

BILL ANALYSIS

H.B. 3798
By: Guillen
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

State law allows a person to make a voluntary contribution to certain funds, accounts, and programs operated by the Department of Public Safety (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.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3798 amends the Transportation Code 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. As a result of this consolidation, a person applying for an original, renewal, corrected, or duplicate driver's license or personal identification certificate is authorized to contribute \$1 or more to the following funds, programs, and accounts:

- the Glenda Dawson Donate Life-Texas Registry fund, to be used for the purposes of the nonprofit organization administering the Glenda Dawson Donate Life-Texas Registry;
- the fund for veterans' assistance;
- the evidence testing account, to be used for the purposes of the evidence testing grant program administered by the criminal justice division of the governor's office;
- the Blindness Education, Screening, and Treatment Program; and

- the identification fee exemption account.

This new, consolidated authorization is a specific change to current law in the following ways:

- with respect to contributions to the Glenda Dawson Donate Life-Texas Registry fund, the list of applicants who may opt to contribute is expanded from only applicants for an original or renewal driver's license and applicants for the issuance or renewal of a personal identification certificate, including a duplicate;
- with respect to contributions to the Blindness Education, Screening, and Treatment Program:
 - the list of applicants who may opt to contribute is expanded from only applicants for the issuance or renewal of a driver's license or personal identification certificate; and
 - the amount contributed may now exceed \$1, whereas current law allows applicants only to opt to make a flat \$1 donation;
- with respect to contributions to the identification fee exemption account, the list of applicants who may opt to contribute is expanded from only applicants for the issuance or renewal of a driver's license or personal identification certificate, including a duplicate; and
- with respect to administrative expenses, the current five percent cap on the amount of the contributions collected that may be used by DPS for administrative expenses incurred in collecting the contributions, applicable currently only with respect to contributions to the Glenda Dawson Donate Life-Texas Registry fund, is made applicable also with respect to all contributions.

H.B. 3798 consolidates the various statutes governing the making of voluntary contributions when applying for a commercial driver's license (CDL) to impose uniformity in terms of which applicants may opt to contribute and further expand the opportunities to make contributions. As a result of this consolidation, a person applying for an original, renewal, corrected, or duplicate CDL is authorized to contribute \$1 or more to the following funds, programs, and accounts:

- the Glenda Dawson Donate Life-Texas Registry fund, to be used for the purposes of the nonprofit organization administering the Glenda Dawson Donate Life-Texas Registry;
- the fund for veterans' assistance;
- the evidence testing account, to be used for the purposes of the evidence testing grant program administered by the criminal justice division of the governor's office;
- the Blindness Education, Screening, and Treatment Program; and
- the identification fee exemption account.

This new, consolidated authorization is a specific change to current law in the following ways:

- the option for an applicant to make a contribution to the fund for veterans' assistance, the Blindness Education, Screening, and Treatment Program, and the identification fee exemption account are newly added;
- with respect to contributions to the Glenda Dawson Donate Life-Texas Registry fund, the list of applicants who may opt to contribute is expanded from only applicants for an original or renewal CDL; and
- with respect to administrative expenses, the current five percent cap on the amount of the contributions collected that may be used by DPS for administrative expenses incurred in collecting the contributions, applicable currently only with respect to contributions to the Glenda Dawson Donate Life-Texas Registry fund, is made applicable also with respect to contributions to the fund evidence testing grant program, as well as the newly added contribution options.

H.B. 3798 amends the Government Code, Health and Safety Code, and Human Resources Code to make conforming changes.

H.B. 3798 repeals the following provisions of the Transportation Code:

- Section 521.010;
- Section 521.012;

- Sections 521.421(j) and (k);
- Sections 521.422(b), (c), and (d); and
- Section 522.152.

EFFECTIVE DATE

September 1, 2023.