

By: Menéndez

S.B. No. 115

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for the issuance of identification documentation for foster care youth.

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 FOSTER CHILD; PILOT PROGRAM. (a) In this section, "foster child" means a person who is 16 years of age or older and in the managing conservatorship of the Department of Family and Protective Services.

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

(c) The department shall participate in a foster child identification verification pilot program for the purpose of issuing birth records to foster children.

(d) Under the pilot program, the department may:

(1) enter into a memorandum of understanding with the Department of Family and Protective Services to establish an identification verification process for foster children; and

(2) issue a birth certificate to a foster child whose identity has been confirmed through the verification process.

(e) At the conclusion of the pilot program, the participating agencies may agree to continue the pilot program on a

1 permanent basis.

2 (f) Not later than January 1, 2019, the department and the
3 Department of Family and Protective Services shall jointly issue a
4 report to the legislature addressing the status and effectiveness
5 of the pilot program. This subsection expires September 1, 2019.

6 SECTION 2. Subchapter E, Chapter 521, Transportation Code,
7 is amended by adding Section 521.1015 to read as follows:

8 Sec. 521.1015. PERSONAL IDENTIFICATION CERTIFICATE ISSUED
9 TO FOSTER CHILD. (a) In this section, "foster child" means a
10 person who is 16 years of age or older and in the managing
11 conservatorship of the Department of Family and Protective
12 Services.

13 (b) Notwithstanding Section 521.101, Section 521.1426, or
14 any other provision of this chapter, a foster child may, in applying
15 for a personal identification certificate:

16 (1) provide a copy of the foster child's birth
17 certificate or a copy of the foster child's social security card as
18 proof of the foster child's identity and United States citizenship,
19 as applicable; and

20 (2) use the address of the regional office where the
21 Department of Family and Protective Services caseworker for the
22 foster child is based, if the foster child:

23 (A) does not have a residence or domicile; or

24 (B) cannot show proof of the foster child's
25 residence or domicile.

26 (c) A foster child may apply for and the department may
27 issue a personal identification certificate without the signature

1 or presence of or permission from a parent or guardian of the foster
2 child.

3 (d) A foster child is exempt from the payment of any fee for
4 the issuance of a personal identification certificate under this
5 chapter.

6 SECTION 3. The changes in law made by this Act apply only to
7 a request for a birth record or an application for a personal
8 identification certificate submitted on or after the effective date
9 of this Act. A request for a birth record or an application for a
10 personal identification certificate submitted before the effective
11 date of this Act is governed by the law as it existed immediately
12 before the effective date of this Act, and that law is continued in
13 effect for that purpose.

14 SECTION 4. This Act takes effect September 1, 2017.