

## **BILL ANALYSIS**

C.S.S.B. 991  
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Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been suggested that a digital identification program may offer greater convenience and security to issuers and holders of Texas driver's licenses and personal identification certificates. C.S.S.B. 991 seeks to establish a pilot program for the issuance of digital identification.

### **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 rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 of this bill.

### **ANALYSIS**

C.S.S.B. 991 amends the Transportation Code to require the Department of Public Safety (DPS) by rule to establish a pilot program for the issuance of digital identification, including digital driver's licenses and digital personal identification certificates. The bill requires DPS, in establishing the pilot program, to take the following actions:

- assess existing DPS infrastructure and identify changes required to implement the pilot program;
- upgrade DPS infrastructure according to the findings of the assessment;
- acquire a mobile application that:
  - displays digital identification including the general information required to be on a driver's license on a wireless communication device;
  - includes an authentication and verification process for a wireless communication device; and
  - may be used in any location regardless of the location's level of wireless connectivity or cellular telephone service; and
- deploy the digital identification mobile application at no cost to focus groups for testing and evaluation; and
- implement a law enforcement version of the application for field testing.

C.S.S.B. 991 prohibits digital identification issued under the pilot program from being used or accepted as valid proof of identification. The bill authorizes DPS to contract with a third party to establish the pilot program if the contract is at no cost to DPS.

C.S.S.B. 991 requires DPS to prepare a report containing the results of the pilot program and DPS recommendations and requires DPS to submit the report to the Public Safety Commission and the legislature not later than the 180th day after the date of completion of the pilot program. The bill requires DPS to adopt the initial rules for the pilot program not later than February 1, 2020. The bill's provisions expire September 1, 2021.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

**COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 991 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute does not include a requirement for DPS to conduct a study on the feasibility of issuing digital identification in Texas but does include a requirement for DPS to establish a pilot program for the issuance of such digital identification.

The substitute changes the date of the bill's expiration from January 1, 2023, to September 1, 2021.