87R6228 JAM-D

By:  White H.B. No. 2286

A BILL TO BE ENTITLED

AN ACT

relating to the waiver of fees and costs associated with driver education and safety courses and driver's license examinations for foster children or youth, former foster children or youth, and youth experiencing homelessness.

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

SECTION 1.  Subchapter D, Chapter 1001, Education Code, is amended by adding Section 1001.152 to read as follows:

Sec. 1001.152.  WAIVER OF FEES FOR CERTAIN STUDENTS. (a) A course provider may not charge a student who is eligible for a fee exemption under Section 521.168, Transportation Code, fees and costs associated with a course approved under this chapter unless reimbursement of the fee or cost is prohibited under Section 521.4265(c), Transportation Code. Fees and costs subject to this section include:

(1)  fees for a driver education certificate or certificate number;

(2)  classroom or behind-the-wheel tuition;

(3)  fees for instructional supplies or books; and

(4)  laboratory fees, service charges, rental fees, and deposits.

(b)  The department may not charge a fee for a driver education certificate or certificate number for a parent-taught driver education course for a student who is eligible for a fee exemption under Section 521.168, Transportation Code, unless reimbursement of the fee is prohibited under Section 521.4265(c), Transportation Code.

SECTION 2.  Section 1001.355, Education Code, is amended to read as follows:

Sec. 1001.355.  WITHHOLDING CERTAIN RECORDS. (a) A driver training school may withhold a student's diploma or certificate of completion until the student fulfills the student's financial obligation to the school.

(b)  This section does not apply to a student entitled to a fee exemption under Section 1001.152, regardless of whether the driver training school is reimbursed for the student's financial obligation under Section 521.4265, Transportation Code.

SECTION 3.  Subchapter H, Chapter 521, Transportation Code, is amended by adding Section 521.168 to read as follows:

Sec. 521.168.  WAIVER OF FEES FOR CERTAIN FOSTER AND HOMELESS CHILDREN AND YOUTHS. Unless reimbursement or payment of the fee is prohibited under Section 521.4265(c), fees associated with meeting a requirement imposed under this subchapter shall be waived for a person who is:

(1)  eligible for a driver's license fee exemption under Section 521.1811; or

(2)  younger than 26 years of age and:

(A)  was in the managing conservatorship of the Department of Family and Protective Services on the day before the person's 18th birthday;

(B)  resided in a foster care placement, the cost of which was paid by the Department of Family and Protective Services; or

(C)  is a homeless child or youth as defined by 42 U.S.C. Section 11434a.

SECTION 4.  Section 521.4265, Transportation Code, is amended by amending Subsections (b) and (c) and adding Subsection (d) to read as follows:

(b)  From the money in the identification fee exemption account the department shall:

(1)  make reimbursements for:

(A)  fees waived by course providers and the Texas Department of Licensing and Regulation under Section 1001.152, Education Code; and

(B)  fees waived under Section 521.168 of this code by entities other than the department;

(2)  pay the department's costs associated with providing waivers under Section 521.168 of this code; and

(3)  for [~~For~~] each exemption granted under Section 521.1015 or 521.1811, [~~the department shall~~] deposit to the credit of the Texas mobility fund an amount [~~from the identification fee exemption account under Subsection (a)~~] that is equal to the amount of the waived fee that would otherwise be deposited to the mobility fund.

(c)  The department may not:

(1)  make a reimbursement under Subsection (b)(1) or pay a cost under Subsection (b)(2) if the balance of the account for the fiscal year is less than three times the amount expended in the previous fiscal year for the waivers provided by Sections 521.1015(e) and 521.1811; or

(2)  grant an exemption under Section 521.1015 or 521.1811 if money is not available in the identification fee exemption account to meet the requirements of Subsection (b)(3) [~~(b)~~].

(d)  The department by rule shall establish a process by which reimbursement is made under Subsection (b).

SECTION 5.  This Act takes effect September 1, 2021.