87R4841 CXP-D

By:  Paxton S.B. No. 1771

A BILL TO BE ENTITLED

AN ACT

relating to the assumption by the office of the secretary of state of the powers and duties relating to driver's licenses, personal identification certificates, and other related programs, powers, and duties and to the provision of some of those services by certain vendors; authorizing a fee.

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

SECTION 1.  Section 192.005, Transportation Code, is amended to read as follows:

Sec. 192.005.  RECORD OF ACCIDENT OR VIOLATION. If a person operating a railroad locomotive or train is involved in an accident with another train or a motor vehicle or is arrested for violation of a law relating to the person's operation of a railroad locomotive or train:

(1)  the number of or other identifying information on the person's driver's license or commercial driver's license may not be included in any report of the accident or violation; and

(2)  the person's involvement in the accident or violation may not be recorded in the person's individual driving record maintained by the office [~~Department~~] of the secretary of state [~~Public Safety~~].

SECTION 2.  Section 201.806(b), Transportation Code, is amended to read as follows:

(b)  The department shall provide electronic access to the system containing the accident reports so that the office [~~Department~~] of the secretary of state [~~Public Safety~~] can perform its duties, including the duty to make timely entries on driver records.

SECTION 3.  Sections 502.357(b), (c), and (d), Transportation Code, are amended to read as follows:

(b)  Fees collected under this section shall be deposited to the credit of the state highway fund except that the comptroller shall provide for a portion of the fees to be deposited first to the credit of a special fund in the state treasury outside the general revenue fund to be known as the TexasSure Fund in a total amount that is necessary to cover the total amount appropriated to the Texas Department of Insurance from that fund and for the remaining fees to be deposited to the state highway fund. Subject to appropriations, the money deposited to the credit of the state highway fund under this section may be used by the office of the secretary of state [~~Department of Public Safety~~] to:

(1)  support the office of the secretary of state's [~~Department of Public Safety's~~] reengineering of the driver's license system to provide for the issuance by the office of the secretary of state [~~Department of Public Safety~~] of a driver's license or personal identification certificate, to include use of image comparison technology; and

(2)  make lease payments to the master lease purchase program for the financing of the driver's license reengineering project.

(c)  Subject to appropriation, fees collected under this section may be used by the office of the secretary of state [~~Department of Public Safety~~], the Texas Department of Insurance, the Department of Information Resources, and the department to carry out Subchapter N, Chapter 601.

(d)  The office of the secretary of state [~~Department of Public Safety~~], the Texas Department of Insurance, the Department of Information Resources, and the department shall jointly adopt rules and develop forms necessary to administer this section.

SECTION 4.  Sections 521.001(a)(1-a) and (2), Transportation Code, are amended to read as follows:

(1-a)  "Department" means the office [~~Department~~] of the secretary of state [~~Public Safety~~].

(2)  "Director" means the secretary of state [~~public safety director~~].

SECTION 5.  Section 521.009, Transportation Code, is amended by amending Subsections (a), (a-1), (b), and (c) and adding Subsections (a-2), (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 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 vendor, subject to Subsection (a-2), 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.

(a-2)  The department may enter into an agreement with a vendor under Subsection (a-1) only if the vendor:

(1)  is a driver education school authorized under Section 521.165(e) to administer the examination required by Section 521.161(b)(2); or

(2)  otherwise performs customer service functions for the public.

(b)  An agreement under Subsection (a-1) may not include the administration of [~~training to administer~~] an examination for driver's license applicants under Subchapter H unless the agreement is with a driver education school described by Subsection (a-2)(1).

(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, including standards required under:

(A)  this chapter;

(B)  Chapter 2054, Government Code;

(C)  Chapter 2059, Government Code; or

(D)  other law.

(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 6.  Section 521.044(a), Transportation Code, is amended to read as follows:

(a)  Information provided on a driver's license or personal identification certificate application that relates to the applicant's social security number may be used only by the department or disclosed only to:

(1)  the child support enforcement division of the attorney general's office;

(2)  another state entity responsible for enforcing the payment of child support;

(3)  the United States Selective Service System as provided by Section 521.147;

(4)  the unclaimed property division of the comptroller's office;

(5)  the Health and Human Services Commission; or

(6)  [~~the secretary of state for the purposes of voter registration or the administration of elections; or~~

[~~(7)~~]  an agency of another state responsible for issuing driver's licenses or identification documents.

SECTION 7.  Section 521.044(c)(1), Transportation Code, is amended to read as follows:

(1)  On the request of a state entity responsible for investigating or enforcing the payment of child support [~~or the secretary of state~~], the department shall disclose information regarding an applicant's social security number.

SECTION 8.  Subchapter C, Chapter 521, Transportation Code, is amended by adding Section 521.064 to read as follows:

Sec. 521.064.  REPRODUCTION OF RECORDS. (a) Except as provided by Subsection (b), the department may photograph, microphotograph, or film any record in connection with the issuance of a driver's license or commercial driver's license.

(b)  An original fingerprint card may not be photographed or filmed to dispose of the original record.

(c)  The department may create original records in micrographic form on media, such as computer output microfilm.

(d)  A photograph, microphotograph, or film of a record reproduced under Subsection (a) is equivalent to the original record for all purposes, including introduction as evidence in all courts and administrative agency proceedings. A certified or authenticated copy of such a photograph, microphotograph, or film is admissible as evidence equally with the original photograph, microphotograph, or film.

(e)  The director or an authorized representative may certify the authenticity of a photograph, microphotograph, or film of a record reproduced under this section and shall charge a fee for the certified photograph, microphotograph, or film as provided by law.

(f)  Certified records shall be furnished to any person who is authorized by law to receive them.

SECTION 9.  Section 521.103, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d)  The Department of Public Safety may access any photograph of a person described by Subsection (a) that is made available to the department through the process of issuing a personal identification certificate under this section, including a renewal, duplicate, or corrected certificate, for use by the Department of Public Safety for purposes of Article 62.005(c), Code of Criminal Procedure.

SECTION 10.  Section 521.247, Transportation Code, is amended to read as follows:

Sec. 521.247.  APPROVAL OF IGNITION INTERLOCK DEVICES BY DEPARTMENT OF PUBLIC SAFETY. (a) The Department of Public Safety [~~department~~] shall adopt rules for the approval of ignition interlock devices used under this subchapter.

(b)  The Department of Public Safety [~~department~~] by rule shall establish general standards for the calibration and maintenance of the devices. The manufacturer or an authorized representative of the manufacturer is responsible for calibrating and maintaining the device.

(c)  If the Department of Public Safety [~~department~~] approves a device, the Department of Public Safety [~~department~~] shall notify the manufacturer of that approval in writing. Written notice from the Department of Public Safety [~~department~~] to a manufacturer is admissible in a civil or criminal proceeding in this state. The manufacturer shall reimburse the Department of Public Safety [~~department~~] for any cost incurred by the Department of Public Safety [~~department~~] in approving the device.

(d)  The Department of Public Safety [~~department~~] is not liable in a civil or criminal proceeding that arises from the use of an approved device.

SECTION 11.  Section 521.2475, Transportation Code, is amended to read as follows:

Sec. 521.2475.  IGNITION INTERLOCK DEVICE EVALUATION. (a) On January 1 of each year, the Department of Public Safety [~~department~~] shall issue an evaluation of each ignition interlock device approved under Section 521.247 using guidelines established by the National Highway Traffic Safety Administration, including:

(1)  whether the device provides accurate detection of alveolar air;

(2)  the moving retest abilities of the device;

(3)  the use of tamper-proof blood alcohol content level software by the device;

(4)  the anticircumvention design of the device;

(5)  the recalibration requirements of the device; and

(6)  the breath action required by the operator.

(b)  The Department of Public Safety [~~department~~] shall assess the cost of preparing the evaluation equally against each manufacturer of an approved device.

SECTION 12.  Sections 521.2476(a), (b), (c), and (d), Transportation Code, are amended to read as follows:

(a)  The Department of Public Safety [~~department~~] by rule shall establish:

(1)  minimum standards for vendors of ignition interlock devices who conduct business in this state; and

(2)  procedures to ensure compliance with those standards, including procedures for the inspection of a vendor's facilities.

(b)  The minimum standards shall require each vendor to:

(1)  be authorized by the Department of Public Safety [~~department~~] to do business in this state;

(2)  install a device only if the device is approved under Section 521.247;

(3)  obtain liability insurance providing coverage for damages arising out of the operation or use of devices in amounts and under the terms specified by the Department of Public Safety [~~department~~];

(4)  install the device and activate any anticircumvention feature of the device within a reasonable time after the vendor receives notice that installation is ordered by a court;

(5)  install and inspect the device in accordance with any applicable court order;

(6)  repair or replace a device not later than 48 hours after receiving notice of a complaint regarding the operation of the device;

(7)  submit a written report of any violation of a court order to that court and to the person's supervising officer, if any, not later than 48 hours after the vendor discovers the violation;

(8)  maintain a record of each action taken by the vendor with respect to each device installed by the vendor, including each action taken as a result of an attempt to circumvent the device, until at least the fifth anniversary after the date of installation;

(9)  make a copy of the record available for inspection by or send a copy of the record to any court, supervising officer, or the Department of Public Safety [~~department~~] on request; and

(10)  annually provide to the Department of Public Safety [~~department~~] a written report of each service and ignition interlock device feature made available by the vendor.

(c)  The Department of Public Safety [~~department~~] may revoke its [~~the department's~~] authorization for a vendor to do business in this state if the vendor or an officer or employee of the vendor violates:

(1)  any law of this state that applies to the vendor; or

(2)  any rule adopted by the Department of Public Safety [~~department~~] under this section or another law that applies to the vendor.

(d)  A vendor shall reimburse the Department of Public Safety [~~department~~] for the reasonable cost of conducting each inspection of the vendor's facilities under this section.

SECTION 13.  Section 521.272, Transportation Code, is amended by adding Subsection (e) to read as follows:

(e)  The Department of Public Safety may access any photograph of a person described by Subsection (a) that is made available to the department through the process of issuing a driver's license under this section, including a renewal, duplicate, or corrected license, for use by the Department of Public Safety for purposes of Article 62.005(c), Code of Criminal Procedure.

SECTION 14.  Section 521.428, Transportation Code, is amended to read as follows:

Sec. 521.428.  COUNTY, [~~OR~~] MUNICIPAL, OR VENDOR FEE. (a) A county, [~~or~~] municipality, or vendor that provides services under an agreement described by Section 521.009 may collect an additional fee of up to $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 15.  Sections 521A.001(a), (b), (e), (f), (g), and (h), Transportation Code, are amended to read as follows:

(a)  The office of the secretary of state [~~department~~] shall issue an election identification certificate to a person who states that the person is obtaining the certificate for the purpose of satisfying Section 63.001(b), Election Code, and does not have another form of identification described by Section 63.0101(a), Election Code, and:

(1)  who is a registered voter in this state and presents a valid voter registration certificate; or

(2)  who is eligible for registration under Section 13.001, Election Code, and submits a registration application to the department.

(b)  The office of the secretary of state [~~department~~] may not collect a fee for an election identification certificate or a duplicate election identification certificate issued under this section.

(e)  An election identification certificate must be similar in form to, but distinguishable in color from, a driver's license and a personal identification certificate.  [~~The department may cooperate with the secretary of state in developing the form and appearance of an election identification certificate.~~]

(f)  The office of the secretary of state [~~department~~] may require each applicant for an original or renewal election identification certificate to furnish to the office [~~department~~] the information required by Section 521.142.

(g)  The office of the secretary of state [~~department~~] may cancel and require surrender of an election identification certificate after determining that the holder was not entitled to the certificate or gave incorrect or incomplete information in the application for the certificate.

(h)  A certificate expires on a date specified by the office of the secretary of state [~~department~~], except that a certificate issued to a person 70 years of age or older does not expire.

SECTION 16.  Section 522.003(8), Transportation Code, is amended to read as follows:

(8)  "Department" means the office [~~Department~~] of the secretary of state [~~Public Safety~~].

SECTION 17.  Section 522.007, Transportation Code, is amended to read as follows:

Sec. 522.007.  EXEMPTION FOR NEIGHBORING STATES. (a) The secretary of state [~~public safety director~~] shall enter negotiations with an appropriate person or entity of a state bordering this state for the purpose of applying the exemption contained in Section 522.004(a)(1) to residents of that state.

(b)  The secretary of state [~~public safety director~~] may enter an agreement to apply the exemption contained in Section 522.004(a)(1) to residents of a bordering state only if that state extends a similar exemption to residents of this state.

