

BILL ANALYSIS

C.S.H.B. 123
By: White
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that foster children and homeless youth often find it difficult to obtain forms of identification. C.S.H.B. 123 seeks to address this issue by easing for these children some burdens associated with obtaining identification documents.

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. 123 amends the Transportation Code to authorize a foster child or youth, a homeless child or youth, or an unaccompanied youth who is applying for a personal identification certificate to provide a copy of the applicant's birth certificate as proof of identity and U.S. citizenship, as applicable. The bill authorizes such an applicant who does not have a residence or domicile to use the address of the regional office where the Department of Family and Protective Services (DFPS) caseworker for the applicant is based or to provide a letter certifying that the applicant is a homeless child or youth or an unaccompanied youth issued by the school district in which the applicant is enrolled, the director of an emergency shelter or transitional housing program funded by the U.S. Department of Housing and Urban Development, or the director of a basic center for runaway and homeless youth or a transitional living program. The bill defines "homeless child or youth" and "unaccompanied youth" by reference to federal law and defines "foster child or youth" as a child in the managing conservatorship of DFPS or a young adult who is at least 18 years of age, but younger than 21 years of age, and who resides in a foster care placement, the cost of which is paid by DFPS.

C.S.H.B. 123 authorizes a foster child or youth, a homeless child or youth, or an unaccompanied youth to apply for, and authorizes the Department of Public Safety to issue, a personal identification certificate without the signature or presence of or permission from a parent or guardian of the child or youth. The bill exempts such a child or youth from the payment of any fee for the issuance of a personal identification certificate and exempts a homeless child or youth or an unaccompanied youth from the payment of any fee for the issuance of a driver's license.

C.S.H.B. 123 amends the Health and Safety Code to require the state registrar, a local registrar, or a county clerk, on request of a homeless child or youth, an unaccompanied youth, or a foster child or youth, to issue to the requestor without fee or parental consent a certified copy of the requestor's birth record.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 123 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a requirement for the state registrar, a local registrar, or a county clerk to issue a birth record to a requesting homeless child or youth, unaccompanied youth, or foster child or youth without fee or parental consent.

The substitute changes the individuals in the foster care system to whom the personal identification certificate provisions apply from a foster child in DFPS conservatorship who is 16 years of age or older to a foster child or youth who is either a child in DFPS conservatorship or a young adult at least 18 years of age, but younger than 21, who resides in a foster care placement whose cost is paid by DFPS.

The substitute includes additional entities that may certify the status of a homeless child or youth or an unaccompanied youth for purposes of a personal identification certificate application. The substitute includes the option for such a child or youth to use the address of the regional office where the DFPS caseworker is based for such purposes.