

By: Neave

H.B. No. 623

A BILL TO BE ENTITLED

AN ACT

relating to an exemption for a homeless individual from the payment of a fee for the issuance of a driver's license or personal identification certificate.

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 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

1 or otherwise detained in a correctional facility.

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

6 (c) For the purposes of this section, a person's status as a
7 homeless individual must be confirmed by a notarized affidavit
8 from:

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

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

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

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

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

22 (6) a counselor or administrator at a school attended
23 by the homeless individual.

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

26 (e) An affidavit described by Subsection (c) may not be used
27 for a driver's license or personal identification certificate

1 application if the affidavit was signed more than 60 days before the
2 date the application is submitted.

3 (f) Subsection (b) does not apply to a person subject to the
4 registration requirements of Chapter 62, Code of Criminal
5 Procedure.

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

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

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

20 SECTION 2. This Act takes effect September 1, 2019.