SECTION 18.  Section 522.152(d), Transportation Code, is amended to read as follows:

(d)  The organization shall submit an annual report to the secretary [~~director~~] of state [~~the department~~] that includes the total dollar amount of contributions received by the organization under this section.

SECTION 19.  Sections 523.003(2) and (5), Transportation Code, are amended to read as follows:

(2)  "Executive director" means the secretary [~~director~~] of state [~~the Department of Public Safety~~] or the equivalent officer of another state.

(5)  "Licensing authority" means the office [~~Department~~] of the secretary of state [~~Public Safety~~] or the equivalent agency of another state.

SECTION 20.  Sections 524.001(8) and (9), Transportation Code, are amended to read as follows:

(8)  "Department" means the office [~~Department~~] of the secretary of state [~~Public Safety~~].

(9)  "Director" means the secretary [~~public safety director~~] of state [~~the department~~].

SECTION 21.  Section 525.001(b), Transportation Code, is amended to read as follows:

(b)  The office [~~Department~~] of the secretary of state [~~Public Safety~~] shall include motorcycle and bicycle awareness information in [~~any edition of~~] the Texas driver's handbook [~~published after the department exhausts the supply of the handbook that the department had on September 1, 1993~~].

SECTION 22.  Section 542.304(a), Transportation Code, is amended to read as follows:

(a)  The department by rule shall designate the offenses involving the operation of a motor vehicle that constitute a moving violation of the traffic law for the purposes of:

(1)  [~~Article 102.022(a), Code of Criminal Procedure;~~

[~~(2)~~]  Section 1001.112(a-2), Education Code;

(2) [~~(3)~~]  Section 411.110(f), Government Code; and

(3) [~~(4)~~]  Sections 773.0614(b) and 773.06141(a), Health and Safety Code.

SECTION 23.  Section 543.112(b), Transportation Code, is amended to read as follows:

(b)  The uniform certificate of course completion must include an identifying number by which the Texas Department of Licensing and Regulation, the court, [~~or~~] the department, or the office of the secretary of state may verify its authenticity with the course provider and must be in a form adopted by the Texas Department of Licensing and Regulation.

SECTION 24.  Section 601.002(1), Transportation Code, is amended to read as follows:

(1)  "Department" means the office [~~Department~~] of the secretary of state [~~Public Safety~~].

SECTION 25.  Subchapter A, Chapter 601, Transportation Code, is amended by adding Section 601.010 to read as follows:

Sec. 601.010.  ACCESS TO RECORDS BY DEPARTMENT OF PUBLIC SAFETY. The Department of Public Safety may access the department's records relating to the suspension of a driver's license and vehicle registration under this chapter.

SECTION 26.  Section 601.233(a), Transportation Code, is amended to read as follows:

(a)  A citation for an offense under Section 601.191 issued as a result of Section 601.053 must include, in type larger than other type on the citation, the following statement:

"A second or subsequent conviction of an offense under the Texas Motor Vehicle Safety Responsibility Act will result in the suspension of your driver's license and motor vehicle registration unless you file and maintain evidence of financial responsibility with the office [~~Department~~] of the secretary of state [~~Public Safety~~] for two years from the date of conviction. The office [~~department~~] may waive the requirement to file evidence of financial responsibility if you file satisfactory evidence with the office [~~department~~] showing that at the time this citation was issued, the vehicle was covered by a motor vehicle liability insurance policy or that you were otherwise exempt from the requirements to provide evidence of financial responsibility."

SECTION 27.  Sections 643.253(g) and (h), Transportation Code, are amended to read as follows:

(g)  As soon as practicable after the date a person is convicted of an offense under Subsection (b), the convicting court shall notify the office of the secretary of state [~~Department of Public Safety~~] of the conviction.  The notice must be in a form prescribed by the office of the secretary of state [~~Department of Public Safety~~] and must contain the person's driver's license number.

(h)  A conviction under Subsection (b) shall be recorded in the person's driving record maintained by the office of the secretary of state [~~Department of Public Safety~~].

SECTION 28.  Section 662.011(a), Transportation Code, is amended to read as follows:

(a)  Of each fee collected under Sections 521.421(b) and (g) and Sections 522.029(f) and (g), the office [~~Department~~] of the secretary of state [~~Public Safety~~] shall send $5 to the comptroller for deposit to the credit of the motorcycle education fund account.

SECTION 29.  Section 703.001(2), Transportation Code, is amended to read as follows:

(2)  "Department" and "licensing authority" mean the office [~~Department~~] of the secretary of state [~~Public Safety~~].

SECTION 30.  Section 706.001(2), Transportation Code, is amended to read as follows:

(2)  "Department" means the office [~~Department~~] of the secretary of state [~~Public Safety~~].

SECTION 31.  Section 706.008(c), Transportation Code, is amended to read as follows:

(c)  Except for an action based on a citation issued by a peace officer employed by the Department of Public Safety [~~department~~], the vendor may not be compensated with state money.

SECTION 32.  Section 724.001(7), Transportation Code, is amended to read as follows:

(7)  "Department" means the office [~~Department~~] of the secretary of state [~~Public Safety~~].

SECTION 33.  Section 724.016, Transportation Code, is amended to read as follows:

Sec. 724.016.  BREATH SPECIMEN. (a) A breath specimen taken at the request or order of a peace officer must be taken and analyzed under rules of the Department of Public Safety [~~department~~] by an individual possessing a certificate issued by the Department of Public Safety [~~department~~] certifying that the individual is qualified to perform the analysis.

(b)  The Department of Public Safety [~~department~~] may:

(1)  adopt rules approving satisfactory analytical methods; and

(2)  ascertain the qualifications of an individual to perform the analysis.

(c)  The Department of Public Safety [~~department~~] may revoke a certificate for cause.

SECTION 34.  Sections 724.032(a) and (b), Transportation Code, are amended to read as follows:

(a)  If a person refuses to submit to the taking of a specimen, whether expressly or because of an intentional failure of the person to give the specimen, the peace officer shall:

(1)  serve notice of license suspension or denial on the person;

(2)  take possession of any license issued by this state and held by the person arrested;

(3)  issue a temporary driving permit to the person unless department records show or the officer otherwise determines that the person does not hold a license to operate a motor vehicle in this state; and

(4)  make a written report of the refusal to the secretary of state [~~director of the department~~].

(b)  The secretary of state [~~director~~] must approve the form of the refusal report. The report must:

(1)  show the grounds for the officer's belief that the person had been operating a motor vehicle or watercraft powered with an engine having a manufacturer's rating of 50 horsepower or above while intoxicated; and

(2)  contain a copy of:

(A)  the refusal statement requested under Section 724.031; or

(B)  a statement signed by the officer that the person refused to:

(i)  submit to the taking of the requested specimen; and

(ii)  sign the requested statement under Section 724.031.

SECTION 35.  Subchapter C, Chapter 724, Transportation Code, is amended by adding Section 724.0345 to read as follows:

Sec. 724.0345.  ACCESS TO RECORDS BY DEPARTMENT OF PUBLIC SAFETY. The Department of Public Safety may access the department's records relating to the suspension or denial of a driver's license.

SECTION 36.  Section 106.03(b), Alcoholic Beverage Code, is amended to read as follows:

(b)  A person who sells a minor an alcoholic beverage does not commit an offense if the minor falsely represents himself to be 21 years old or older by displaying an apparently valid proof of identification that contains a physical description and photograph consistent with the minor's appearance, purports to establish that the minor is 21 years of age or older, and was issued by a governmental agency.  The proof of identification may include a driver's license or identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~], a passport, or a military identification card.

SECTION 37.  Section 106.06(d), Alcoholic Beverage Code, is amended to read as follows:

(d)  A judge, acting under Chapter 42A, Code of Criminal Procedure, who places a defendant charged with an offense under this section on community supervision under that chapter shall, if the defendant committed the offense at a gathering where participants were involved in the abuse of alcohol, including binge drinking or forcing or coercing individuals to consume alcohol, in addition to any other condition imposed by the judge:

(1)  require the defendant to:

(A)  perform community service for not less than 20 or more than 40 hours; and

(B)  attend an alcohol awareness program approved under Section 106.115; and

(2)  order the office [~~Department~~] of the secretary of state [~~Public Safety~~] to suspend the driver's license or permit of the defendant or, if the defendant does not have a driver's license or permit, to deny the issuance of a driver's license or permit to the defendant for 180 days.

SECTION 38.  Section 106.071(d), Alcoholic Beverage Code, is amended to read as follows:

(d)  In addition to any fine and any order issued under Section 106.115:

(1)  the court shall order a minor placed on deferred disposition for or convicted of an offense to which this section applies to perform community service for:

(A)  not less than eight or more than 12 hours, if the minor has not been previously convicted of an offense to which this section applies; or

(B)  not less than 20 or more than 40 hours, if the minor has been previously convicted once of an offense to which this section applies; and

(2)  the court shall order the office [~~Department~~] of the secretary of state [~~Public Safety~~] to suspend the driver's license or permit of a minor convicted of an offense to which this section applies or, if the minor does not have a driver's license or permit, to deny the issuance of a driver's license or permit for:

(A)  30 days, if the minor has not been previously convicted of an offense to which this section applies;

(B)  60 days, if the minor has been previously convicted once of an offense to which this section applies; or

(C)  180 days, if the minor has been previously convicted twice or more of an offense to which this section applies.

SECTION 39.  Sections 106.115(b-2), (d), and (e), Alcoholic Beverage Code, are amended to read as follows:

(b-2)  For purposes of Subsection (b-1), if the defendant is enrolled in an institution of higher education located in a county in which access to an alcohol awareness program is readily available, the court may consider the defendant to be a resident of that county. If the defendant is not enrolled in such an institution of higher education or if the court does not consider the defendant to be a resident of the county in which the institution is located, the defendant's residence is the residence listed on the defendant's driver's license or personal identification certificate issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~]. If the defendant does not have a driver's license or personal identification certificate issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~], the defendant's residence is the residence on the defendant's voter registration certificate. If the defendant is not registered to vote, the defendant's residence is the residence on file with the public school district on which the defendant's enrollment is based. If the defendant is not enrolled in public school, the defendant's residence is determined as provided by commission rule.

(d)  If the defendant does not present the required evidence within the prescribed period, the court:

(1)  shall order the office [~~Department~~] of the secretary of state [~~Public Safety~~] to:

(A)  suspend the defendant's driver's license or permit for a period not to exceed six months or, if the defendant does not have a license or permit, to deny the issuance of a license or permit to the defendant for that period; or

(B)  if the defendant has been previously convicted of an offense under one or more of the sections listed in Subsection (a), suspend the defendant's driver's license or permit for a period not to exceed one year or, if the defendant does not have a license or permit, to deny the issuance of a license or permit to the defendant for that period; and

(2)  may order the defendant or the parent, managing conservator, or guardian of the defendant to do any act or refrain from doing any act if the court determines that doing the act or refraining from doing the act will increase the likelihood that the defendant will present evidence to the court that the defendant has satisfactorily completed an alcohol awareness program or performed the required hours of community service.

(e)  The office [~~Department~~] of the secretary of state [~~Public Safety~~] shall send notice of the suspension or prohibition order issued under Subsection (d) by first class mail to the defendant. The notice must include the date of the suspension or prohibition order, the reason for the suspension or prohibition, and the period covered by the suspension or prohibition.

SECTION 40.  Section 106.15(e), Alcoholic Beverage Code, is amended to read as follows:

(e)  A person does not commit an offense under Subsection (a) if the person younger than 18 years of age falsely represents the person's age to be at least 18 years of age by displaying an apparently valid Texas driver's license or an identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~] containing a physical description consistent with the person's appearance.

SECTION 41.  Section 20.23(b), Business & Commerce Code, is amended to read as follows:

(b)  Information or documentation that identifies a protected consumer or a representative of a protected consumer is considered sufficient proof of identity for purposes of this subchapter, including:

(1)  a social security number or a copy of the social security card issued by the United States Social Security Administration;

(2)  a certified or official copy of a birth certificate issued by the entity authorized to issue the birth certificate;

(3)  a copy of a driver's license or identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~]; or

(4)  any other government-issued identification.

