

By: Johnson

S.B. No. 538

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the issuance of a driver's license or personal
3 identification certificate to a youth experiencing homelessness.

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

5 SECTION 1. Subchapter R, Chapter 521, Transportation Code,
6 is amended by adding Section 521.4265 to read as follows:

7 Sec. 521.4265. EXEMPTION FOR YOUTH EXPERIENCING
8 HOMELESSNESS. (a) In this section, "youth experiencing
9 homelessness":

10 (1) means an individual who is at least 16 years of age
11 and not older than 24 years of age and:

12 (A) lacks a fixed, regular, and adequate
13 nighttime residence; or

14 (B) has a primary nighttime residence that is:

15 (i) a supervised publicly or privately
16 operated shelter designed to provide temporary living
17 accommodations, including welfare hotels, congregate shelters, and
18 transitional housing for the mentally ill;

19 (ii) an institution that provides a
20 temporary residence for individuals intended to be
21 institutionalized; or

22 (iii) a public or private place not
23 designed for, or ordinarily used as, a regular sleeping
24 accommodation for human beings; and

1 (2) does not include an individual who is imprisoned
2 or otherwise detained in a correctional facility at the time an
3 application is submitted for a driver's license or personal
4 identification certificate.

5 (b) Except as provided by Subsections (f) and (i), a youth
6 experiencing homelessness is entitled to an exemption from the
7 payment of fees under this chapter for the issuance of a driver's
8 license or personal identification certificate.

9 (c) For the purposes of this section, a person's status as a
10 youth experiencing homelessness must be confirmed by a notarized
11 affidavit from:

12 (1) a case manager employed by:

13 (A) a homeless shelter or transitional housing
14 facility;

15 (B) an organization that provides to youth
16 experiencing homelessness or assists youth experiencing
17 homelessness in obtaining services such as health services, mental
18 or behavioral health services, substance abuse services, public
19 assistance services, or employment services; or

20 (C) a faith-based organization that provides
21 benefits or services to youth experiencing homelessness;

22 (2) a peace officer who is an official homeless
23 liaison; or

24 (3) a counselor or administrator at a school attended
25 by the youth experiencing homelessness.

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

1 (e) An affidavit described by Subsection (c) may not be used
2 for a driver's license or personal identification certificate
3 application if the affidavit was signed more than 60 days before the
4 date the application is submitted.

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

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

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

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

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