act applies only to a vital statistics record issued by the Department of State Health Services vital statistics unit or a driver's license, personal identification certificate, or commercial driver's license or learner's permit issued or renewed by the Texas Department of Public Safety on or after **September 1, 2018**.

**No equivalent provision.**

SENATE VERSION (IE)

SECTION 4. The change in law made by this Act applies only to a vital statistics record issued by the Department of State Health Services vital statistics unit or a driver's license, personal identification certificate, or commercial driver's license or learner's permit issued or renewed by the Texas Department of Public Safety on or after **January 1, 2019**.

SECTION \_\_. Subtitle B, Title 7, Transportation Code, is amended by adding Chapter 526 to read as follows:

CHAPTER 526. DIGITAL IDENTIFICATION PILOT PROGRAM

Sec. 526.001. DEFINITIONS. In this chapter:

(1) "Department" and "driver's license" have the meanings assigned by Section 521.001.

(2) "Diacritical mark" has the meaning assigned by Section 521.127.

(3) "Digital identification" includes digital driver's licenses and digital personal identification certificates.

Sec. 526.002. DIGITAL IDENTIFICATION PILOT PROGRAM. (a) The department by rule may establish a pilot program for the issuance of digital identification that properly records any diacritical mark used in a person's name.

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(b) In establishing the digital identification pilot program, the department shall:

(1) assess existing department infrastructure and identify changes required to implement the program;

(2) upgrade department infrastructure according to the department's findings under Subdivision (1);

(3) acquire a mobile application that:

(A) properly records any diacritical mark used in a person's name;

(B) displays digital identification that includes the information described by Section 521.121(a) on a wireless communication device;

(C) includes an authentication and verification process for a wireless communication device; and

(D) may be used in any location regardless of the location's level of wireless connectivity or cellular telephone service;

(4) deploy the digital identification mobile application at no cost to focus groups for testing and evaluation; and

(5) implement a law enforcement version of the application for field testing.

(c) Digital identification issued under this section may not be used or accepted as valid proof of identification.

(d) The department may contract with a third party to establish the pilot program described by this section if the contract is at no cost to the department.

(e) The department shall prepare a report containing the results of the pilot program and the department's recommendations. The department shall submit the report to the Public Safety Commission and the legislature not later than the 180th day after the date of completion of the pilot program.

Sec. 526.003. EXPIRATION. This chapter expires

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September 1, 2019. [FA1]

No equivalent provision.

SECTION \_\_. The Department of Public Safety is required to implement this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the department may, but is not required to, implement this Act using other appropriations available for that purpose. [FA1]

SECTION 5. This Act takes effect September 1, 2017.

SECTION 5. Same as House version.