

AN ACT

relating to personal identification documents for foster children or youth or homeless children or youth.

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

SECTION 1. Section 264.121, Family Code, is amended by adding Subsection (e-3) to read as follows:

(e-3) When obtaining a copy of a birth certificate to provide to a foster youth or assisting a foster youth in obtaining a copy of a birth certificate, the department shall obtain the birth certificate from the state registrar. If the department is unable to obtain the birth certificate from the state registrar, the department may obtain the birth certificate from a local registrar or county clerk.

SECTION 2. 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 FOSTER CHILD OR YOUTH OR HOMELESS CHILD OR YOUTH. On request of a child or youth described by this section, the state registrar, a local registrar, or a county clerk shall issue, without fee or parental consent, a certified copy of the child's or youth's birth record to:

(1) a homeless child or youth as defined by 42 U.S.C. Section 11434a;

(2) a child in the managing conservatorship of the Department of Family and Protective Services; and

1 (3) a young adult who:

2 (A) is at least 18 years of age, but younger than
3 21 years of age; and

4 (B) resides in a foster care placement, the cost
5 of which is paid by the Department of Family and Protective
6 Services.

7 SECTION 3. Subchapter E, Chapter 521, Transportation Code,
8 is amended by adding Section 521.1015 to read as follows:

9 Sec. 521.1015. PERSONAL IDENTIFICATION CERTIFICATE ISSUED
10 TO FOSTER CHILD OR YOUTH OR HOMELESS CHILD OR YOUTH. (a) In this
11 section:

12 (1) "Foster child or youth" means:

13 (A) a child in the managing conservatorship of
14 the Department of Family and Protective Services; or

15 (B) a young adult who:

16 (i) is at least 18 years of age, but younger
17 than 21 years of age; and

18 (ii) resides in a foster care placement,
19 the cost of which is paid by the Department of Family and Protective
20 Services.

21 (2) "Homeless child or youth" has the meaning assigned
22 by 42 U.S.C. Section 11434a.

23 (b) This section applies to the application for a personal
24 identification certificate only for a foster child or youth or a
25 homeless child or youth.

26 (c) Notwithstanding Section 521.101, Section 521.1426, or
27 any other provision of this chapter, a child or youth described by

1 Subsection (b) may, in applying for a personal identification
2 certificate:

3 (1) provide a copy of the child's or youth's birth
4 certificate as proof of the child's or youth's identity and United
5 States citizenship, as applicable; and

6 (2) if the child or youth does not have a residence or
7 domicile:

8 (A) provide a letter certifying the child or
9 youth is a homeless child or youth issued by:

10 (i) the school district in which the child
11 or youth is enrolled;

12 (ii) the director of an emergency shelter
13 or transitional housing program funded by the United States
14 Department of Housing and Urban Development; or

15 (iii) the director of:

16 (a) a basic center for runaway and
17 homeless youth; or

18 (b) a transitional living program; or

19 (B) use the address of the regional office where
20 the Department of Family and Protective Services caseworker for the
21 child or youth is based.

22 (d) A child or youth described by Subsection (b) may apply
23 for and the department may issue a personal identification
24 certificate without the signature or presence of or permission from
25 a parent or guardian of the child or youth.

26 (e) The department shall exempt a child or youth described
27 by Subsection (b) from the payment of any fee for the issuance of a

1 personal identification certificate under this chapter, subject to
2 Section 521.4265.

3 SECTION 4. Section 521.1811, Transportation Code, is
4 amended to read as follows:

5 Sec. 521.1811. WAIVER OF FEES FOR FOSTER CHILD OR YOUTH OR
6 HOMELESS CHILD OR ~~CARE~~ YOUTH. A person is exempt from the payment
7 of any fee for the issuance of a driver's license, as provided under
8 this chapter, if that person is:

9 (1) younger than 18 years of age and in the managing
10 conservatorship of the Department of Family and Protective
11 Services; ~~or~~

12 (2) at least 18 years of age, but younger than 21 years
13 of age, and resides in a foster care placement, the cost of which is
14 paid by the Department of Family and Protective Services; or

15 (3) a homeless child or youth as defined by 42 U.S.C.
16 Section 11434a.

17 SECTION 5. Section 521.421, Transportation Code, is amended
18 by adding Subsection (k) to read as follows:

19 (k) A person applying for the issuance or renewal of a
20 license, including a duplicate license or a license issued or
21 renewed over the Internet or by other electronic means, may elect to
22 contribute \$1 or more to the identification fee exemption account
23 established under Section 521.4265.

24 SECTION 6. Section 521.422, Transportation Code, is amended
25 by adding Subsection (d) to read as follows:

26 (d) A person applying for the issuance or renewal of a
27 personal identification card, including a duplicate personal

1 identification card or a personal identification card issued or
2 renewed over the Internet or by other electronic means, may elect to
3 contribute \$1 or more to the identification fee exemption account
4 established under Section 521.4265.

5 SECTION 7. Subchapter R, Chapter 521, Transportation Code,
6 is amended by adding Section 521.4265 to read as follows:

7 Sec. 521.4265. IDENTIFICATION FEE EXEMPTION ACCOUNT. (a)
8 The identification fee exemption account is created as an account
9 in the general revenue fund of the state treasury. The fund consists
10 of grants and donations made to the department for the purposes of
11 this section, including donations received under Sections
12 521.421(k) and 521.422(d). The department shall administer the
13 account. Money in the account may be appropriated for the purposes
14 of Subsection (b).

15 (b) For each exemption granted under Section 521.1015 or
16 521.1811, the department shall deposit to the credit of the Texas
17 mobility fund an amount from the identification fee exemption
18 account under Subsection (a) that is equal to the amount of the
19 waived fee that would otherwise be deposited to the mobility fund.

20 (c) The department may not grant an exemption under Section
21 521.1015 or 521.1811 if money is not available in the
22 identification fee exemption account to meet the requirements of
23 Subsection (b).

24 SECTION 8. The changes in law made by this Act apply to an
25 application for a driver's license, personal identification
26 certificate, or birth record submitted on or after the effective
27 date of this Act. An application for a driver's license, personal

1 identification certificate, or birth record submitted before the
2 effective date of this Act is governed by the law in effect on the
3 date the application was submitted, and the former law is continued
4 in effect for that purpose.

5 SECTION 9. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 123 was passed by the House on March 26, 2019, by the following vote: Yeas 147, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 123 on May 23, 2019, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 123 was passed by the Senate, with amendments, on May 20, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor