

**BILL ANALYSIS**

C.S.H.B. 862  
By: Bernal  
Transportation  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

Informed observers assert that fees for a driver’s license and personal identification certificate should be waived for certain foster care and homeless youth because these documents are often needed to obtain employment, housing, and financial services. C.S.H.B. 862 seeks to provide for such waivers.

**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**

C.S.H.B. 862 amends the Transportation Code to exempt from the payment of any fee for the issuance of a personal identification certificate a person who is younger than 18 years of age and in the managing conservatorship of the Department of Family and Protective Services (DFPS); at least 18 years of age but younger than 21 years of age and resides in a foster care placement the cost of which is paid by DFPS; or a homeless child or youth as defined by federal law. The bill extends the exemption under which a person is exempt from the payment of any fee for the issuance of a driver's license on the basis of the person's status as a foster care youth to include a homeless child or youth as defined under federal law.

**EFFECTIVE DATE**

September 1, 2017.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 862 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED		HOUSE COMMITTEE SUBSTITUTE
No equivalent provision.	(But see	SECTION 1. Subchapter E, Chapter 521, Transportation Code, is amended by adding Section 521.1015 to read as follows:
SECTION 1 below.)		

SECTION 1. Subchapter I, Chapter 521, Transportation Code, is amended to read as follows:

Sec. 521.1811 WAIVER OF FEES FOR FOSTER CARE AND HOMELESS YOUTH. A person is exempt from the payment of any fee for the issuance of a driver's license or state identification certificate (including but not limited to first issuances, renewals, and address changes), as provided under this chapter, if that person is:

(1) younger than 18 years of age and in the managing conservatorship of the Department of Family and Protective Services; or

(2) at least 18 years of age, but younger than 21 years of age, and resides in a foster care placement, the cost of which is paid by the Department of Family and Protective Services.

(3) younger than 21 years of age and classified as homeless under the McKinney-Vento Homeless Assistance Act of 1987 by the Homeless Education Liaison at the school district in which they are enrolled.

SECTION 2. This Act takes effect September 1, 2017.

Sec. 521.1015. WAIVER OF FEES FOR FOSTER CARE AND HOMELESS YOUTH. A person is exempt from the payment of any fee for the issuance of a personal identification certificate, as provided under this chapter, if that person is:

(1) younger than 18 years of age and in the managing conservatorship of the Department of Family and Protective Services;

(2) at least 18 years of age, but younger than 21 years of age, and resides in a foster care placement, the cost of which is paid by the Department of Family and Protective Services; or

(3) a homeless child or youth, as defined by 42 U.S.C. Section 11434a.

SECTION 2. Section 521.1811, Transportation Code, is amended to read as follows:

Sec. 521.1811. WAIVER OF FEES FOR FOSTER CARE AND HOMELESS YOUTH. A person is exempt from the payment of any fee for the issuance of a driver's license, as provided under this chapter, if that person is:

(1) younger than 18 years of age and in the managing conservatorship of the Department of Family and Protective Services; ~~[or]~~

(2) at least 18 years of age, but younger than 21 years of age, and resides in a foster care placement, the cost of which is paid by the Department of Family and Protective Services; or

(3) a homeless child or youth, as defined by 42 U.S.C. Section 11434a.

SECTION 3. Same as introduced version.