

## **BILL ANALYSIS**

Senate Research Center

H.B. 368  
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State Affairs  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, as a way to better protect the privacy and security of law enforcement officers, Texas state law allows for peace officers to apply for and be issued a driver's license using an alternative address to their own residence.

H.B. 368 seeks to extend this authorization to prosecutors as well, given that they are highly visible members of their communities and are at increased risk of being harassed or confronted.

As the addition of an address on a driver's license can potentially endanger peace officers and prosecutors, allowing them to use an alternate address would limit their personal information available. These groups of people are at a high-risk of being targeted and omitting their residential addresses sets up protections for them.

H.B. 368 amends current law relating to the issuance of a driver's license to certain persons that includes an alternative to the license holder's residence address.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 521.1211, Transportation Code, as follows:

Sec. 521.1211. New heading: DRIVER'S LICENSE FOR PEACE OFFICERS AND PROSECUTORS. (a) Defines "prosecutor." Makes nonsubstantive changes.

(a-1) Provides that this section applies only to a peace officer and a prosecutor.

(b) Requires the Department of Public Safety of the State of Texas (DPS) by rule, notwithstanding Section 521.121(a) (relating to requiring the driver's license to include certain information), to adopt procedures for the issuance of a driver's license to an applicant, rather than a peace officer, that omits the license holder's actual residence address and includes, as an alternative, an address described under Subsection (f), rather than address that is acceptable to DPS and is in the municipality or county of the peace officer's residence or county of the peace officer's place of employment.

(c) Requires an applicant, rather than a peace officer, to be issued a driver's license under this section, to apply to DPS and provide sufficient evidence acceptable to DPS to establish the applicant's status as a person described under Subsection (a-1), rather than as a peace officer.

(d) Requires the license holder, if the holder of a driver's license that includes an alternative address moves to a new residence, or, for a prosecutor, to a new office address, or if the name of the person is changed by marriage or otherwise, not later than the 30th day after the date of the address or name change, to notify DPS

and provide DPS with the number of the person's driver's license and, as applicable, the person's former and new address or former and new names.

(e) Requires the license holder, if the holder of a driver's license that includes an alternative address ceases to be a person described by Subsection (a-1), rather than be a peace officer, not later than the 30th day after the date of the status change, to apply to DPS for issuance of a duplicate license.

(f) Requires DPS to accept as an alternative address:

(1) for a peace officer, an address that is in the municipality or county of the peace officer's residence or county of the peace officer's place of employment; and

(2) for a prosecutor, the address of an office of the prosecutor.

SECTION 2. Amends Section 63.0101, Election Code, by adding Subsection (d), to provide that pursuant to Section 63.001(c) (relating to procedures for accepting a voter), proof of identification is presented only for the purpose of identifying a voter and not for verification of residence.

SECTION 3. Effective date: September 1, 2021.