SECTION 42.  Article 42.016, Code of Criminal Procedure, is amended to read as follows:

Art. 42.016.  SPECIAL DRIVER'S LICENSE OR IDENTIFICATION REQUIREMENTS FOR CERTAIN SEX OFFENDERS. If a person is convicted of, receives a grant of deferred adjudication for, or is adjudicated as having engaged in delinquent conduct based on a violation of an offense for which a conviction or adjudication requires registration as a sex offender under Chapter 62, the court shall:

(1)  issue an order requiring the office [~~Texas Department~~] of the secretary of state [~~Public Safety~~] to include in any driver's license record or personal identification certificate record maintained by the office [~~department~~] for the person an indication that the person is subject to the registration requirements of Chapter 62;

(2)  require the person to apply to the office [~~Texas Department~~] of the secretary of state [~~Public Safety~~] in person for an original or renewal driver's license or personal identification certificate not later than the 30th day after the date the person is released or the date the office [~~department~~] sends written notice to the person of the requirements of Article 62.060, as applicable, and to annually renew the license or certificate;

(3)  notify the person of the consequence of the conviction or order of deferred adjudication as it relates to the order issued under this article; and

(4)  send to the office [~~Texas Department~~] of the secretary of state [~~Public Safety~~] a copy of the record of conviction, a copy of the order granting deferred adjudication, or a copy of the juvenile adjudication, as applicable, and a copy of the order issued under this article.

SECTION 43.  Article 42A.403(a), Code of Criminal Procedure, is amended to read as follows:

(a)  A judge who places on community supervision a defendant convicted of an offense under Sections 49.04-49.08, Penal Code, shall require as a condition of community supervision that the defendant attend and successfully complete, before the 181st day after the date community supervision is granted, an educational program designed to rehabilitate persons who have driven while intoxicated that is jointly approved by:

(1)  the Texas Department of Licensing and Regulation;

(2)  the office [~~Department~~] of the secretary of state [~~Public Safety~~];

(3)  the traffic safety section of the traffic operations division of the Texas Department of Transportation; and

(4)  the community justice assistance division of the Texas Department of Criminal Justice.

SECTION 44.  Article 42A.406, Code of Criminal Procedure, is amended to read as follows:

Art. 42A.406.  EFFECT OF EDUCATIONAL PROGRAM REQUIREMENTS ON DRIVING RECORD AND LICENSE. (a) If a defendant is required as a condition of community supervision to attend an educational program under Article 42A.403 or 42A.404, or if the court waives the educational program requirement under Article 42A.403 or the defendant successfully completes equivalent education under Article 42A.4045, the court clerk shall immediately report that fact to the office [~~Department~~] of the secretary of state [~~Public Safety~~], on a form prescribed by the office [~~department~~], for inclusion in the defendant's driving record. If the court grants an extension of time in which the defendant may complete the educational program under Article 42A.403, the court clerk shall immediately report that fact to the office [~~Department~~] of the secretary of state [~~Public Safety~~] on a form prescribed by the office [~~department~~]. The clerk's report under this subsection must include the beginning date of the defendant's community supervision.

(b)  On the defendant's successful completion of an educational program under Article 42A.403 or 42A.404, the defendant's instructor shall give notice to the office [~~Department~~] of the secretary of state [~~Public Safety~~] for inclusion in the defendant's driving record and to the community supervision and corrections department. The community supervision and corrections department shall forward the notice to the court clerk for filing.

(c) [~~(b-1)~~]  Upon release from a residential treatment facility at which the person successfully completed equivalent education under Article 42A.4045, at the request of the court clerk, the director of the residential treatment facility shall give notice to the office [~~Department~~] of the secretary of state [~~Public Safety~~] for inclusion in the person's driving record.

(d) [~~(c)~~]  If the office [~~Department~~] of the secretary of state [~~Public Safety~~] does not receive notice that a defendant required to complete an educational program has successfully completed the program within the period required by the judge under this subchapter, as shown on office [~~department~~] records, the office [~~department~~], as provided by Sections 521.344(e) and (f), Transportation Code, shall:

(1)  revoke the defendant's driver's license; or

(2)  prohibit the defendant from obtaining a license.

(e) [~~(d)~~]  The office [~~Department~~] of the secretary of state [~~Public Safety~~] may not reinstate a license revoked under Subsection (d) [~~(c)~~] as the result of an educational program requirement imposed under Article 42A.403 unless the defendant whose license was revoked applies to the office [~~department~~] for reinstatement of the license and pays to the office [~~department~~] a reinstatement fee of $100. The office [~~Department~~] of the secretary of state [~~Public Safety~~] shall remit all fees collected under this subsection to the comptroller for deposit in the general revenue fund.

SECTION 45.  Articles 42A.407(c) and (e), Code of Criminal Procedure, are amended to read as follows:

(c)  If the office [~~Department~~] of the secretary of state [~~Public Safety~~] receives notice that a defendant has been required to attend a subsequent educational program under Article 42A.403 or 42A.404, although the previously required attendance had been waived, but the judge has not ordered a period of suspension, the office [~~department~~] shall:

(1)  suspend the defendant's driver's license; or

(2)  issue an order prohibiting the defendant from obtaining a license for a period of one year.

(e)  The suspension of a defendant's driver's license under Subsection (d) shall be reported to the office [~~Department~~] of the secretary of state [~~Public Safety~~] as provided under Section 521.347, Transportation Code.

SECTION 46.  Articles 45.050(c) and (f), Code of Criminal Procedure, are amended to read as follows:

(c)  If a child fails to obey an order of a justice or municipal court under circumstances that would constitute contempt of court, the justice or municipal court, after providing notice and an opportunity to be heard, may:

(1)  refer the child to the appropriate juvenile court for delinquent conduct for contempt of the justice or municipal court order; or

(2)  retain jurisdiction of the case, hold the child in contempt of the justice or municipal court, and order either or both of the following:

(A)  that the contemnor pay a fine not to exceed $500; or

(B)  that the office [~~Department~~] of the secretary of state [~~Public Safety~~] suspend the contemnor's driver's license or permit or, if the contemnor does not have a license or permit, to deny the issuance of a license or permit to the contemnor until the contemnor fully complies with the orders of the court.

(f)  A court that orders suspension or denial of a driver's license or permit under Subsection (c)(2)(B) shall notify the office [~~Department~~] of the secretary of state [~~Public Safety~~] on receiving proof of compliance with the orders of the court.

SECTION 47.  Articles 45.051(b-1) and (b-3), Code of Criminal Procedure, are amended to read as follows:

(b-1)  If the defendant is younger than 25 years of age and the offense committed by the defendant is a traffic offense classified as a moving violation:

(1)  Subsection (b)(8) does not apply;

(2)  during the deferral period, the judge:

(A)  shall require the defendant to complete a driving safety course approved under Chapter 1001, Education Code; and

(B)  may require the defendant to complete an additional driving safety course designed for drivers younger than 25 years of age and approved under Section 1001.111, Education Code; and

(3)  if the defendant holds a provisional license, during the deferral period the judge shall require that the defendant be examined by the office [~~Department~~] of the secretary of state [~~Public Safety~~] as required by Section 521.161(b)(2), Transportation Code; a defendant is not exempt from the examination regardless of whether the defendant was examined previously.

(b-3)  The reimbursement fee collected under Subsection (b-2) must be deposited to the credit of a special account in the general revenue fund and may be used only by the office [~~Department~~] of the secretary of state [~~Public Safety~~] for the administration of Chapter 521, Transportation Code.

SECTION 48.  Articles 45.0511(c), (c-1), and (l), Code of Criminal Procedure, are amended to read as follows:

(c)  The court shall enter judgment on the defendant's plea of no contest or guilty at the time the plea is made, defer imposition of the judgment, and allow the defendant 90 days to successfully complete the approved driving safety course or motorcycle operator training course and present to the court:

(1)  a uniform certificate of completion of the driving safety course or a verification of completion of the motorcycle operator training course;

(2)  unless the judge proceeds under Subsection (c-1), the defendant's driving record as maintained by the office [~~Department~~] of the secretary of state [~~Public Safety~~], if any, showing that the defendant had not completed an approved driving safety course or motorcycle operator training course, as applicable, within the 12 months preceding the date of the offense;

(3)  an affidavit stating that the defendant was not taking a driving safety course or motorcycle operator training course, as applicable, under this article on the date the request to take the course was made and had not completed such a course that is not shown on the defendant's driving record within the 12 months preceding the date of the offense; and

(4)  if the defendant does not have a valid Texas driver's license or permit and is a member, or the spouse or dependent child of a member, of the United States military forces serving on active duty, an affidavit stating that the defendant was not taking a driving safety course or motorcycle operator training course, as appropriate, in another state on the date the request to take the course was made and had not completed such a course within the 12 months preceding the date of the offense.

(c-1)  In this subsection, "state electronic Internet portal" has the meaning assigned by Section 2054.003, Government Code. As an alternative to receiving the defendant's driving record under Subsection (c)(2), the judge, at the time the defendant requests a driving safety course or motorcycle operator training course dismissal under this article, may require the defendant to pay a reimbursement fee in an amount equal to the sum of the amount of the fee established by Section 521.048, Transportation Code, and the state electronic Internet portal fee and, using the state electronic Internet portal, may request the office [~~Texas Department~~] of the secretary of state [~~Public Safety~~] to provide the judge with a copy of the defendant's driving record that shows the information described by Section 521.047(b), Transportation Code. As soon as practicable and using the state electronic Internet portal, the office [~~Texas Department~~] of the secretary of state [~~Public Safety~~] shall provide the judge with the requested copy of the defendant's driving record. The reimbursement fee authorized by this subsection is in addition to any other fee required under this article. If the copy of the defendant's driving record provided to the judge under this subsection shows that the defendant has not completed an approved driving safety course or motorcycle operator training course, as appropriate, within the 12 months preceding the date of the offense, the judge shall allow the defendant to complete the appropriate course as provided by this article. The custodian of a municipal or county treasury who receives reimbursement fees collected under this subsection shall keep a record of the fees and, without deduction or proration, forward the fees to the comptroller, with and in the manner required for other fees and costs received in connection with criminal cases. The comptroller shall credit fees received under this subsection to the office [~~Texas Department~~] of the secretary of state [~~Public Safety~~].

(l)  When a defendant complies with Subsection (c), the court shall:

(1)  remove the judgment and dismiss the charge;

(2)  report the fact that the defendant successfully completed a driving safety course or a motorcycle operator training course and the date of completion to the office [~~Texas Department~~] of the secretary of state [~~Public Safety~~] for inclusion in the person's driving record; and

(3)  state in that report whether the course was taken under this article to provide information necessary to determine eligibility to take a subsequent course under Subsection (b).

SECTION 49.  Article 45.052(d), Code of Criminal Procedure, is amended to read as follows:

(d)  A charge dismissed under this article may not be part of the defendant's criminal record or driving record or used for any purpose. However, if the charge was for a traffic offense, the court shall report to the office [~~Department~~] of the secretary of state [~~Public Safety~~] that the defendant successfully completed the teen court program and the date of completion for inclusion in the defendant's driving record.

SECTION 50.  Article 62.053(a), Code of Criminal Procedure, is amended to read as follows:

(a)  Before a person who will be subject to registration under this chapter is due to be released from a penal institution, the Texas Department of Criminal Justice or the Texas Juvenile Justice Department shall determine the person's level of risk to the community using the sex offender screening tool developed or selected under Article 62.007 and assign to the person a numeric risk level of one, two, or three. Before releasing the person, an official of the penal institution shall:

(1)  inform the person that:

(A)  not later than the later of the seventh day after the date on which the person is released or after the date on which the person moves from a previous residence to a new residence in this state or not later than the first date the applicable local law enforcement authority by policy allows the person to register or verify registration, the person must register or verify registration with the local law enforcement authority in the municipality or county in which the person intends to reside;

(B)  not later than the seventh day after the date on which the person is released or the date on which the person moves from a previous residence to a new residence in this state, the person must, if the person has not moved to an intended residence, report to the applicable entity or entities as required by Article 62.051(h) or (j) or 62.055(e);

(C)  not later than the seventh day before the date on which the person moves to a new residence in this state or another state, the person must report in person to the local law enforcement authority designated as the person's primary registration authority by the department and to the juvenile probation officer, community supervision and corrections department officer, or parole officer supervising the person;

(D)  not later than the 10th day after the date on which the person arrives in another state in which the person intends to reside, the person must register with the law enforcement agency that is identified by the department as the agency designated by that state to receive registration information, if the other state has a registration requirement for sex offenders;

(E)  not later than the 30th day after the date on which the person is released, the person must apply to the office of the secretary of state [~~department~~] in person for the issuance of an original or renewal driver's license or personal identification certificate and a failure to apply to the office [~~department~~] as required by this paragraph results in the automatic revocation of any driver's license or personal identification certificate issued by the office [~~department~~] to the person;

(F)  the person must notify appropriate entities of any change in status as described by Article 62.057;

(G)  certain types of employment are prohibited under Article 62.063 for a person with a reportable conviction or adjudication for a sexually violent offense involving a victim younger than 14 years of age and occurring on or after September 1, 2013;

(H)  certain locations of residence are prohibited under Article 62.064 for a person with a reportable conviction or adjudication for an offense occurring on or after September 1, 2017, except as otherwise provided by that article; and

(I)  if the person enters the premises of a school as described by Article 62.065 and is subject to the requirements of that article, the person must immediately notify the administrative office of the school of the person's presence and the person's registration status under this chapter;

(2)  require the person to sign a written statement that the person was informed of the person's duties as described by Subdivision (1) or Subsection (g) or, if the person refuses to sign the statement, certify that the person was so informed;

(3)  obtain the address or, if applicable, a detailed description of each geographical location where the person expects to reside on the person's release and other registration information, including a photograph and complete set of fingerprints; and

(4)  complete the registration form for the person.

