

By: Middleton

H.B. No. 1029

A BILL TO BE ENTITLED

AN ACT

relating to the expiration date of driver's licenses and renewal
driver's licenses issued to noncitizens.

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

SECTION 1. Subchapter M, Chapter 521, Transportation Code,
is amended by adding Section 521.2712 to read as follows:

Sec. 521.2712. EXPIRATION OF NONCITIZEN LICENSE AND
RENEWAL. (a) Except as provided by Subsection (b), each original
driver's license issued to an applicant who is not a citizen and
each renewal of those licenses expires on the earliest of:

(1) the first anniversary of the date of issuance or
renewal, as applicable;

(2) the expiration date of the applicant's or license
holder's lawful presence in the United States as determined by the
appropriate United States agency in compliance with federal law, if
there is a definite expiration date for the applicant's or license
holder's authorized stay in the United States; or

(3) another date applicable under this subchapter,
including the date of a court order under Section 521.271(a)(4).

(b) Each original provisional or learner license issued to a
person who is not a citizen and each renewal of those licenses
expires on the earliest of:

(1) the first anniversary of the date of issuance or
renewal, as applicable;

1 (2) the 18th birthday of the license holder; or

2 (3) the expiration of the applicant's or license
3 holder's lawful presence in the United States as determined by the
4 appropriate United States agency in compliance with federal law, if
5 there is a definite expiration date for the applicant's or license
6 holder's authorized stay in the United States.

7 SECTION 2. Sections 521.271(a) and (b), Transportation
8 Code, are amended to read as follows:

9 (a) Except as provided by this subchapter, including
10 Sections 521.2711 and 521.2712, each [~~Each~~] original driver's
11 license, provisional license, learner license, or occupational
12 driver's license [~~issued to an applicant who is a citizen,~~
13 ~~national, or legal permanent resident of the United States or a~~
14 ~~refugee or asylee lawfully admitted into the United States]~~ expires
15 as follows:

16 (1) [~~except as provided by Section 521.2711,~~] a
17 driver's license expires on the first birthday of the license
18 holder occurring after the eighth anniversary of the date of the
19 application;

20 (2) a provisional license expires on the 18th birthday
21 of the license holder;

22 (3) a learner license expires on the 18th birthday of
23 the license holder;

24 (4) an occupational driver's license expires on the
25 first anniversary of the court order granting the license; and

26 (5) unless an earlier date is otherwise provided, a
27 driver's license issued to a person whose residence or domicile is a

1 correctional facility or a parole facility expires on the first
2 birthday of the license holder occurring after the first
3 anniversary of the date of issuance.

4 (b) Except as otherwise provided by this subchapter,
5 including Sections [~~Section~~] 521.2711 and 521.2712, a driver's
6 license that is renewed expires on the earlier of:

7 (1) the eighth anniversary of the expiration date
8 before renewal if the applicant is a citizen, national, or legal
9 permanent resident of the United States or a refugee or asylee
10 lawfully admitted into the United States;

11 [~~(1-a) for an applicant not described by Subdivision~~
12 ~~(1):~~

13 [~~(A) the earlier of:~~

14 [~~(i) the eighth anniversary of the~~
15 ~~expiration date before renewal; or~~

16 [~~(ii) the expiration date of the~~
17 ~~applicant's authorized stay in the United States; or~~

18 [~~(B) the first anniversary of the date of~~
19 ~~issuance, if there is no definite expiration date for the~~
20 ~~applicant's authorized stay in the United States,] or~~

21 (2) for a renewal driver's license issued to a person
22 whose residence or domicile is a correctional facility or a parole
23 facility, the first birthday of the license holder occurring after
24 the first anniversary of the date of issuance unless an earlier date
25 is otherwise provided.

26 SECTION 3. Section 521.272(c), Transportation Code, is
27 amended to read as follows:

1 (c) Notwithstanding Sections 521.271 and 521.2711, a
2 driver's license issued under this section, including a renewal,
3 duplicate, or corrected license, expires[+]

4 ~~[(1) if the license holder is a citizen, national, or~~
5 ~~legal permanent resident of the United States or a refugee or asylee~~
6 ~~lawfully admitted into the United States,]~~ on the first birthday of
7 the license holder occurring after the date of application, except
8 that:

9 (1) ~~[(A)]~~ the initial license issued under this
10 section expires on the second birthday of the license holder
11 occurring after the date of application, subject to Subdivision (2)
12 ~~[Paragraph (B)]~~; and

13 (2) ~~[(B)]~~ a license issued under this section to a
14 person described by Article 62.2021, Code of Criminal Procedure,
15 expires on the sixth anniversary of the date on which the license
16 was issued[~~, or~~

17 ~~[(2) if the applicant is not described by Subdivision~~
18 ~~(1), on the earlier of:~~

19 ~~[(A) the expiration date of the applicant's~~
20 ~~authorized stay in the United States, or~~

21 ~~[(B) as applicable:~~

22 ~~[(i) the first birthday of the license~~
23 ~~holder occurring after the date of application,~~

24 ~~[(ii) if the license holder holds an~~
25 ~~initial license issued under this section, the second birthday of~~
26 ~~the license holder occurring after the date of application, or~~

27 ~~[(iii) if the license holder is a person~~

1 ~~described by Article [62.2021](#), Code of Criminal Procedure, the sixth~~
2 ~~anniversary of the date on which the license was issued].~~

3 SECTION 4. The following provisions of the Transportation
4 Code are repealed:

5 (1) Sections [521.271](#)(a-2), (a-3), and (a-4); and

6 (2) Section [521.2711](#)(c).

7 SECTION 5. The changes in law made by this Act apply only to
8 a driver's license issued or renewed on or after June 1, 2022. A
9 driver's license issued or renewed before June 1, 2022, is governed
10 by the law in effect immediately before the effective date of this
11 Act, and the former law is continued in effect for that purpose.

12 SECTION 6. This Act takes effect September 1, 2021.