

By: Zaffirini

S.B. No. 1974

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the issuance of a driver's license, personal  
3 identification certificate, or birth record to a homeless  
4 individual.

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

6 SECTION 1. Subchapter A, Chapter 191, Health and Safety  
7 Code, is amended by adding Section 191.0049 to read as follows:

8 Sec. 191.0049. BIRTH RECORD ISSUED TO HOMELESS INDIVIDUAL.

9 (a) In this section, "homeless individual" has the meaning  
10 provided by Section 521.184, Transportation Code.

11 (b) On request of a homeless individual, the state  
12 registrar, a local registrar, or a county clerk shall issue,  
13 without fee, a certified copy of the individual's birth record to  
14 the individual.

15 (c) The department by rule shall:

16 (1) adopt a process to verify a person's status as a  
17 homeless individual; and

18 (2) prescribe the documentation necessary for the  
19 issuance of a certified copy of a birth record to a homeless  
20 individual.

21 (d) Notwithstanding any other law of this state, the  
22 department may not require a homeless individual to provide a  
23 physical address of the individual's residence to satisfy any  
24 requirement of this section.

1 SECTION 2. Subchapter I, Chapter 521, Transportation Code,  
2 is amended by adding Section 521.184 to read as follows:

3 Sec. 521.184. ISSUANCE OF LICENSE OR CERTIFICATE TO  
4 HOMELESS INDIVIDUAL. (a) In this section, "homeless individual":

5 (1) means an individual who:

6 (A) lacks a fixed, regular, and adequate  
7 nighttime residence; or

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

9 (i) a supervised publicly or privately  
10 operated shelter designed to provide temporary living  
11 accommodations, including welfare hotels, congregate shelters, and  
12 transitional housing for the mentally ill;

13 (ii) an institution that provides a  
14 temporary residence for individuals intended to be  
15 institutionalized; or

16 (iii) a public or private place not  
17 designed for, or ordinarily used as, a regular sleeping  
18 accommodation for human beings; and

19 (2) does not include an individual who is imprisoned  
20 or otherwise detained in a correctional facility.

21 (b) The department by rule shall:

22 (1) adopt a process to verify a person's status as a  
23 homeless individual;

24 (2) prescribe the documentation necessary for the  
25 issuance of a driver's license or personal identification  
26 certificate to a homeless individual; and

27 (3) exempt a homeless individual from the payment of

1 fees under this chapter for the issuance of a driver's license or  
2 personal identification certificate.

3 (c) For each fee exemption granted by the department under  
4 Subsection (b)(3), the department shall deposit to the credit of  
5 the Texas mobility fund the amount of the waived fee that would  
6 otherwise be deposited to that account.

7 (d) Notwithstanding any other law of this state and to the  
8 extent permitted under federal law, the department may not require  
9 a homeless individual to provide a physical address of the  
10 individual's residence to satisfy any requirement of this chapter.

11 SECTION 3. The changes in law made by this Act apply to an  
12 application for a driver's license, personal identification  
13 certificate, or birth record submitted on or after the effective  
14 date of this Act. An application for a driver's license, personal  
15 identification certificate, or birth record submitted before the  
16 effective date of this Act is governed by the law in effect on the  
17 date the application was submitted, and the former law is continued  
18 in effect for that purpose.

19 SECTION 4. This Act takes effect September 1, 2019.