

By: Lopez

H.B. No. 874

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the issuance of a certified birth record to a homeless  
3 individual.

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

5 SECTION 1. Subchapter A, Chapter 191, Health and Safety  
6 Code, is amended by adding Section 191.00495 to read as follows:

7 Sec. 191.00495. BIRTH RECORD ISSUED TO HOMELESS INDIVIDUAL.

8 (a) In this section, "homeless individual":

9 (1) means an individual who:

10 (A) lacks a fixed, regular, and adequate  
11 nighttime residence; or

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

13 (i) a supervised publicly or privately  
14 operated shelter designed to provide temporary living  
15 accommodations, including welfare hotels, congregate shelters, and  
16 transitional housing for the mentally ill;

17 (ii) an institution that provides a  
18 temporary residence for individuals intended to be  
19 institutionalized; or

20 (iii) a public or private place not  
21 designed for, or ordinarily used as, a regular sleeping  
22 accommodation for human beings; and

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

1       (b) On request of a homeless individual, the state  
2 registrar, a local registrar, or a county clerk shall issue,  
3 without fee, a certified copy of the individual's birth record to  
4 the individual.

5       (c) The department by rule shall:

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

8           (2) prescribe the documentation necessary for the  
9 issuance of a certified copy of a birth record to a homeless  
10 individual whose status is verified through the process adopted  
11 under Subdivision (1).

12       (d) Notwithstanding any other law of this state, the  
13 department may not require a homeless individual to provide a  
14 physical address of the individual's residence to satisfy any  
15 requirement of this section.

16       SECTION 2. The changes in law made by this Act apply to an  
17 application for a birth record submitted on or after the effective  
18 date of this Act. An application for a birth record submitted before  
19 the effective date of this Act is governed by the law in effect on  
20 the date the application was submitted, and the former law is  
21 continued in effect for that purpose.

22       SECTION 3. This Act takes effect September 1, 2021.