

BILL ANALYSIS

S.B. 227
By: West
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to the Texas Department of Public Safety (DPS), only state-issued driver's licenses and identification cards that are REAL ID compliant are accepted for federal government purposes as of May 7, 2025, and applicants for such an identification must submit certain documents as proof of U.S. citizenship or lawful status, such as a birth certificate. The bill sponsor has informed the committee that this presents a problem for thousands of senior Texans who, despite holding valid driver's licenses for decades, are unable to renew due to their inability to produce a birth certificate to DPS and that, in such cases, DPS requires the submission of various alternative forms of identifying documents.

Through a procedure known as delayed birth registration, the vital statistics unit of the Department of State Health Services (DSHS) approves applications for birth certificates for persons whose birth records were not submitted to county officials by hospitals or other entities. The vital statistics unit requires various documents to be submitted by a person attempting to obtain their birth certificate through the delayed birth registration process. The bill sponsor has informed the committee that, under the current process, the presence of any contradictory information may be grounds for denial.

S.B. 227 seeks to provide greater guidance to DSHS and the state registrar in their review of applications for delayed registrations for births by prohibiting the state registrar from denying an application for delayed birth registration based solely on the presence of information that contradicts other evidence submitted and requires the registrar to consider the contents of the application as a whole to determine the applicant's identity and place of birth.

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

S.B. 227 amends the Health and Safety Code to prohibit the state registrar from rejecting an application for a delayed registration for a birth based solely on the inclusion of supporting evidence that contains inconsistent or contradictory information if, based on the contents of the application as a whole, the state registrar determines by a preponderance of the evidence the applicant's identity and place of birth. The bill requires the state registrar, in making such a determination, to consider and give weight to the following:

- any supporting evidence that raises a legitimate question as to the applicant's actual place of birth;

- the inclusion of a valid driver's license or personal identification certificate; and
- the inclusion of a verified affidavit by a person with personal knowledge of the applicant's identity.

If a delayed birth certificate of a person who was born before January 1, 1971, is otherwise acceptable for registration and the identity of one parent of the person is established by information not contradictory to information available to the state registrar, the state registrar must register the delayed birth certificate with only the established parent's name entered on the certificate.

EFFECTIVE DATE

September 1, 2025.