SECTION 51.  Article 62.060, Code of Criminal Procedure, is amended to read as follows:

Art. 62.060.  REQUIREMENTS RELATING TO DRIVER'S LICENSE OR PERSONAL IDENTIFICATION CERTIFICATE. (a) A person subject to registration under this chapter shall apply to the office of the secretary of state [~~department~~] in person for the issuance of, as applicable, an original or renewal driver's license under Section 521.272, Transportation Code, an original or renewal personal identification certificate under Section 521.103, Transportation Code, or an original or renewal commercial driver's license or commercial learner's permit under Section 522.033, Transportation Code, not later than the 30th day after the date:

(1)  the person is released from a penal institution or is released by a court on community supervision or juvenile probation; or

(2)  the office of the secretary of state [~~department~~] sends written notice to the person of the requirements of this article.

(b)  The person shall annually renew in person each driver's license or personal identification certificate issued by the office of the secretary of state [~~department~~] to the person, including each renewal, duplicate, or corrected license or certificate, until the person's duty to register under this chapter expires.

SECTION 52.  Article 62.2021(a), Code of Criminal Procedure, is amended to read as follows:

(a)  Notwithstanding Article 62.060(b), a person subject to registration who is civilly committed as a sexually violent predator and resides at a civil commitment center shall renew the person's state-issued [~~department-issued~~] driver's license or personal identification certificate as prescribed by Section 521.103, 521.272, or 522.033, Transportation Code, as applicable.

SECTION 53.  Section 1001.056(d), Education Code, is amended to read as follows:

(d)  A certificate under this section must:

(1)  be in a form required by the department; and

(2)  include an identifying number by which the department, a court, [~~or~~] the Department of Public Safety, or the office of the secretary of state may verify its authenticity with the course provider.

SECTION 54.  Section 1001.058(b), Education Code, is amended to read as follows:

(b)  The advisory committee consists of 12 [~~eleven~~] members appointed for staggered six-year terms by the presiding officer of the commission, with the approval of the commission, as follows:

(1)  one member representing a driver education school that offers a traditional classroom course and in-car training;

(2)  one member representing a driver education school that offers a traditional classroom course, alternative methods of instruction, or in-car training;

(3)  one member representing a driving safety school offering a traditional classroom course or providing an alternative method of instruction;

(4)  one member representing a driving safety course provider approved for a traditional classroom course and for an alternative method of instruction;

(5)  one member representing a driving safety course provider approved for a traditional classroom course or for an alternative method of instruction;

(6)  one licensed instructor;

(7)  one representative of the Department of Public Safety;

(8)  one member representing a drug and alcohol driving awareness program course provider;

(9)  one member representing a parent-taught course provider; [~~and~~]

(10)  two members representing the public; and

(11)  one representative of the office of the secretary of state.

SECTION 55.  Section 13.002(c), Election Code, is amended to read as follows:

(c)  A registration application must include:

(1)  the applicant's first name, middle name, if any, last name, and former name, if any;

(2)  the month, day, and year of the applicant's birth;

(3)  a statement that the applicant is a United States citizen;

(4)  a statement that the applicant is a resident of the county;

(5)  a statement that the applicant has not been determined by a final judgment of a court exercising probate jurisdiction to be:

(A)  totally mentally incapacitated; or

(B)  partially mentally incapacitated without the right to vote;

(6)  a statement that the applicant has not been finally convicted of a felony or that the applicant is a felon eligible for registration under Section 13.001;

(7)  the applicant's residence address or, if the residence has no address, the address at which the applicant receives mail and a concise description of the location of the applicant's residence;

(8)  the following information:

(A)  the applicant's Texas driver's license number or the number of a personal identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~];

(B)  if the applicant has not been issued a number described by Paragraph (A), the last four digits of the applicant's social security number; or

(C)  a statement by the applicant that the applicant has not been issued a number described by Paragraph (A) or (B);

(9)  if the application is made by an agent, a statement of the agent's relationship to the applicant; and

(10)  the city and county in which the applicant formerly resided.

SECTION 56.  Section 13.004(c), Election Code, as amended by Chapters 469 (H.B. 4173), 489 (H.B. 3100), and 1146 (H.B. 2910), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(c)  The following information furnished on a registration application is confidential and does not constitute public information for purposes of Chapter 552, Government Code:

(1)  a social security number;

(2)  a Texas driver's license number;

(3)  a number of a personal identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~];

(4)  an indication that an applicant is interested in working as an election judge;

(5)  the residence address of the applicant, if the applicant is a federal judge or state judge, the spouse of a federal judge or state judge, the spouse of a peace officer as defined by Article 2.12, Code of Criminal Procedure, or an individual to whom Section 552.1175, Government Code, or Section 521.1211, Transportation Code, applies and the applicant:

(A)  included an affidavit with the registration application describing the applicant's status under this subdivision, if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge;

(B)  provided the registrar with an affidavit describing the applicant's status under this subdivision, if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge; or

(C)  provided the registrar with a completed form approved by the secretary of state for the purpose of notifying the registrar of the applicant's status under this subdivision;

(6)  the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence as defined by Section 71.004, Family Code, who provided the registrar with:

(A)  a copy of a protective order issued under Chapter 85, Family Code, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence;

(7)  the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons who provided the registrar with:

(A)  a copy of a protective order issued under Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons;

(8)  the residence address of the applicant, if the applicant:

(A)  is a participant in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure; and

(B)  provided the registrar with proof of certification under Article 58.059, Code of Criminal Procedure; or

(9)  the telephone number of any applicant submitting documentation under Subdivision (5), (6), (7), or (8).

SECTION 57.  Section 13.072(a), Election Code, is amended to read as follows:

(a)  Unless the registrar challenges the applicant, the registrar shall approve the application if:

(1)  the registrar determines that an application complies with Section 13.002 and indicates that the applicant is eligible for registration; and

(2)  for an applicant who has not included a statement described by Section 13.002(c)(8)(C), the registrar verifies with the secretary of state:

(A)  the applicant's Texas driver's license number or number of a personal identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~]; or

(B)  the last four digits of the applicant's social security number.

SECTION 58.  Section 13.122(a), Election Code, is amended to read as follows:

(a)  In addition to the other statements and spaces for entering information that appear on an officially prescribed registration application form, each official form must include:

(1)  the statement: "I understand that giving false information to procure a voter registration is perjury and a crime under state and federal law.";

(2)  a space for the applicant's registration number;

(3)  a space for the applicant's Texas driver's license number or number of a personal identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~];

(4)  a space for the applicant's telephone number;

(5)  a space for the applicant's social security number;

(6)  a space for the applicant's sex;

(7)  a statement indicating that the furnishing of the applicant's telephone number and sex is optional;

(8)  a space or box for indicating whether the applicant or voter is submitting new registration information or a change in current registration information;

(9)  a statement instructing a voter who is using the form to make a change in current registration information to enter the voter's name and the changed information in the appropriate spaces on the form;

(10)  a statement that if the applicant declines to register to vote, that fact will remain confidential and will be used only for voter registration purposes;

(11)  a statement that if the applicant does register to vote, information regarding the agency or office to which the application is submitted will remain confidential and will be used only for voter registration purposes;

(12)  a space or box for indicating whether the applicant is interested in working as an election judge;

(13)  a statement warning that a conviction for making a false statement may result in imprisonment for up to the maximum amount of time provided by law, a fine of up to the maximum amount provided by law, or both the imprisonment and the fine; and

(14)  any other voter registration information required by federal law or considered appropriate and required by the secretary of state.

SECTION 59.  Section 16.031(a), Election Code, is amended to read as follows:

(a)  The registrar shall cancel a voter's registration immediately on receipt of:

(1)  notice under Section 13.072(b) or 15.021 or a response under Section 15.053 that the voter's residence is outside the county;

(2)  an abstract of the voter's death certificate under Section 16.001(a) or an abstract of an application indicating that the voter is deceased under Section 16.001(b);

(3)  an abstract of a final judgment of the voter's total mental incapacity, partial mental incapacity without the right to vote, conviction of a felony, or disqualification under Section 16.002, 16.003, or 16.004;

(4)  notice under Section 112.012 that the voter has applied for a limited ballot in another county;

(5)  notice from a voter registration official in another state that the voter has registered to vote outside this state;

(6)  notice from the early voting clerk under Section 101.053 that a federal postcard application submitted by an applicant states a voting residence address located outside the registrar's county; or

(7)  notice from the secretary of state that the voter has registered to vote in another county, as determined by the voter's driver's license number or personal identification card number issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~] or social security number.

SECTION 60.  Sections 20.001(a) and (b), Election Code, are amended to read as follows:

(a)  The following state agencies or offices are designated as voter registration agencies:

(1)  office of the secretary of state;

(2)  Health and Human Services Commission;

(3) [~~(2)~~]  Department of Aging and Disability Services;

(4) [~~(3)~~]  Department of Assistive and Rehabilitative Services;

(5) [~~(4)~~]  Department of State Health Services; and

(6) [~~(5)~~]  any other agency or program as determined by the secretary of state that primarily provides:

(A)  public assistance; or

(B)  services to persons with disabilities.

(b)  Each vendor that provides services under an agreement described by Section 521.009, Transportation Code, [~~The Department of Public Safety~~] is designated as a voter registration agency.

SECTION 61.  The heading to Subchapter C, Chapter 20, Election Code, is amended to read as follows:

SUBCHAPTER C. OFFICE OF SECRETARY [~~DEPARTMENT~~] OF STATE AND VENDORS [~~PUBLIC SAFETY~~]

SECTION 62.  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 office [~~Department~~] of the secretary of state and vendors described by Section 20.001(b) [~~Public Safety~~] except provisions that conflict with this subchapter.

(b)  The provisions of this subchapter apply to vendors described by Section 20.001(b) in the same manner as those provisions apply to the office of the secretary of state.

SECTION 63.  Section 20.062, Election Code, is amended to read as follows:

Sec. 20.062.  OFFICE AND VENDOR [~~DEPARTMENT~~] FORMS AND PROCEDURE. (a) The office [~~Department~~] of the secretary of state [~~Public Safety~~] shall prescribe and use a form and procedure that combines the office's [~~department's~~] application form for a license or card with an officially prescribed voter registration application form.

(b)  The office [~~department~~] shall prescribe and use a change of address form and procedure that combines office [~~department~~] and voter registration functions. The form must allow a licensee or cardholder to indicate whether the change of address is also to be used for voter registration purposes.

(c)  The design, content, and physical characteristics of the [~~department~~] forms of vendors described by Section 20.001(b) must be approved by the secretary of state.

SECTION 64.  Section 20.063, Election Code, is amended to read as follows:

Sec. 20.063.  REGISTRATION PROCEDURES. (a) The office [~~Department~~] of the secretary of state [~~Public Safety~~] shall provide to each person who applies in person to the office [~~at the department's offices~~] for an original or renewal of a driver's license, a personal identification card, or a duplicate or corrected license or card an opportunity to complete a voter registration application form.

(b)  When the office [~~department~~] processes a license or card for renewal by mail, the office [~~department~~] shall deliver to the applicant by mail a voter registration application form.

(c)  A change of address that relates to a license or card and that is submitted to the office [~~department~~] in person or by mail serves as a change of address for voter registration unless the licensee or cardholder indicates that the change is not for voter registration purposes. The date of submission of a change of address to an office [~~a department~~] employee is considered to be the date of submission to the voter registrar for the purpose of determining the effective date of registration only.

(d)  If a completed voter registration application submitted to an office [~~a department~~] employee does not include the applicant's correct driver's license number or personal identification card number, an office [~~a department~~] employee shall enter the appropriate information on the application. If a completed application does not include the applicant's correct residence address or mailing address, an office [~~a department~~] employee shall obtain the appropriate information from the applicant and enter the information on the application.

SECTION 65.  Section 20.064, Election Code, is amended to read as follows:

Sec. 20.064.  DECLINATION FORM NOT REQUIRED. The office [~~Department~~] of the secretary of state [~~Public Safety~~] is not required to comply with the procedures prescribed by this chapter relating to the form for a declination of voter registration.

