By: Bhojani H.B. No. 1162

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of a certified birth record, 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 A, Chapter 191, Health and Safety Code, is amended by adding Section 191.00495 to read as follows:

Sec. 191.00495. BIRTH RECORD ISSUED 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 individuals with mental illness;

(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, unless the individual satisfies the conditions described by Subdivision (1) at the time of the individual's arrest.

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

(c) The department by rule shall:

(1) adopt a process to verify an individual's status as a homeless individual; and

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

(d) In adopting a verification process under Subsection (c), the department shall allow an individual requesting a birth record to provide a letter certifying the individual is a homeless individual that is issued by the director of:

(1) an emergency shelter or transitional housing program funded by the United States Department of Housing and Urban Development;

(2) a shelter for homeless individuals;

(3) a transitional living program; or

(4) a law enforcement agency of a political subdivision of this state that appoints or employs peace officers as described by Article 2A.001, Code of Criminal Procedure.

(e) Notwithstanding any other law of this state, the

department may not require a homeless individual to provide a physical address of the individual's residence to satisfy any requirement of this section.

SECTION 2. 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" has the meaning assigned by Section 191.00495, Health and Safety Code.

(b) The department by rule shall:

(1) adopt a process to verify an individual's status as a homeless individual;

(2) prescribe the documentation necessary for the issuance of a driver's license or personal identification certificate to a homeless individual; and

(3) exempt a homeless individual from the payment of fees under this chapter for the issuance of a driver's license or personal identification certificate, subject to Section 521.4265.

(c) In adopting a verification process under Subsection (b), the department shall allow an individual applying for a driver's license or personal identification certificate to provide a letter certifying the individual is a homeless individual that is issued by the director of:

(1) an emergency shelter or transitional housing program funded by the United States Department of Housing and Urban Development;

(2) a shelter for homeless individuals;

(3) a transitional living program; or

(4) a law enforcement agency of a political subdivision of this state that appoints or employs peace officers as described by Article 2A.001, Code of Criminal Procedure.

(d) Notwithstanding any other law of this state and to the extent permitted under federal law, the department may not require a homeless individual to provide a physical address of the individual's residence to satisfy any requirement of this chapter.

(e) A rule adopted under this section regarding the issuance of a personal identification certificate to a homeless child or youth, as defined by Section 521.1015, must be consistent with the provisions of that section.

SECTION 3. Sections 521.4265(b) and (c), Transportation Code, are amended to read as follows:

(b) From the money in the identification fee exemption account the department shall:

(1) request that the comptroller transfer to the Texas Workforce Commission amounts sufficient to cover the cost of implementing the program under Section 521.168, including amounts sufficient for the payment by the Texas Workforce Commission of:

(A) fees to entities other than the department; and

(B) the Texas Workforce Commission's implementation costs; and

(2) for each exemption granted under Section 521.1015, 521.1016, [~~or~~] 521.1811, or 521.184, deposit to the credit of the Texas mobility fund an amount that is equal to the amount of the

waived fee that would otherwise be deposited to the mobility fund.

(c) The department may not:

(1) request a transfer under Subsection (b)(1) if the balance of the account for the fiscal year is less than three times the amount expended in the previous fiscal year for the waivers provided by Sections 521.1015(e), [~~and~~] 521.1811, and 521.184; or

(2) grant an exemption under Section 521.1015, 521.1016, [~~or~~] 521.1811, or 521.184, if money is not available in the identification fee exemption account to meet the requirements of Subsection (b)(2).

SECTION 4. The changes in law made by this Act apply to an application for a birth record, driver's license, or personal identification certificate submitted on or after the effective date of this Act. An application for a birth record, driver's license, or personal identification certificate submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2027.