

BILL ANALYSIS

Senate Research Center
88R14382 MZM-F

H.B. 3798
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Transportation
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

State law allows a person to make a voluntary contribution to certain funds, accounts, and programs operated by the Department of Public Safety of the State of Texas (DPS) when applying for a driver's license or personal identification certificate. However, currently the statutes governing the voluntary contributions to these funds, accounts, and programs are not uniform in terms of the amount that may be contributed and who is prompted to opt to contribute. This can lead to underfunding of important services. For example, the Glenda Dawson Donate Life-Texas Registry fund, one of those to which people may make a voluntary contribution, supports the nonprofit organization administering the Glenda Dawson Donate Life-Texas Registry to increase organ, eye, and tissue donation. Another contribution option is the fund for veterans' assistance, which provides financial assistance and other support to eligible veterans and their families. Underfunding can lead to a number of issues, such as inadequate resources and services, lower quality of programs or services, longer wait times, and difficulty in meeting the needs of those who rely on the programs or services. H.B. 3798 seeks to provide for the consolidation of the various statutes governing the making of voluntary contributions when applying for a driver's license or personal identification certificate to impose uniformity in terms of the amount that may be donated and which applicants may opt to donate.

H.B. 3798 amends current law relating to making certain voluntary contributions when applying for a driver's license, commercial driver's license, or personal identification certificate.

[Note: While the statutory reference in this bill is to the Department of Assistive and Rehabilitative Services (DARS), the following amendments affect the Health and Human Services Commission, as the successor agency to DARS.]

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.008, Transportation Code, as follows:

Sec. 521.008. New heading: VOLUNTARY CONTRIBUTIONS. (a) Authorizes a person, when the person applies for an original, renewal, corrected, or duplicate driver's license or personal identification certificate under Chapter 521 (Driver's License and Certificates), to contribute \$1 or more to the following:

(1) the Glenda Dawson Donate Life-Texas Registry fund created under Section 692A.020 (Glenda Dawson Donate Life-Texas Registry; Education Program), Health and Safety Code, to be used for the purposes of the nonprofit organization administering the Glenda Dawson Donate Life-Texas Registry under Chapter 692A (Revised Uniform Anatomical Gift Act), Health and Safety Code;

(2) the fund for veterans' assistance established under Section 434.017 (Fund for Veterans' Assistance), Government Code;

(3) the evidence testing account established under Section 772.00716 (Evidence Testing Account), Government Code, to be used for the purposes of the evidence testing grant program established under Section 772.00715 (Evidence Testing Grant Program), Government Code;

(4) the Blindness Education, Screening, and Treatment Program established under Section 91.027 (Blindness Education, Screening, and Treatment Program), Human Resources Code; or

(5) the identification fee exemption account established under Section 521.4265 (Identification Fee Exemption Account).

Makes nonsubstantive changes.

(b) Requires the Department of Public Safety of the State of Texas (DPS) to:

(1) include space on each application for an original, renewal, corrected, or duplicate driver's license or personal identification certificate that allows a person applying for an original, renewal, corrected, or duplicate driver's license or personal identification certificate to indicate that the person is voluntarily contributing \$1 to the designated fund, account, or program, as applicable. Deletes existing text requiring DPS to include space on each application for a new or renewal driver's license that allows a person applying for a new or renewal driver's license to indicate that the person is voluntarily contributing \$1 to the organization; and

(2) provide an opportunity for the person to contribute \$1 to the designated fund, account, or program, as applicable, during the application process for an original, renewal, corrected, or duplicate driver's license or personal identification certificate on DPS's Internet website. Makes a conforming change.

(c) Requires DPS to remit any contribution made under this section to the Comptroller of Public Accounts of the State of Texas (comptroller) for deposit to the credit of the designated fund, account, or program, as applicable. Deletes existing text requiring DPS to remit any contribution made under this section to the comptroller for deposit to the credit of the Glenda Dawson Donate Life-Texas Registry fund created under Section 692.020, Health and Safety Code.

(d) Requires the organization described by Subsection (a)(1) to submit an annual report to the director of DPS that includes the total dollar amount of contributions received by the organization under this section.

SECTION 2. Amends Section 521.4265(a), Transportation Code, as follows:

(a) Provides that the identification fee exemption account fund consists of grants and donations made to DPS for the purposes of this section, including donations received under Sections 521.008 and 522.0295 (Voluntary Contribution for Evidence Testing Grant Program), rather than Sections 521.421(k) (relating to allowing persons applying for or renewing certain licenses over the Internet or by other electronic means to donate to the identification fee exemption account) and 521.422(d) (relating to allowing persons applying for or renewing a personal identification card over the Internet or by other electronic means to donate to the identification fee exemption account).

SECTION 3. Amends Section 521.427(b), Transportation Code, as follows:

(b) Provides that Subsection (a) (relating to requiring the disposition of certain fees into the Texas mobility fund) does not apply to the portion of a fee collected under Section 521.421(b) (relating to the cost of the fee for renewal of a Class M license or for renewal

of a license that includes authorization to ride a motorcycle) or Section 521.421(f) (relating to the cost of the fee for an applicant applying for additional authorization to operate a motorcycle) that is required by Section 662.011 (Motorcycle Education Fund Account) to be deposited to the credit of the motorcycle education fund account. Deletes existing text providing that Subsection (a) does not apply to the portion of a fee collected under Section 541.421(f), as added by Chapter 1156, Acts of the 75th Legislature, Regular Session, 1997, that is required by Section 662.011 to be deposited to the credit of the motorcycle education fund account, to a fee collected under Section 521.421(j) (relating to requiring DPS to collect a fee to fund the Blindness Education, Screening, and Treatment program should a person requesting a personal identification certificate opt to pay the additional fee), to a fee collected under Section 521.422(b) (relating to requiring DPS to collect a fee to fund the Blindness Education, Screening, and Treatment program should a person requesting a driver's license opt to pay the additional fee) or (c) (relating to allowing persons applying for or renewing a personal identification card over the Internet or by other electronic means to donate to the Glenda Dawson Donate Life-Texas Registry should a person opt to pay the additional fee).

