

By: Neave

H.B. No. 3292

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of a driver's license or personal identification certificate to a homeless individual.

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

SECTION 1. Subchapter I, Chapter 521, Transportation Code, is amended by adding Section 521.184 to read as follows:

Sec. 521.184. ISSUANCE OF LICENSE OR CERTIFICATE TO HOMELESS INDIVIDUAL. (a) In this section, "homeless individual":

(1) means an individual who:

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

(B) has a primary nighttime residence that is:

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

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

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

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

1 (b) Except as provided by Subsection (f) and subject to
2 Section 521.4265, a homeless individual is entitled to an exemption
3 from the payment of fees under this chapter for the issuance of a
4 driver's license or personal identification certificate.

5 (c) For the purposes of this section, a person's status as a
6 homeless individual must be confirmed by a notarized affidavit
7 from:

8 (1) an employee of a homeless shelter or transitional
9 housing facility;

10 (2) an employee of an organization that provides to
11 homeless individuals or assists homeless individuals in obtaining
12 services such as health services, mental or behavioral health
13 services, substance abuse services, public assistance services, or
14 employment services;

15 (3) an attorney licensed to practice law in this
16 state;

17 (4) a peace officer who is an official homeless
18 liaison;

19 (5) an employee of a faith-based organization that
20 provides benefits or services to homeless individuals; or

21 (6) a counselor or administrator at a school attended
22 by the homeless individual.

23 (d) A person may not charge a fee for the affidavit
24 described by Subsection (c).

25 (e) An affidavit described by Subsection (c) may not be used
26 for a driver's license or personal identification certificate
27 application if the affidavit was signed more than 60 days before the

1 date the application is submitted.

2 (f) Subsection (b) does not apply to a person subject to the
3 registration requirements of Chapter 62, Code of Criminal
4 Procedure.

5 (g) Rules adopted under this section regarding the issuance
6 of a personal identification certificate to a homeless child or
7 youth, as defined by Section 521.1015, must be consistent with the
8 provisions of that section.

9 SECTION 2. Sections 521.4265(b) and (c), Transportation
10 Code, are amended to read as follows:

11 (b) For each exemption granted under Section 521.1015, ~~[or]~~
12 521.1811, or 521.184, the department shall deposit to the credit of
13 the Texas mobility fund an amount from the identification fee
14 exemption account under Subsection (a) that is equal to the amount
15 of the waived fee that would otherwise be deposited to the mobility
16 fund.

17 (c) The department may not grant an exemption under Section
18 521.1015, ~~[or]~~ 521.1811, or 521.184 if money is not available in the
19 identification fee exemption account to meet the requirements of
20 Subsection (b).

21 SECTION 3. The changes in law made by this Act apply to an
22 application for a driver's license or personal identification
23 certificate submitted on or after the effective date of this Act.
24 An application for a driver's license or personal identification
25 certificate submitted before the effective date of this Act is
26 governed by the law in effect on the date the application was
27 submitted, and the former law is continued in effect for that

1 purpose.

2 SECTION 4. This Act takes effect September 1, 2021.