SECTION 66.  Section 20.065, Election Code, is amended to read as follows:

Sec. 20.065.  DELIVERY OF APPLICATIONS AND CHANGES OF ADDRESS. [~~(a)~~] At the end of each day the [~~a Department of Public Safety~~] office of the secretary of state is regularly open for business, the [~~manager of the~~] office shall deliver by mail or in person to the voter registrar of the applicable county [~~in which the office is located~~] each completed voter registration application and applicable change of address submitted to an office [~~a department~~] employee.

[~~(b)  Each weekday the department is regularly open for business, the department shall electronically transfer to the secretary of state the name of each person who completes a voter registration application submitted to the department. The secretary shall prescribe procedures necessary to implement this subsection.~~

[~~(c)  On the weekday the secretary of state is regularly open for business following the date the secretary receives information under Subsection (b), the secretary shall inform the appropriate voter registrar of the name of each person who completes a voter registration application submitted to the department. The registrar may verify that the registrar has received each application as indicated by the information provided by the secretary under this subsection.~~]

SECTION 67.  Section 20.066(a), Election Code, is amended to read as follows:

(a)  If a person completes a voter registration application as provided by Section 20.063, the office [~~Department~~] of the secretary of state [~~Public Safety~~] shall:

(1)  input the information provided on the application into the office's [~~department's~~] electronic data system; and

(2)  inform the applicant that the applicant's electronic signature provided to the office [~~department~~] will be used for submitting the applicant's voter registration application.

SECTION 68.  Section 63.0101(a), Election Code, is amended to read as follows:

(a)  The following documentation is an acceptable form of photo identification under this chapter:

(1)  a driver's license, election identification certificate, or personal identification card issued to the person by the office [~~Department~~] of the secretary of state [~~Public Safety~~] that has not expired or that expired no earlier than four years before the date of presentation;

(2)  a United States military identification card that contains the person's photograph that has not expired or that expired no earlier than four years before the date of presentation;

(3)  a United States citizenship certificate issued to the person that contains the person's photograph;

(4)  a United States passport book or card issued to the person that has not expired or that expired no earlier than four years before the date of presentation; or

(5)  a license to carry a handgun issued to the person by the Department of Public Safety that has not expired or that expired no earlier than four years before the date of presentation.

SECTION 69.  Section 65.060, Election Code, is amended to read as follows:

Sec. 65.060.  DISCLOSURE OF SOCIAL SECURITY, DRIVER'S LICENSE, OR PERSONAL IDENTIFICATION NUMBER ON PROVISIONAL BALLOT AFFIDAVIT. A social security number, Texas driver's license number, or number of a personal identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~] furnished on a provisional ballot affidavit is confidential and does not constitute public information for purposes of Chapter 552, Government Code. The general custodian of election records shall ensure that a social security number, Texas driver's license number, or number of a personal identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~] is excluded from disclosure.

SECTION 70.  Section 2.005(b), Family Code, is amended to read as follows:

(b)  The proof must be established by:

(1)  a driver's license or identification card issued by this state, another state, or a Canadian province that is current or has expired not more than two years preceding the date the identification is submitted to the county clerk in connection with an application for a license;

(2)  a United States passport;

(3)  a current passport issued by a foreign country or a consular document issued by a state or national government;

(4)  an unexpired Certificate of United States Citizenship, Certificate of Naturalization, United States Citizen Identification Card, Permanent Resident Card, Temporary Resident Card, Employment Authorization Card, or other document issued by the federal Department of Homeland Security or the United States Department of State including an identification photograph;

(5)  an unexpired military identification card for active duty, reserve, or retired personnel with an identification photograph;

(6)  an original or certified copy of a birth certificate issued by a bureau of vital statistics for a state or a foreign government;

(7)  an original or certified copy of a Consular Report of Birth Abroad or Certificate of Birth Abroad issued by the United States Department of State;

(8)  an original or certified copy of a court order relating to the applicant's name change or sex change;

(9)  school records from a secondary school or institution of higher education;

(10)  an insurance policy continuously valid for the two years preceding the date of the application for a license;

(11)  a motor vehicle certificate of title;

(12)  military records, including documentation of release or discharge from active duty or a draft record;

(13)  an unexpired military dependent identification card;

(14)  an original or certified copy of the applicant's marriage license or divorce decree;

(15)  a voter registration certificate;

(16)  a pilot's license issued by the Federal Aviation Administration or another authorized agency of the United States;

(17)  a license to carry a handgun under Subchapter H, Chapter 411, Government Code;

(18)  a temporary driving permit or a temporary identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~]; or

(19)  an offender identification card issued by the Texas Department of Criminal Justice.

SECTION 71.  Sections 54.042(a), (b), (f), and (g), Family Code, are amended to read as follows:

(a)  A juvenile court, in a disposition hearing under Section 54.04, shall:

(1)  order the office [~~Department~~] of the secretary of state [~~Public Safety~~] to suspend a child's driver's license or permit, or if the child does not have a license or permit, to deny the issuance of a license or permit to the child if the court finds that the child has engaged in conduct that:

(A)  violates a law of this state enumerated in Section 521.342(a), Transportation Code; or

(B)  violates a penal law of this state or the United States, an element or elements of which involve a severe form of trafficking in persons, as defined by 22 U.S.C. Section 7102; or

(2)  notify the office [~~Department~~] of the secretary of state [~~Public Safety~~] of the adjudication, if the court finds that the child has engaged in conduct that violates a law of this state enumerated in Section 521.372(a), Transportation Code.

(b)  A juvenile court, in a disposition hearing under Section 54.04, may order the office [~~Department~~] of the secretary of state [~~Public Safety~~] to suspend a child's driver's license or permit or, if the child does not have a license or permit, to deny the issuance of a license or permit to the child, if the court finds that the child has engaged in conduct that violates Section 28.08, Penal Code.

(f)  A juvenile court, in a disposition hearing under Section 54.04, may order the office [~~Department~~] of the secretary of state [~~Public Safety~~] to suspend a child's driver's license or permit or, if the child does not have a license or permit, to deny the issuance of a license or permit to the child for a period not to exceed 12 months if the court finds that the child has engaged in conduct in need of supervision or delinquent conduct other than the conduct described by Subsection (a).

(g)  A juvenile court that places a child on probation under Section 54.04 may require as a reasonable condition of the probation that if the child violates the probation, the court may order the office [~~Department~~] of the secretary of state [~~Public Safety~~] to suspend the child's driver's license or permit or, if the child does not have a license or permit, to deny the issuance of a license or permit to the child for a period not to exceed 12 months. The court may make this order if a child that is on probation under this condition violates the probation. A suspension under this subsection is cumulative of any other suspension under this section.

SECTION 72.  Section 54.0482(c), Family Code, is amended to read as follows:

(c)  On or before the fifth anniversary of the date the juvenile probation department receives a payment for a victim that is not claimed by the victim, the department shall make and document a good faith effort to locate and notify the victim that an unclaimed payment exists, including:

(1)  confirming, if possible, the victim's most recent address with the office [~~Department~~] of the secretary of state [~~Public Safety~~]; and

(2)  making at least one additional certified mailing to the victim.

SECTION 73.  Section 65.103(c), Family Code, is amended to read as follows:

(c)  In addition to any other order authorized by this section, a truancy court may order the office [~~Department~~] of the secretary of state [~~Public Safety~~] to suspend the driver's license or permit of a child who has been found to have engaged in truant conduct. If the child does not have a driver's license or permit, the court may order the office [~~Department~~] of the secretary of state [~~Public Safety~~] to deny the issuance of a license or permit to the child. The period of the license or permit suspension or the order that the issuance of a license or permit be denied may not extend beyond the maximum time period that a remedial order is effective as provided by Section 65.104.

SECTION 74.  Section 65.251(a), Family Code, is amended to read as follows:

(a)  If a child fails to obey an order issued by a truancy court under Section 65.103(a) or a child is in direct contempt of court, the truancy court, after providing notice and an opportunity for a hearing, may hold the child in contempt of court and order either or both of the following:

(1)  that the child pay a fine not to exceed $100; or

(2)  that the office [~~Department~~] of the secretary of state [~~Public Safety~~] suspend the child's driver's license or permit or, if the child does not have a license or permit, order that the office [~~Department~~] of the secretary of state [~~Public Safety~~] deny the issuance of a license or permit to the child until the child fully complies with the court's orders.

SECTION 75.  Section 203.007(b), Family Code, is amended to read as follows:

(b)  A domestic relations office is entitled to obtain from the office of the secretary of state and the Department of Public Safety records that relate to:

(1)  a person's date of birth;

(2)  a person's most recent address;

(3)  a person's current driver's license status;

(4)  motor vehicle accidents involving a person;

(5)  reported traffic-law violations of which a person has been convicted; and

(6)  a person's criminal history record information.

SECTION 76.  Section 264.1213, Family Code, is amended to read as follows:

Sec. 264.1213.  RECORDS AND DOCUMENTS FOR CHILDREN AGING OUT OF FOSTER CARE. The department in cooperation with volunteer advocates from a charitable organization described by Subchapter C, Chapter 107, and the office [~~Department~~] of the secretary of state [~~Public Safety~~] shall develop procedures to ensure that a foster child obtains a driver's license or personal identification card before the child leaves the conservatorship of the department.

SECTION 77.  Section 277.002(a), Finance Code, is amended to read as follows:

(a)  A financial institution shall require, as a condition of opening or maintaining a business checking account, that the applicant or account holder provide:

(1)  if the business is a sole proprietorship:

(A)  the name of the business owner;

(B)  the physical address of the business;

(C)  the home address of the business owner; and

(D)  the driver's license number of the business owner or the personal identification card number issued to the business owner by the office [~~Department~~] of the secretary of state [~~Public Safety~~]; or

(2)  if the business is a corporation or other legal entity, a copy of the business's certificate of incorporation or a comparable document and an assumed name certificate, if any.

SECTION 78.  Sections 62.001(a), (f), (g), (h), and (i), Government Code, are amended to read as follows:

(a)  The jury wheel must be reconstituted by using, as the source:

(1)  the names of all persons on the current voter registration lists from all the precincts in the county; and

(2)  all names on the [~~a~~] current list created [~~to be furnished~~] by the office [~~Department~~] of the secretary of state under Subsection (f) [~~Public Safety~~], showing the citizens of the county who:

(A)  hold a valid Texas driver's license or a valid personal identification card or certificate issued by the office [~~department~~]; and

(B)  are not disqualified from jury service under Section 62.102(1), (2), or (7).

(f)  The office [~~Department~~] of the secretary of state [~~Public Safety~~] shall create [~~furnish~~] a list from the office's driver's license database [~~to the secretary of state~~] that shows the names required under Subsection (a)(2) and that contains any of the information enumerated in Subsection (c) that is available to the office [~~department~~], including citizenship status and county of residence. The list shall exclude the names of convicted felons, persons who are not citizens of the United States, persons residing outside the county, and the duplicate name of any registrant. The office [~~department~~] shall create [~~furnish~~] the list [~~to the secretary of state~~] on or before the first Monday in October of each year.

(g)  [~~The secretary of state shall accept the lists furnished as provided by Subsections (c) through (f).~~] The secretary of state shall combine the list furnished as provided by Subsections (c) through (e) and the list created under Subsection (f) [~~lists~~], eliminate duplicate names, and send the combined list to each county on or before December 31 of each year or as may be required under a plan developed in accordance with Section 62.011. The district clerk or bailiff designated as the officer in charge of the jury selection process for a county that has adopted a plan under Section 62.011 shall give the secretary of state notice not later than the 90th day before the date the list is required. The list furnished the county must be in a format, electronic or printed copy, as requested by the county and must be certified by the secretary of state stating that the list contains the names required by Subsections (c) through (f), eliminating duplications. The secretary of state shall furnish the list free of charge.

(h)  If the secretary of state is unable to furnish the list as provided in this section because of the failure of the voter registrar to furnish the county voter registration list to the secretary of state, the county tax assessor-collector, sheriff, county clerk, and district clerk in the county shall meet at the county courthouse between January 1 and January 15 of the following year and shall reconstitute the jury wheel for the county, except as provided under a plan adopted under Section 62.011. The deadlines included in the plan control for preparing the list and reconstituting the wheel. The secretary of state shall send the list created under [~~furnished by the Department of Public Safety as provided by~~] Subsection (f) to the voter registrar, who shall combine the lists as described in this section for use as the juror source and certify the combined list as required of the secretary of state under Subsection (g).

