87R11314 TYPED

By:  Paxton S.B. No. 991

A BILL TO BE ENTITLED

AN ACT

relating to certain vendors entering into agreements with the Department of Public Safety for the issuance of renewal and duplicate driver's licenses and other identification certificate services, including voter registration services.

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

SECTION 1.  Section 20.001, Election Code, is amended by adding Subsection (b-1) to read as follows:

(b-1)  Each vendor that provides services under an agreement described by Section 521.009, Transportation Code, is designated as a voter registration agency.

SECTION 2.  The heading to Subchapter C, Chapter 20, Election Code, is amended to read as follows:

SUBCHAPTER C. DEPARTMENT OF PUBLIC SAFETY AND VENDORS

SECTION 3.  Section 20.061, Election Code, is amended to read as follows:

Sec. 20.061.  APPLICABILITY [~~OF OTHER PROVISIONS~~]. (a) The other provisions of this chapter apply to the Department of Public Safety and vendors described by Section 20.001(b-1) except provisions that conflict with this subchapter.

(b)  The provisions of this subchapter apply to vendors described by Section 20.001(b-1) in the same manner as those provisions apply to the Department of Public Safety.

SECTION 4.  Section 521.009, Transportation Code, is amended by amending Subsections (a), (a-1), and (c) and adding Subsections (e-1), (e-2), and (g) to read as follows:

(a)  The department may establish a program for the provision of renewal and duplicate driver's license, election identification certificate, and personal identification certificate services by [~~in~~] counties, [~~and~~] municipalities, and private vendors that enter into an agreement with the department under Subsection (a-1).

(a-1)  Under the program, the department may enter into an agreement with the commissioners court of a county, [~~or~~] the governing body of a municipality, or a private vendor, to permit county, [~~or~~] municipal, or vendor employees to provide services at a county or municipal office or at a location determined by the vendor relating to the issuance of renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates, including:

(1)  taking photographs;

(2)  administering vision tests;

(3)  updating a driver's license, election identification certificate, or personal identification certificate to change a name, address, or photograph;

(4)  distributing and collecting information relating to donations under Section 521.401;

(5)  collecting fees; and

(6)  performing other basic ministerial functions and tasks necessary to issue renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates.

(c)  A participating county, [~~or~~] municipality, or vendor must remit to the department for deposit as required by this chapter fees collected for the issuance of a renewal or duplicate driver's license or personal identification certificate.

(e-1)  An agreement under Subsection (a-1) with a vendor must require the vendor to:

(1)  comply with training requirements developed by the department under Subsection (e-2);

(2)  agree to serve as a voter registration agency in a manner that ensures compliance with federal law; and

(3)  comply with the same privacy and information security standards required of the department.

(e-2)  The department shall develop training requirements for a vendor relating to the services provided by the vendor under this section.

(g)  The department may perform periodic audits of a vendor that has entered into an agreement with the department under Subsection (a-1) to ensure compliance with this section, the agreement entered into under this section, and any rules adopted by the department under this section.

SECTION 5.  Section 521.428, Transportation Code, is amended to read as follows:

Sec. 521.428.  COUNTY, [~~OR~~] MUNICIPAL, OR PRIVATE VENDOR FEE. (a) A county, [~~or~~] municipality, or private vendor that provides services under an agreement described by Section 521.009 may collect an additional fee of up to $10 [~~$5~~] for each transaction provided that relates to driver's license and personal identification certificate services only.

(b)  No portion of a fee authorized under this section may be charged for performing a function in connection with voter registration.

SECTION 6.  As soon as practicable after the effective date of this Act, the Department of Public Safety of the State of Texas shall adopt rules as necessary to implement Section 521.009, Transportation Code, as amended by this Act.

SECTION 7.  This Act takes effect September 1, 2021.