

## **BILL ANALYSIS**

S.B. 798  
By: Nelson  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Survivors of domestic violence, who are often desperate for a fresh start, face many barriers to rebuilding their lives. Many of these individuals lack identification, which poses barriers to meeting their basic needs and moving out of shelters to begin the road to independence. For example, without identification, an individual often cannot obtain a permanent residence or apply for a job, which are necessary to lead an independent life. S.B. 798 seeks to address this issue by requiring certain state entities that issue identification documents to accommodate the needs of victims and the children of victims of family or dating violence by waiving associated fees.

### **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**

S.B. 798 amends the Health and Safety Code to require the state registrar, a local registrar, or a county clerk to issue to the following individuals without payment of a fee a certified copy of the individual's birth record on request:

- a victim of dating violence;
- a victim of family violence; or
- a child of such a victim.

S.B. 798 amends the Transportation Code to authorize a victim of dating violence, family violence, or the child of such a victim to do the following in applying for a personal identification certificate:

- provide a copy of the individual's birth certificate as proof of the individual's identity and U.S. citizenship, as applicable; and
- if the individual does not have a residence or domicile, provide a letter certifying the individual is homeless issued by one of the following:
  - an advocate;
  - a licensed mental health services provider who examined and evaluated the individual; or
  - the director of an emergency shelter or transitional housing program funded by HUD or through the federal Victims of Crime Act of 1984.

S.B. 798 requires the Texas Department of Public Safety (DPS) to exempt such an individual from the payment of any fee for the issuance of a personal identification certificate and exempts the individual from the payment of any fee for the issuance of a driver's license. The bill requires DPS to deposit to the credit of the Texas mobility fund an amount from the identification fee exemption account that is equal to the amount of the waived fee that would otherwise be deposited to the mobility fund. If money is not available in the account to meet that requirement, DPS may not grant the fee exemption.

**EFFECTIVE DATE**

September 1, 2021.