(i)  The commissioners court may, instead of using the method provided by Subsections (c) through (h), contract with another governmental unit or a private person to combine the voter registration list with the list created [~~furnished~~] by the office of the secretary of state under Subsection (f) [~~Department of Public Safety~~]. Subsections (c) through (h) do not apply to a county in which the commissioners court has contracted with another governmental unit or a private person under this subsection. The office of the secretary [~~Department~~] of state [~~Public Safety~~] may not charge a fee for furnishing a list under this subsection. Each list must contain the name, date of birth, address, county of residence, and citizenship status of each person listed. If practical, each list must contain any other information useful in determining if the person is qualified to serve as a juror.

SECTION 79.  Section 72.016, Government Code, is amended to read as follows:

Sec. 72.016.  NOTIFICATION PROCEDURE FOR JUDICIAL PRIVACY. The director shall develop a procedure to regularly notify county registrars, the office [~~Department~~] of the secretary of state [~~Public Safety~~], the Texas Ethics Commission, and any other state agency the office determines should be notified of the judges, judges' spouses, and related family members whose personal information must be kept from public records, as provided under Sections 552.117 and 572.035 of this code, Sections 13.0021 and 15.0215, Election Code, and Section 521.121, Transportation Code.

SECTION 80.  Section 411.0111, Government Code, is transferred to Subchapter B, Chapter 405, Government Code, redesignated as Section 405.024, Government Code, and amended to read as follows:

Sec. 405.024 [~~411.0111~~].  PROVISION OF CERTAIN INFORMATION TO COMPTROLLER. (a) Not later than June 1 of every fifth year, the office of the secretary of state [~~department~~] shall provide to the comptroller, for the purpose of assisting the comptroller in the identification of persons entitled to unclaimed property reported to the comptroller, the name, address, social security number, date of birth, and driver's license or state identification number of each person about whom the office of the secretary of state [~~department~~] has such information in its records.

(b)  Information provided to the comptroller under this section is confidential and may not be disclosed to the public.

(c)  The office of the secretary of state [~~department~~] shall provide the information in the format prescribed by rule of the comptroller.

SECTION 81.  Section 411.082(2), Government Code, is amended to read as follows:

(2)  "Criminal history record information" means information collected about a person by a criminal justice agency that consists of identifiable descriptions and notations of arrests, detentions, indictments, informations, and other formal criminal charges and their dispositions. The term does not include:

(A)  identification information, including fingerprint records, to the extent that the identification information does not indicate involvement of the person in the criminal justice system; or

(B)  driving record information maintained by the office of the secretary of state [~~department~~] under Subchapter C, Chapter 521, Transportation Code.

SECTION 82.  Section 411.174(b), Government Code, is amended to read as follows:

(b)  An applicant must provide on the application a statement of the applicant's:

(1)  full name and place and date of birth;

(2)  race and sex;

(3)  residence and business addresses for the preceding five years;

(4)  hair and eye color;

(5)  height and weight;

(6)  driver's license number or identification certificate number issued by the office of the secretary of state [~~department~~];

(7)  criminal history record information of the type maintained by the department under this chapter, including a list of offenses for which the applicant was arrested, charged, or under an information or indictment and the disposition of the offenses; and

(8)  history, if any, of treatment received by, commitment to, or residence in:

(A)  a drug or alcohol treatment center licensed to provide drug or alcohol treatment under the laws of this state or another state, but only if the treatment, commitment, or residence occurred during the preceding five years; or

(B)  a psychiatric hospital.

SECTION 83.  Section 411.179(a), Government Code, is amended to read as follows:

(a)  The department by rule shall adopt the form of the license. A license must include:

(1)  a number assigned to the license holder by the department;

(2)  a statement of the period for which the license is effective;

(3)  a photograph of the license holder;

(4)  the license holder's full name, date of birth, hair and eye color, height, weight, and signature;

(5)  the license holder's residence address or, as provided by Subsection (d), the street address of the courthouse in which the license holder or license holder's spouse serves as a federal judge or the license holder serves as a state judge;

(6)  the number of a driver's license or an identification certificate issued to the license holder by the office of the secretary of state [~~department~~]; and

(7)  the designation "VETERAN" if required under Subsection (e).

SECTION 84.  Section 411.205, Government Code, is amended to read as follows:

Sec. 411.205.  REQUIREMENT TO DISPLAY LICENSE. If a license holder is carrying a handgun on or about the license holder's person when a magistrate or a peace officer demands that the license holder display identification, the license holder shall display both the license holder's driver's license or identification certificate issued by the office of the secretary of state [~~department~~] and the license holder's handgun license.

SECTION 85.  Sections 501.0165(a), (c), and (d), Government Code, are amended to read as follows:

(a)  Before discharging an inmate or releasing an inmate on parole, mandatory supervision, or conditional pardon, the department shall:

(1)  determine whether the inmate has:

(A)  a valid license issued under Chapter 521 or 522, Transportation Code; or

(B)  a valid personal identification certificate issued under Chapter 521, Transportation Code; and

(2)  if the inmate does not have a valid license or certificate described by Subdivision (1), submit to the office [~~Department~~] of the secretary of state [~~Public Safety~~] on behalf of the inmate a request for the issuance of a personal identification certificate under Chapter 521, Transportation Code.

(c)  The department, the office [~~Department~~] of the secretary of state [~~Public Safety~~], and the bureau of vital statistics of the Department of State Health Services shall by rule adopt a memorandum of understanding that establishes their respective responsibilities with respect to the issuance of a personal identification certificate to an inmate, including responsibilities related to verification of the inmate's identity. The memorandum of understanding must require the Department of State Health Services to electronically verify the birth record of an inmate whose name and any other personal information is provided by the department and to electronically report the recorded filing information to the office [~~Department~~] of the secretary of state [~~Public Safety~~] to validate the identity of an inmate under this section.

(d)  The department shall reimburse the office [~~Department~~] of the secretary of state [~~Public Safety~~] or the Department of State Health Services for the actual costs incurred by those agencies in performing responsibilities established under this section. The department may charge an inmate for the actual costs incurred under this section or the fees required by Section 521.421, Transportation Code.

SECTION 86.  Section 509.004(a), Government Code, is amended to read as follows:

(a)  The division shall require each department to:

(1)  keep financial and statistical records determined necessary by the division;

(2)  submit a strategic plan and all supporting information requested by the division;

(3)  present data requested by the division as necessary to determine the amount of state aid for which the department is eligible;

(4)  submit periodic financial audits and statistical reports to the division; and

(5)  submit to the office [~~Department~~] of the secretary of state [~~Public Safety~~] the full name, address, date of birth, social security number, and driver's license number of each person restricted to the operation of a motor vehicle equipped with a device that uses a deep-lung breath analysis mechanism to make impractical the operation of the motor vehicle if ethyl alcohol is detected in the breath of the restricted operator.

SECTION 87.  Sections 531.02414(e) and (g), Government Code, are amended to read as follows:

(e)  The executive commissioner shall adopt rules to ensure the safe and efficient provision of nonemergency transportation services under this section. The rules must include:

(1)  minimum standards regarding the physical condition and maintenance of motor vehicles used to provide the services, including standards regarding the accessibility of motor vehicles by persons with disabilities;

(2)  a requirement that a regional contracted broker verify that each motor vehicle operator providing the services or seeking to provide the services has a valid driver's license;

(3)  a requirement that a regional contracted broker check the driving record information maintained by the office [~~Department~~] of the secretary of state [~~Public Safety~~] under Subchapter C, Chapter 521, Transportation Code, of each motor vehicle operator providing the services or seeking to provide the services;

(4)  a requirement that a regional contracted broker check the public criminal record information maintained by the Department of Public Safety and made available to the public through the department's Internet website of each motor vehicle operator providing the services or seeking to provide the services; and

(5)  training requirements for motor vehicle operators providing the services through a regional contracted broker, including training on the following topics:

(A)  passenger safety;

(B)  passenger assistance;

(C)  assistive devices, including wheelchair lifts, tie-down equipment, and child safety seats;

(D)  sensitivity and diversity;

(E)  customer service;

(F)  defensive driving techniques; and

(G)  prohibited behavior by motor vehicle operators.

(g)  The commission shall enter into a memorandum of understanding with the Texas Department of Motor Vehicles and the office of the secretary of state [~~Department of Public Safety~~] for purposes of obtaining the motor vehicle registration and driver's license information of a provider of medical transportation services, including a regional contracted broker and a subcontractor of the broker, to confirm that the provider complies with applicable requirements adopted under Subsection (e).

SECTION 88.  Section 531.1533, Government Code, is amended to read as follows:

Sec. 531.1533.  REQUIREMENTS ON ADMISSIONS OF CHILDREN TO CERTAIN INSTITUTIONS. On the admission of a child to an institution described by Section 531.151(3)(A), (B), or (D), the Department of Aging and Disability Services shall require the child's parent or guardian to submit:

(1)  an admission form that includes:

(A)  the parent's or guardian's:

(i)  name, address, and telephone number;

(ii)  driver's license number and state of issuance or personal identification card number issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~]; and

(iii)  place of employment and the employer's address and telephone number; and

(B)  the name, address, and telephone number of a relative of the child or other person whom the department or institution may contact in an emergency, a statement indicating the relation between that person and the child, and at the parent's or guardian's option, that person's:

(i)  driver's license number and state of issuance or personal identification card number issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~]; and

(ii)  the name, address, and telephone number of that person's employer; and

(2)  a signed acknowledgment of responsibility stating that the parent or guardian agrees to:

(A)  notify the institution in which the child is placed of any changes to the information submitted under Subdivision (1)(A); and

(B)  make reasonable efforts to participate in the child's life and in planning activities for the child.

SECTION 89.  Section 533.00258(f), Government Code, is amended to read as follows:

(f)  The rules may not permit a motor vehicle operator to provide nonmedical transportation services if the operator:

(1)  has been convicted in the three-year period preceding the issue date of the driving record obtained under Subsection (e)(4) of:

(A)  more than three offenses classified by the office [~~Department~~] of the secretary of state [~~Public Safety~~] as moving violations; or

(B)  one or more of the following offenses:

(i)  fleeing or attempting to elude a police officer under Section 545.421, Transportation Code;

(ii)  reckless driving under Section 545.401, Transportation Code;

(iii)  driving without a valid driver's license under Section 521.025, Transportation Code; or

(iv)  driving with an invalid driver's license under Section 521.457, Transportation Code;

(2)  has been convicted in the preceding seven-year period of any of the following:

(A)  driving while intoxicated under Section 49.04 or 49.045, Penal Code;

(B)  use of a motor vehicle to commit a felony;

(C)  a felony crime involving property damage;

(D)  fraud;

(E)  theft;

(F)  an act of violence; or

(G)  an act of terrorism; or

(3)  is found to be registered in the national sex offender public website maintained by the United States Department of Justice or a successor agency.

SECTION 90.  Section 555.003, Government Code, is amended to read as follows:

Sec. 555.003.  EXCEPTION. This chapter does not apply to files that relate to drivers of motor vehicles and that are maintained by the office [~~Department~~] of the secretary of state [~~Public Safety~~] under Subchapter C, Chapter 521, Transportation Code.

SECTION 91.  Section 12.013(b), Health and Safety Code, is amended to read as follows:

(b)  Based on the studies and investigations, the department periodically shall recommend to the Department of Public Safety and the office of the secretary of state appropriate policies, standards, and procedures relating to those medical aspects.

SECTION 92.  Section 12.092(b), Health and Safety Code, is amended to read as follows:

(b)  The medical advisory board shall assist:

(1)  the office [~~Department~~] of the secretary of state [~~Public Safety of the State of Texas~~] in determining whether[~~:~~

[~~(1)~~]  an applicant for a driver's license or a license holder is capable of safely operating a motor vehicle; and [~~or~~]

(2)  the Department of Public Safety in determining whether an applicant for or holder of a license to carry a handgun under the authority of Subchapter H, Chapter 411, Government Code, or an applicant for or holder of a commission as a security officer under Chapter 1702, Occupations Code, is capable of exercising sound judgment with respect to the proper use and storage of a handgun.

SECTION 93.  Sections 12.095(a) and (c), Health and Safety Code, are amended to read as follows:

(a)  If the Department of Public Safety of the State of Texas or the office of the secretary of state requests an opinion or recommendation from the medical advisory board as to the ability of an applicant or license holder to operate a motor vehicle safely or to exercise sound judgment with respect to the proper use and storage of a handgun, the commissioner or a person designated by the commissioner shall convene a panel to consider the case or question submitted by that department or office.

