

1-1 By: White, et al. (Senate Sponsor - Watson) H.B. No. 123
 1-2 (In the Senate - Received from the House March 27, 2019;
 1-3 April 1, 2019, read first time and referred to Committee on Health
 1-4 & Human Services; May 13, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-6 May 13, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 123 By: Perry

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to personal identification documents for foster children
 1-22 or youth or homeless children or youth.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 264.121, Family Code, is amended by
 1-25 adding Subsection (e-3) to read as follows:

1-26 (e-3) When obtaining a copy of a birth certificate to
 1-27 provide to a foster youth or assisting a foster youth in obtaining a
 1-28 copy of a birth certificate, the department shall obtain the birth
 1-29 certificate from the state registrar. If the department is unable
 1-30 to obtain the birth certificate from the state registrar, the
 1-31 department may obtain the birth certificate from a local registrar
 1-32 or county clerk.

1-33 SECTION 2. Subchapter A, Chapter 191, Health and Safety
 1-34 Code, is amended by adding Section 191.0049 to read as follows:

1-35 Sec. 191.0049. BIRTH RECORD ISSUED TO FOSTER CHILD OR YOUTH
 1-36 OR HOMELESS CHILD OR YOUTH. On request of a child or youth
 1-37 described by this section, the state registrar, a local registrar,
 1-38 or a county clerk shall issue, without fee or parental consent, a
 1-39 certified copy of the child's or youth's birth record to:

1-40 (1) a homeless child or youth as defined by 42 U.S.C.
 1-41 Section 11434a;

1-42 (2) a child in the managing conservatorship of the
 1-43 Department of Family and Protective Services; and

1-44 (3) a young adult who:
 1-45 (A) is at least 18 years of age, but younger than
 1-46 21 years of age; and

1-47 (B) resides in a foster care placement, the cost
 1-48 of which is paid by the Department of Family and Protective
 1-49 Services.

1-50 SECTION 3. Subchapter E, Chapter 521, Transportation Code,
 1-51 is amended by adding Section 521.1015 to read as follows:

1-52 Sec. 521.1015. PERSONAL IDENTIFICATION CERTIFICATE ISSUED
 1-53 TO FOSTER CHILD OR YOUTH OR HOMELESS CHILD OR YOUTH. (a) In this
 1-54 section:

1-55 (1) "Foster child or youth" means:
 1-56 (A) a child in the managing conservatorship of
 1-57 the Department of Family and Protective Services; or

1-58 (B) a young adult who:
 1-59 (i) is at least 18 years of age, but younger
 1-60 than 21 years of age; and

2-1 (ii) resides in a foster care placement,
2-2 the cost of which is paid by the Department of Family and Protective
2-3 Services.

2-4 (2) "Homeless child or youth" has the meaning assigned
2-5 by 42 U.S.C. Section 11434a.

2-6 (b) This section applies to the application for a personal
2-7 identification certificate only for a foster child or youth or a
2-8 homeless child or youth.

2-9 (c) Notwithstanding Section 521.101, Section 521.1426, or
2-10 any other provision of this chapter, a child or youth described by
2-11 Subsection (b) may, in applying for a personal identification
2-12 certificate:

2-13 (1) provide a copy of the child's or youth's birth
2-14 certificate as proof of the child's or youth's identity and United
2-15 States citizenship, as applicable; and

2-16 (2) if the child or youth does not have a residence or
2-17 domicile:

2-18 (A) provide a letter certifying the child or
2-19 youth is a homeless child or youth issued by:

2-20 (i) the school district in which the child
2-21 or youth is enrolled;

2-22 (ii) the director of an emergency shelter
2-23 or transitional housing program funded by the United States
2-24 Department of Housing and Urban Development; or

2-25 (iii) the director of:

2-26 (a) a basic center for runaway and
2-27 homeless youth; or

2-28 (b) a transitional living program; or

2-29 (B) use the address of the regional office where
2-30 the Department of Family and Protective Services caseworker for the
2-31 child or youth is based.

2-32 (d) A child or youth described by Subsection (b) may apply
2-33 for and the department may issue a personal identification
2-34 certificate without the signature or presence of or permission from
2-35 a parent or guardian of the child or youth.

2-36 (e) The department shall exempt a child or youth described
2-37 by Subsection (b) from the payment of any fee for the issuance of a
2-38 personal identification certificate under this chapter, subject to
2-39 Section 521.4265.

2-40 SECTION 4. Section 521.1811, Transportation Code, is
2-41 amended to read as follows:

2-42 Sec. 521.1811. WAIVER OF FEES FOR FOSTER CHILD OR YOUTH OR
2-43 HOMELESS CHILD OR ~~CARE~~ YOUTH. A person is exempt from the payment
2-44 of any fee for the issuance of a driver's license, as provided under
2-45 this chapter, if that person is:

2-46 (1) younger than 18 years of age and in the managing
2-47 conservatorship of the Department of Family and Protective
2-48 Services; ~~or~~

2-49 (2) at least 18 years of age, but younger than 21 years
2-50 of age, and resides in a foster care placement, the cost of which is
2-51 paid by the Department of Family and Protective Services; or

2-52 (3) a homeless child or youth as defined by 42 U.S.C.
2-53 Section 11434a.

2-54 SECTION 5. Section 521.421, Transportation Code, is amended
2-55 by adding Subsection (k) to read as follows:

2-56 (k) A person applying for the issuance or renewal of a
2-57 license, including a duplicate license or a license issued or
2-58 renewed over the Internet or by other electronic means, may elect to
2-59 contribute \$1 or more to the identification fee exemption account
2-60 established under Section 521.4265.

2-61 SECTION 6. Section 521.422, Transportation Code, is amended
2-62 by adding Subsection (d) to read as follows:

2-63 (d) A person applying for the issuance or renewal of a
2-64 personal identification card, including a duplicate personal
2-65 identification card or a personal identification card issued or
2-66 renewed over the Internet or by other electronic means, may elect to
2-67 contribute \$1 or more to the identification fee exemption account
2-68 established under Section 521.4265.

2-69 SECTION 7. Subchapter R, Chapter 521, Transportation Code,

3-1 is amended by adding Section 521.4265 to read as follows:
3-2 Sec. 521.4265. IDENTIFICATION FEE EXEMPTION ACCOUNT. (a)
3-3 The identification fee exemption account is created as an account
3-4 in the general revenue fund of the state treasury. The fund consists
3-5 of grants and donations made to the department for the purposes of
3-6 this section, including donations received under Sections
3-7 521.421(k) and 521.422(d). The department shall administer the
3-8 account. Money in the account may be appropriated for the purposes
3-9 of Subsection (b).

3-10 (b) For each exemption granted under Section 521.1015 or
3-11 521.1811, the department shall deposit to the credit of the Texas
3-12 mobility fund an amount from the identification fee exemption
3-13 account under Subsection (a) that is equal to the amount of the
3-14 waived fee that would otherwise be deposited to the mobility fund.

3-15 (c) The department may not grant an exemption under Section
3-16 521.1015 or 521.1811 if money is not available in the
3-17 identification fee exemption account to meet the requirements of
3-18 Subsection (b).

3-19 SECTION 8. The changes in law made by this Act apply to an
3-20 application for a driver's license, personal identification
3-21 certificate, or birth record submitted on or after the effective
3-22 date of this Act. An application for a driver's license, personal
3-23 identification certificate, or birth record submitted before the
3-24 effective date of this Act is governed by the law in effect on the
3-25 date the application was submitted, and the former law is continued
3-26 in effect for that purpose.

3-27 SECTION 9. This Act takes effect September 1, 2019.

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