

1-1 By: Menéndez S.B. No. 801
1-2 (In the Senate - Filed January 16, 2025; February 7, 2025,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 15, 2025, reported favorably by the following vote: Yeas 8,
1-5 Nays 1; April 15, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13	X			
1-14			X	
1-15			X	
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the issuance of a certified birth record to a homeless
1-22 individual.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-24 SECTION 1. Subchapter A, Chapter 191, Health and Safety
1-25 Code, is amended by adding Section 191.00495 to read as follows:
1-26 Sec. 191.00495. BIRTH RECORD ISSUED TO HOMELESS INDIVIDUAL.

1-27 (a) In this section, "homeless individual":

1-28 (1) means an individual who:

1-29 (A) lacks a fixed, regular, and adequate
1-30 nighttime residence; or

1-31 (B) has a primary nighttime residence that is:

1-32 (i) a supervised publicly or privately
1-33 operated shelter designed to provide temporary living
1-34 accommodations, including welfare hotels, congregate shelters, and
1-35 transitional housing for the mentally ill;

1-36 (ii) an institution that provides a
1-37 temporary residence for individuals intended to be
1-38 institutionalized; or

1-39 (iii) a public or private place not
1-40 designed for, or ordinarily used as, a regular sleeping
1-41 accommodation for human beings; and

1-42 (2) does not include an individual who is imprisoned
1-43 or otherwise detained in a correctional facility.

1-44 (b) On request of a homeless individual, the state
1-45 registrar, a local registrar, or a county clerk shall issue,
1-46 without fee, a certified copy of the individual's birth record to
1-47 the individual.

1-48 (c) The executive commissioner by rule shall:

1-49 (1) adopt a process to verify a person's status as a
1-50 homeless individual; and

1-51 (2) prescribe the documentation necessary for
1-52 issuance of a certified copy of a birth record to a homeless
1-53 individual whose status is verified through the process adopted
1-54 under Subdivision (1).

1-55 (d) Notwithstanding any other provision of state law, the
1-56 department may not require a homeless individual to provide a
1-57 physical address of the individual's residence to satisfy any
1-58 requirement of this section.

1-59 SECTION 2. As soon as practicable after the effective date
1-60 of this Act, the executive commissioner of the Health and Human
1-61 Services Commission shall adopt the rules required by Section

2-1 191.00495, Health and Safety Code, as added by this Act.

2-2 SECTION 3. The changes in law made by this Act apply to an
2-3 application for a birth record submitted on or after the effective
2-4 date of this Act. An application for a birth record submitted before
2-5 the effective date of this Act is governed by the law in effect on
2-6 the date the application was submitted, and the former law is
2-7 continued in effect for that purpose.

2-8 SECTION 4. This Act takes effect September 1, 2025.

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