(c)  Each panel member shall prepare an individual independent written report for the Department of Public Safety of the State of Texas or the office of the secretary of state, as appropriate, that states the member's opinion as to the ability of the applicant or license holder to operate a motor vehicle safely or to exercise sound judgment with respect to the proper use and storage of a handgun, as appropriate. In the report the panel member may also make recommendations relating to that department's or office's subsequent action.

SECTION 94.  Section 12.096(a), Health and Safety Code, is amended to read as follows:

(a)  A physician licensed to practice medicine in this state may inform the Department of Public Safety of the State of Texas, the office of the secretary of state, or the medical advisory board, orally or in writing, of the name, date of birth, and address of a patient older than 15 years of age whom the physician has diagnosed as having a disorder or disability specified in a rule of the Department of Public Safety of the State of Texas or the office of the secretary of state.

SECTION 95.  Section 12.097, Health and Safety Code, is amended to read as follows:

Sec. 12.097.  CONFIDENTIALITY REQUIREMENTS. (a) All records, reports, and testimony relating to the medical condition of an applicant or license holder:

(1)  are for the confidential use of the medical advisory board, a panel, the office of the secretary of state, or the Department of Public Safety of the State of Texas;

(2)  are privileged information; and

(3)  may not be disclosed to any person or used as evidence in a trial except as provided by Subsection (b).

(b)  In a subsequent proceeding under Subchapter H, Chapter 411, Government Code, or Subchapter N, Chapter 521, Transportation Code, the department may provide a copy of the report of the medical advisory board or panel and a medical record or report relating to an applicant or license holder to:

(1)  the Department of Public Safety of the State of Texas or the office of the secretary of state, as appropriate;

(2)  the applicant or license holder; and

(3)  the officer who presides at the hearing.

SECTION 96.  Section 81.011, Health and Safety Code, is amended to read as follows:

Sec. 81.011.  REQUEST FOR INFORMATION. In times of emergency or epidemic declared by the commissioner, the department is authorized to request information pertaining to names, dates of birth, and most recent addresses of individuals from the driver's license records of the office [~~Department~~] of the secretary of state [~~Public Safety~~] for the purpose of notification to individuals of the need to receive certain immunizations or diagnostic, evaluation, or treatment services for suspected communicable diseases.

SECTION 97.  Section 191.010, Health and Safety Code, is amended to read as follows:

Sec. 191.010.  DEATH INFORMATION FOR OFFICE OF SECRETARY [~~DEPARTMENT~~] OF STATE [~~PUBLIC SAFETY~~]. (a) The department shall implement an efficient and effective method to verify death information to assist the office [~~Department~~] of the secretary of state [~~Public Safety~~] with maintaining records of holders of driver's licenses and personal identification certificates in this state.

(b)  The department shall enter into a memorandum of understanding with the office [~~Department~~] of the secretary of state [~~Public Safety~~] to implement this section. The memorandum of understanding must include a mechanism for the department to provide to the office [~~Department~~] of the secretary of state [~~Public Safety~~] death information that includes unique identifiers, including social security numbers, necessary to accurately match death records with driver's license and personal identification certificate records.

SECTION 98.  Section 481.077(d), Health and Safety Code, is amended to read as follows:

(d)  Before selling, transferring, or otherwise furnishing to a person in this state a chemical precursor subject to Subsection (a), a manufacturer, wholesaler, retailer, or other person shall:

(1)  if the recipient does not represent a business, obtain from the recipient:

(A)  the recipient's driver's license number or other personal identification certificate number, date of birth, and residential or mailing address, other than a post office box number, from a driver's license or personal identification certificate issued by the office of the secretary of state [~~department~~] that contains a photograph of the recipient;

(B)  the year, state, and number of the motor vehicle license of the motor vehicle owned or operated by the recipient;

(C)  a complete description of how the chemical precursor is to be used; and

(D)  the recipient's signature; or

(2)  if the recipient represents a business, obtain from the recipient:

(A)  a letter of authorization from the business that includes the business license or comptroller tax identification number, address, area code, and telephone number and a complete description of how the chemical precursor is to be used; and

(B)  the recipient's signature; and

(3)  for any recipient, sign as a witness to the signature and identification of the recipient.

SECTION 99.  Section 481.080(e), Health and Safety Code, is amended to read as follows:

(e)  Before selling, transferring, or otherwise furnishing to a person in this state a chemical laboratory apparatus subject to Subsection (a), a manufacturer, wholesaler, retailer, or other person shall:

(1)  if the recipient does not represent a business, obtain from the recipient:

(A)  the recipient's driver's license number or other personal identification certificate number, date of birth, and residential or mailing address, other than a post office box number, from a driver's license or personal identification certificate issued by the office of the secretary of state [~~department~~] that contains a photograph of the recipient;

(B)  the year, state, and number of the motor vehicle license of the motor vehicle owned or operated by the recipient;

(C)  a complete description of how the apparatus is to be used; and

(D)  the recipient's signature; or

(2)  if the recipient represents a business, obtain from the recipient:

(A)  a letter of authorization from the business that includes the business license or comptroller tax identification number, address, area code, and telephone number and a complete description of how the apparatus is to be used; and

(B)  the recipient's signature; and

(3)  for any recipient, sign as a witness to the signature and identification of the recipient.

SECTION 100.  Section 485.032(c), Health and Safety Code, is amended to read as follows:

(c)  It is an affirmative defense to prosecution under this section that:

(1)  the person making the delivery is an adult having supervisory responsibility over the person younger than 18 years of age and:

(A)  the adult permits the use of the abusable volatile chemical only under the adult's direct supervision and in the adult's presence and only for its intended purpose; and

(B)  the adult removes the chemical from the person younger than 18 years of age on completion of that use; or

(2)  the person to whom the abusable volatile chemical was delivered presented to the defendant an apparently valid Texas driver's license or an identification certificate, issued by the office [~~Department~~] of the secretary of state [~~Public Safety of the State of Texas~~] and containing a physical description consistent with the person's appearance, that purported to establish that the person was 18 years of age or older.

SECTION 101.  Sections 692A.002(11) and (15), Health and Safety Code, are amended to read as follows:

(11)  "Driver's license" means a license or permit issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~] to operate a vehicle, whether or not conditions are attached to the license or permit.

(15)  "Identification card" means an identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~].

SECTION 102.  Sections 692A.014(a) and (b), Health and Safety Code, are amended to read as follows:

(a)  When a hospital refers an individual at or near death to a procurement organization, the organization shall make a reasonable search of the records of the office [~~Department~~] of the secretary of state [~~Public Safety~~] and any donor registry that it knows exists for the geographical area in which the individual resides to ascertain whether the individual has made an anatomical gift.

(b)  A procurement organization must be allowed reasonable access to information in the records of the office [~~Department~~] of the secretary of state [~~Public Safety~~] to ascertain whether an individual at or near death is a donor.

SECTION 103.  Sections 692A.020(a), (d), (e), (f), (g), (h), (i), and (m), Health and Safety Code, are amended to read as follows:

(a)  A nonprofit organization designated by the office [~~Department~~] of the secretary of state [~~Public Safety~~] shall maintain and administer a statewide donor registry, to be known as the Glenda Dawson Donate Life-Texas Registry.

(d)  The office [~~Department~~] of the secretary of state [~~Public Safety~~] at least monthly shall electronically transfer to the nonprofit organization administering the registry the name, date of birth, driver's license number, most recent address, and any other relevant information in the possession of the office [~~Department~~] of the secretary of state [~~Public Safety~~] for any person who indicates on the person's driver's license application under Section 521.401, Transportation Code, that the person would like to make an anatomical gift.

(e)  The nonprofit organization administering the registry shall:

(1)  make information obtained from the office [~~Department~~] of the secretary of state [~~Public Safety~~] under Subsection (d) available to procurement organizations;

(2)  allow potential donors to submit information in writing directly to the organization for inclusion in the Internet-based registry;

(3)  maintain the Internet-based registry in a manner that allows procurement organizations to immediately access organ, tissue, and eye donation information 24 hours a day, seven days a week through electronic and telephonic methods; and

(4)  protect the confidentiality and privacy of the individuals providing information to the Internet-based registry, regardless of the manner in which the information is provided.

(f)  Except as otherwise provided by Subsection (e)(3) or this subsection, the office [~~Department~~] of the secretary of state [~~Public Safety~~], the nonprofit organization administering the registry, or a procurement organization may not sell, rent, or otherwise share any information provided to the Internet-based registry. A procurement organization may share any information provided to the registry with an organ procurement organization or a health care provider or facility providing medical care to a potential donor as necessary to properly identify an individual at the time of donation.

(g)  The office [~~Department~~] of the secretary of state [~~Public Safety~~], the nonprofit organization administering the registry, or the procurement organizations may not use any demographic or specific data provided to the Internet-based registry for any fund-raising activities. Data may only be transmitted from the selected organization to procurement organizations through electronic and telephonic methods using secure, encrypted technology to preserve the integrity of the data and the privacy of the individuals providing information.

(h)  In each office authorized to issue driver's licenses or personal identification certificates, the office [~~Department~~] of the secretary of state [~~Public Safety~~] shall make available educational materials developed by the nonprofit organization administering the registry.

(i)  The Glenda Dawson Donate Life-Texas Registry fund is created as a trust fund outside the state treasury to be held by the comptroller and administered by the office [~~Department~~] of the secretary of state [~~Public Safety~~] as trustee on behalf of the statewide donor registry maintained for the benefit of the citizens of this state. The fund is composed of money deposited to the credit of the fund under Sections 502.405(b), 521.008, and 521.422(c), Transportation Code, as provided by those subsections. Money in the fund shall be disbursed at least monthly, without appropriation, to the nonprofit organization administering the registry to pay the costs of:

(1)  maintaining, operating, and updating the Internet-based registry and establishing procedures for an individual to be added to the registry;

(2)  designing and distributing educational materials for prospective donors as required under this section; and

(3)  providing education under this chapter.

(m)  The nonprofit organization administering the registry may:

(1)  implement a training program for all appropriate office [~~Department~~] of the secretary of state [~~Public Safety~~] and Texas Department of Transportation employees on the benefits of organ, tissue, and eye donation and the procedures for individuals to be added to the Internet-based registry; and

(2)  conduct the training described by Subdivision (1) on an ongoing basis for new employees.

SECTION 104.  Section 841.0822, Health and Safety Code, is amended to read as follows:

Sec. 841.0822.  REQUIRED PROCEDURES BEFORE RELEASE FROM SECURE CORRECTIONAL FACILITY. Before a committed person is released from a secure correctional facility, the Texas Department of Criminal Justice shall ensure that:

(1)  the office [~~Department~~] of the secretary of state [~~Public Safety~~] issues a personal identification card to the person; and

(2)  the person completes an application for the following federal benefits, as appropriate, for which the person may be eligible:

(A)  social security benefits, including disability benefits, administered by the United States Social Security Administration; and

(B)  veterans benefits administered by the United States Department of Veterans Affairs.

SECTION 105.  Sections 841.153(a), (c), and (d), Health and Safety Code, are amended to read as follows:

(a)  On the release of a committed person from a correctional facility, secure correctional facility, or secure detention facility, as those terms are defined by Section 841.151, the office shall:

(1)  determine whether the person has:

(A)  a valid license issued under Chapter 521 or 522, Transportation Code; or

(B)  a valid personal identification certificate issued under Chapter 521, Transportation Code; and

(2)  if the person does not have a valid license or certificate described by Subdivision (1), submit to the office [~~Department~~] of the secretary of state [~~Public Safety~~] on behalf of the person a request for the issuance of a personal identification certificate under Chapter 521, Transportation Code.

(c)  The office, the office [~~Department~~] of the secretary of state [~~Public Safety~~], and the vital statistics unit of the Department of State Health Services by rule shall adopt a memorandum of understanding that establishes their respective responsibilities with respect to the issuance of a personal identification certificate to a committed person, including responsibilities related to verification of the person's identity. The memorandum of understanding must require the Department of State Health Services to electronically verify the birth record of a committed person whose name and any other personal information is provided by the office and to electronically report the recorded filing information to the office [~~Department~~] of the secretary of state [~~Public Safety~~] to validate the identity of a committed person under this section.

(d)  The office shall reimburse the office [~~Department~~] of the secretary of state [~~Public Safety~~] or the Department of State Health Services, as applicable, for the actual costs incurred by those agencies in performing responsibilities established under this section. The office may charge a committed person for the actual costs incurred under this section or for the fees required by Section 521.421, Transportation Code.

SECTION 106.  Section 23.002, Human Resources Code, is amended to read as follows:

Sec. 23.002.  LICENSING AUTHORITIES SUBJECT TO CHAPTER. In this chapter, "licensing authority" means:

(1)  the Parks and Wildlife Department; and

(2)  the office [~~Department~~] of the secretary of state [~~Public Safety of the State of Texas~~].

