86R11674 JAM-D

By:  Zaffirini S.B. No. 1974

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of a driver's license, personal identification certificate, or birth record to a homeless individual.

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

SECTION 1.  Subchapter A, Chapter 191, Health and Safety Code, is amended by adding Section 191.0049 to read as follows:

Sec. 191.0049.  BIRTH RECORD ISSUED TO HOMELESS INDIVIDUAL. (a) In this section, "homeless individual" has the meaning provided by Section 521.184, Transportation Code.

(b)  On request of a homeless individual, the state registrar, a local registrar, or a county clerk shall issue, without fee, a certified copy of the individual's birth record to the individual.

(c)  The department by rule shall:

(1)  adopt a process to verify a person's status as a homeless individual; and

(2)  prescribe the documentation necessary for the issuance of a certified copy of a birth record to a homeless individual.

(d)  Notwithstanding any other law of this state, the department may not require a homeless individual to provide a physical address of the individual's residence to satisfy any requirement of this section.

SECTION 2.  Subchapter I, Chapter 521, Transportation Code, is amended by adding Section 521.184 to read as follows:

Sec. 521.184.  ISSUANCE OF LICENSE OR CERTIFICATE TO 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.

(b)  The department by rule shall:

(1)  adopt a process to verify a person's status as a homeless individual;

(2)  prescribe the documentation necessary for the issuance of a driver's license or personal identification certificate to a homeless individual; and

(3)  exempt a homeless individual from the payment of fees under this chapter for the issuance of a driver's license or personal identification certificate.

(c)  For each fee exemption granted by the department under Subsection (b)(3), the department shall deposit to the credit of the Texas mobility fund the amount of the waived fee that would otherwise be deposited to that account.

(d)  Notwithstanding any other law of this state and to the extent permitted under federal law, the department may not require a homeless individual to provide a physical address of the individual's residence to satisfy any requirement of this chapter.

SECTION 3.  The changes in law made by this Act apply to an application for a driver's license, personal identification certificate, or birth record submitted on or after the effective date of this Act. An application for a driver's license, personal identification certificate, or birth record submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 4.  This Act takes effect September 1, 2019.