SECTION 4. Amends Section 522.0295, Transportation Code, as follows:

Sec. 522.0295. New heading: VOLUNTARY CONTRIBUTIONS. (a) Authorizes a person, when a person applies for an original, renewal, corrected, or duplicate commercial driver's license under Chapter 522 (Commercial Driver's Licenses), to contribute \$1 or more to the following:

- (1) the Glenda Dawson Donate Life-Texas Registry fund created under Section 692A.020, Health and Safety Code, to be used for the purposes of the nonprofit organization administering the Glenda Dawson Donate Life-Texas Registry under Chapter 692A, Health and Safety Code;
- (2) the fund for veterans' assistance established under Section 434.017, Government Code;
- (3) the evidence testing account established under Section 772.00716, Government Code, to be used for the purposes of the evidence testing grant program established under Section 772.00715, Government Code;
- (4) the Blindness Education, Screening, and Treatment Program established under Section 91.027, Human Resources Code; or
- (5) the identification fee exemption account established under Section 521.4265.

(b) Requires DPS to:

- (1) include space on the first page of each application for an original, renewal, corrected, or duplicate commercial driver's license that allows a person applying for an original, renewal, corrected, or duplicate commercial driver's license to indicate the amount that the person is voluntarily contributing to the designated fund, account, or program, as applicable. Deletes existing text requiring that DPS include space on each application for an original, renewal, corrected, or duplicate driver's license that allows a person applying for an original, renewal, corrected, or duplicate driver's license to indicate that the person is voluntarily contributing \$1 to the grant program; and
- (2) makes a conforming change to this subdivision.

(c) Requires DPS to remit, rather than send, any contribution made under this section to the comptroller for deposit to the credit of the designated fund, account, or program, as applicable, rather than the evidence testing account established

under Section 772.00716, Government Code, not later than the 14th day of each month. Authorizes DPS, before sending the money to the comptroller, to deduct money equal to the amount of reasonable expenses for administering this section, not to exceed five percent of the money collected under this section.

(d) Requires the organization described by Subsection (a)(1) to submit an annual report to the director of DPS that includes the total dollar amount of contributions received by the organization under this section.

SECTION 5. Amends Section 434.017(a), Government Code, as follows:

(a) Provides that the fund for veterans' assistance is composed of:

(1)-(5) makes no changes to these subdivisions;

(6) money deposited to the credit of the fund under Sections 521.008 and 522.0295, rather than Section 521.010 (Voluntary Contribution to Fund for Veterans' Assistance), Transportation Code; and

(7)-(8) makes no changes to these subdivisions.

SECTION 6. Amends Section 692A.020(i), Health and Safety Code, as follows:

(i) Provides that the Glenda Dawson Donate Life-Texas Registry fund is composed of money deposited to the credit of the fund under certain sections, including Section 522.0295, Transportation Code, as provided by those sections. Deletes existing text providing that the fund is composed of money deposited to the credit of the fund under certain sections, including Section 521.422(c), Transportation Code. Makes a conforming change.

SECTION 7. Amends Section 91.027(a), Human Resources Code, as follows:

(a) Requires the Department of Assistive and Rehabilitative Services, to the extent that funds are available under Sections 521.008 and 522.0295, rather than Sections 521.421(j) and 521.422(b), Transportation Code, to operate a Blindness Education, Screening, and Treatment Program to provide:

(1) makes no changes to these sections; and

(2) transition services to individuals with visual disabilities eligible for vocational rehabilitation services, rather than rehabilitation services under Section 117.102 Vocational Rehabilitation Program for Individuals with Visual Impairments).

SECTION 8. Repealer: Section 521.010 (Voluntary Contribution to Fund for Veterans' Assistance), Transportation Code.

Repealer: Section 521.012 (Voluntary Contribution for Evidence Testing Grant Program), Transportation Code.

Repealers: Sections 521.421(j) (relating to requiring DPS to collect a fee to fund the Blindness Education, Screening, and Treatment program should a person requesting a personal identification certificate opt to pay the additional fee) and (k) (relating to allowing persons applying for or renewing certain licenses over the Internet or by other electronic means to donate to the identification fee exemption account), Transportation Code.

Repealers: Sections 521.422(b) (relating to requiring DPS to collect a fee to fund the Blindness Education, Screening, and Treatment program should a person requesting a driver's license opt to pay the additional fee) (c) (relating to allowing persons applying for or renewing a personal identification card over the Internet or by other electronic

means to donate to the Glenda Dawson Donate Life-Texas Registry fund (fund) and to the administration of the fund), Transportation Code.

Repealer: Section 521.422(d) (relating to allowing persons applying for or renewing a personal identification card over the Internet or by other electronic means to donate to the identification fee exemption account), Transportation Code.

Repealer: Section 522.152 (Voluntary Contribution to Donor Registry), Transportation Code.

SECTION 9. Provides that this Act prevails over another Act of the 88th Legislature, Regular Session, 2023, to the extent of any conflict, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 10. Effective date: September 1, 2023.