SECTION 107.  Section 133.124, Local Government Code, is amended to read as follows:

Sec. 133.124.  ALLOCATION OF FEES TO TRANSPORTATION ADMINISTRATIVE FEE ACCOUNT. The transportation administrative fee account is an account in the general revenue fund. The account consists of money allocated to the account under Section 133.102(e). Money in the account may be appropriated only to the office [~~Department~~] of the secretary of state [~~Public Safety~~] to defray the administrative costs associated with implementing Chapter 706, Transportation Code.

SECTION 108.  Section 1805.051(d), Occupations Code, is amended to read as follows:

(d)  The list required by Subsection (c) must contain:

(1)  the proposed seller's driver's license number or office [~~Department~~] of the secretary of state [~~Public Safety~~] identification card number, as recorded by the dealer on physical presentation of the license or identification card by the seller;

(2)  a complete and accurate description of each business machine, including its serial number or other identifying marks or symbols;

(3)  the proposed seller's certification that the information is true and complete; and

(4)  if the business machine is delivered to the secondhand dealer for sale or exchange at an auction, the make, year, model, color, and registration number of the vehicle in which the business machine is transported to the auction.

SECTION 109.  Section 1805.052(b), Occupations Code, is amended to read as follows:

(b)  Except as provided by Section 1805.053, a report required by this chapter must contain:

(1)  the name and address of the seller of the business machine;

(2)  a complete and accurate description of the business machine for which the report is made, including the serial number or other identifying marks or symbols;

(3)  the seller's certification that the information is true and complete; and

(4)  the seller's driver's license number or office [~~Department~~] of the secretary of state [~~Public Safety~~] identification card number, as recorded by the dealer on physical presentation of the license or identification card by the seller.

SECTION 110.  Section 1956.001(8), Occupations Code, is amended to read as follows:

(8)  "Personal identification document" means:

(A)  a valid driver's license issued by a state in the United States;

(B)  a United States military identification card; or

(C)  a personal identification certificate issued by the office of the secretary of state [~~department~~] under Section 521.101, Transportation Code, or a corresponding card or certificate issued by another state.

SECTION 111.  Section 1956.062(c), Occupations Code, is amended to read as follows:

(c)  The dealer shall record the proposed seller's driver's license number or [~~department~~] personal identification certificate number on physical presentation of the license or personal identification certificate by the seller. The record must accompany the list.

SECTION 112.  Section 2033.017(f), Occupations Code, is amended to read as follows:

(f)  It is an affirmative defense to prosecution of an offense under Subsection (a) that the minor falsely represented the minor's age by displaying to the person an apparently valid Texas driver's license or identification card issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~] that contains a physical description consistent with the minor's appearance.

SECTION 113.  Section 2402.107(b), Occupations Code, is amended to read as follows:

(b)  A transportation network company may not permit an individual to log in as a driver on the company's digital network if the individual:

(1)  has been convicted in the three-year period preceding the issue date of the driving record obtained under Subsection (a)(3) of:

(A)  more than three offenses classified by the office [~~Department~~] of the secretary of state [~~Public Safety~~] as moving violations; or

(B)  one or more of the following offenses:

(i)  fleeing or attempting to elude a police officer under Section 545.421, Transportation Code;

(ii)  reckless driving under Section 545.401, Transportation Code;

(iii)  driving without a valid driver's license under Section 521.025, Transportation Code; or

(iv)  driving with an invalid driver's license under Section 521.457, Transportation Code;

(2)  has been convicted in the preceding seven-year period of any of the following:

(A)  driving while intoxicated under Section 49.04 or 49.045, Penal Code;

(B)  use of a motor vehicle to commit a felony;

(C)  a felony crime involving property damage;

(D)  fraud;

(E)  theft;

(F)  an act of violence; or

(G)  an act of terrorism; or

(3)  is found to be registered in the national sex offender public website maintained by the United States Department of Justice or a successor agency.

SECTION 114.  Sections 11.43(f) and (m), Tax Code, are amended to read as follows:

(f)  The comptroller, in prescribing the contents of the application form for each kind of exemption, shall ensure that the form requires an applicant to furnish the information necessary to determine the validity of the exemption claim. The form must require an applicant to provide the applicant's name and driver's license number, personal identification certificate number, or social security account number. If the applicant is a charitable organization with a federal tax identification number, the form must allow the applicant to provide the organization's federal tax identification number in lieu of a driver's license number, personal identification certificate number, or social security account number. The comptroller shall include on the forms a notice of the penalties prescribed by Section 37.10, Penal Code, for making or filing an application containing a false statement. The comptroller shall include, on application forms for exemptions that do not have to be claimed annually, a statement explaining that the application need not be made annually and that if the exemption is allowed, the applicant has a duty to notify the chief appraiser when the applicant's entitlement to the exemption ends. In this subsection:

(1)  "Driver's license" has the meaning assigned that term by Section 521.001, Transportation Code.

(2)  "Personal identification certificate" means a certificate issued by the office [~~Department~~] of the secretary of state [~~Public Safety~~] under Subchapter E, Chapter 521, Transportation Code.

(m)  Notwithstanding Subsections (a) and (k), a person who receives an exemption under Section 11.13, other than an exemption under Section 11.13(c) or (d) for an individual 65 years of age or older, in a tax year is entitled to receive an exemption under Section 11.13(c) or (d) for an individual 65 years of age or older in the next tax year on the same property without applying for the exemption if the person becomes 65 years of age in that next year as shown by:

(1)  information in the records of the appraisal district that was provided to the appraisal district by the individual in an application for an exemption under Section 11.13 on the property or in correspondence relating to the property; or

(2)  the information provided by the office [~~Texas Department~~] of the secretary of state [~~Public Safety~~] to the appraisal district under Section 521.049, Transportation Code.

SECTION 115.  The following laws are repealed:

(1)  Article 102.022(a), Code of Criminal Procedure;

(2)  Section 20.066(b), Election Code; and

(3)  Section 411.0085, Government Code.

SECTION 116.  (a) This section applies to the following duties of the office of the secretary of state, as transferred by this Act:

(1)  the issuance of driver's licenses under Chapters 521 and 522, Transportation Code;

(2)  the issuance of personal identification certificates under Chapter 521, Transportation Code;

(3)  the issuance of election identification certificates under Chapter 521A, Transportation Code; and

(4)  the registration of voters during the issuance or renewal of a driver's license or personal identification certificate.

(b)  The Department of Public Safety shall contract with an institution of higher education, as defined by Section 61.003, Education Code, to conduct a study on the most effective use of available state and county resources, including personnel, property, and technology resources potentially available through the adoption of intergovernmental agreements, to perform the duties described by Subsection (a) of this section, prioritizing:

(1)  customer service satisfaction, including reducing wait times for customers to be issued driver's licenses, personal identification certificates, and election identification certificates;

(2)  accessibility for citizens of this state, including citizens residing in rural areas of this state, to facilities performing the duties described by Subsection (a) of this section; and

(3)  administrative efficiency and cost savings.

(c)  Not later than September 1, 2021, the Department of Public Safety shall begin the process of advertising or otherwise soliciting bids, proposals, offers, or qualifications for a contract with an institution of higher education, as defined by Section 61.003, Education Code, to conduct the study required by Subsection (b) of this section.

(d)  Not later than March 1, 2022, the institution of higher education with which the Department of Public Safety contracts under Subsection (b) of this section shall submit to the department and the office of the secretary of state a report on the results of the study conducted under Subsection (b) of this section and any recommendations based on the study.

(e)  The Department of Public Safety, the office of the secretary of state, and the county tax assessor-collectors in this state shall assist and provide input in the study conducted under Subsection (b) of this section.

SECTION 117.  (a) Effective January 1, 2023, the powers and duties of the Department of Public Safety with regard to driver's licenses, personal identification certificates, and other miscellaneous programs, powers, and duties are transferred to the office of the secretary of state in accordance with this Act.

(b)  Effective January 1, 2023, all rules of the Department of Public Safety relating to driver's licenses, personal identification certificates, and other miscellaneous programs, powers, and duties are continued in effect as rules of the office of the secretary of state until superseded by a rule of the office of the secretary of state. A license or certification issued by the Department of Public Safety relating to driver's licenses, personal identification certificates, and other miscellaneous programs, powers, and duties is continued in effect as provided by the law in effect immediately before the effective date of this Act. A complaint, investigation, contested case, or other proceeding relating to driver's licenses, personal identification certificates, and other miscellaneous programs, powers, and duties that is pending on the effective date of this Act is continued without change in status after the effective date of this Act. An activity conducted by the Department of Public Safety relating to driver's licenses, personal identification certificates, and other miscellaneous programs, powers, and duties is considered to be an activity conducted by the office of the secretary of state.

(c)  On September 1, 2021, or as soon as is possible after that date, the public safety director of the Department of Public Safety shall adopt a comprehensive plan to ensure the smooth transition of all programs operated by the Department of Public Safety relating to driver's licenses, personal identification certificates, and other miscellaneous programs, powers, and duties before January 1, 2023, from the Department of Public Safety to the office of the secretary of state.

(d)  As soon as practicable after the Department of Public Safety and the office of the secretary of state receive the report on the study conducted under Section 116 of this Act, the Department of Public Safety and the office of the secretary of state shall establish a work group to evaluate and revise, if necessary, the comprehensive plan under Subsection (c) of this section to reflect the recommendations made in the report that would provide for the smooth transition of the programs described by that subsection.

SECTION 118.  Effective January 1, 2023:

(1)  all money, contracts, leases, rights, property, records, and bonds and other obligations of the Department of Public Safety relating to driver's licenses, personal identification certificates, and other miscellaneous programs, powers, and duties are transferred to the office of the secretary of state; and

(2)  an employee of the Department of Public Safety Driver License Division and any employee of the Department of Public Safety who primarily performs duties related to a power or duty transferred under this Act become employees of the office of the secretary of state.

SECTION 119.  (a) The unobligated and unexpended balance of any appropriations made to the Department of Public Safety in connection with or relating to driver's licenses, personal identification certificates, or other programs, powers, or duties transferred under this Act, for the state fiscal biennium ending August 31, 2023, is transferred to the office of the secretary of state for the purpose of implementing the powers, duties, obligations, and rights of action transferred to that department under this Act.

(b)  The Department of Public Safety shall continue, as necessary, to perform the duties and functions being transferred to the office of the secretary of state until the transfer of agency duties and functions is complete.

SECTION 120.  (a) The secretary of state and the Public Safety Commission shall enter into or revise a joint memorandum of understanding to coordinate the office of the secretary of state's and the Department of Public Safety's information systems to allow for the sharing of information so that each entity may effectively and efficiently perform the functions and duties assigned to it. Neither the office of the secretary of state nor the Department of Public Safety may impose or collect a fee or charge in connection with the sharing of information under the joint memorandum of understanding entered into or revised under this section.

(b)  The office of the secretary of state and the Department of Public Safety shall implement the joint memorandum of understanding using existing personnel and resources.

(c)  Otherwise confidential information shared under the memorandum of understanding remains subject to the same confidentiality requirements and legal restrictions on access to the information that are imposed by law on the entity that originally obtained or collected the information.

(d)  Information may be shared under the memorandum of understanding without the consent of the person who is the subject of the information.

SECTION 121.  (a) In addition to the memorandum of understanding required by this Act, the secretary of state and the Public Safety Commission may enter into or revise one or more other joint memoranda of understanding necessary to effect the transfer of the powers and duties of the Department of Public Safety to the office of the secretary of state under this Act. A memorandum of understanding may include an agreement for the provision of office space, utilities, and other facility services; the need for full-time equivalent positions of the Department of Public Safety to provide support services in addition to the positions transferred to the office of the secretary of state under this Act; other support services; and the transfer of information technology as necessary or appropriate to effect the transfer of the powers and duties of the Department of Public Safety to the office of the secretary of state.

(b)  Subsections (b), (c), and (d) of Section 120 of this Act apply to a memorandum of understanding entered into or revised under Subsection (a) of this section.

SECTION 122.  An employee of the office of the secretary of state employed by the office before the effective date of this Act may not be transferred to perform the duties described by Section 116(a) of this Act. Only full-time equivalent positions for which the 87th Legislature made appropriations to the office for the purpose of administering those duties in S.B. No. 1 (General Appropriations Act) or similar legislation of the 87th Legislature, Regular Session, 2021, may perform those duties.

SECTION 123.  As soon as practicable after the effective date of this Act, the secretary of state shall adopt rules as necessary to implement Section 521.009, Transportation Code, as amended by this Act.

SECTION 124.  To the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 125.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.