

- SUBJECT:** Allowing legislators, prosecutors to omit home address from DLs
- COMMITTEE:** Homeland Security and Public Safety — favorable, without amendment
- VOTE:** 7 ayes — White, Bowers, Goodwin, Harless, Hefner, E. Morales, Tinderholt
- 1 nay — Schaefer
- 1 absent — Patterson
- WITNESSES:** For — Gary McDonald, Dallas County District Attorney; (*Registered, but did not testify*: Philip Mack Furlow, 106th Judicial District Attorney; M. Paige Williams, for Dallas County Criminal District Attorney John Creuzot; Rick Briscoe, Open Carry Texas; Richard Bohnert; Thomas Parkinson)
- Against — (*Registered, but did not testify*: Calvin Tillman; Al Zito)
- BACKGROUND:** Transportation Code sec. 521.1211 allows a peace officer to apply to the Department of Public Safety for the issuance of a driver's license that omits the officer's actual residence address and includes, as an alternative, an address that is in the city or county of the officer's residence or the county of the officer's place of employment.
- If the status as a peace officer changes, the officer would have to apply for the issuance of a driver's license that includes the officer's actual residence address within 30 days of the status change.
- DIGEST:** HB 368 would allow a state legislator or a prosecutor to apply for a driver's license that omitted the legislator's or prosecutor's actual residence address and instead used certain alternative addresses. The Department of Public Safety would have to accept the address of an office as an alternative address for a state legislator or a prosecutor.
- The bill would take effect September 1, 2021.

**SUPPORTERS
SAY:** HB 368 would help state legislators and prosecutors keep themselves and their families safe from attacks and harassment occurring at their homes. Under current law, peace officers can apply for a driver's license using an alternative address that is not the address of the officer's home residence. Recent assaults and attempted assaults on public servants have demonstrated the need to take additional steps to protect the safety of state legislators and prosecutors. Given that these are visible members of their communities who are at increased risk of being harassed, or worse, by disgruntled members of the public, it would be appropriate to extend a privacy and security protection already afforded to peace officers to additional categories of public servants. Homes should be safe places for all Texans, regardless of occupation.

**CRITICS
SAY:** By extending the ability to omit home addresses from driver's licenses to state legislators and prosecutors, HB 368 would amount to being a perk offered to special classes of elected officials. This expansion would erode the spirit of current law, as its original intent was to assist law enforcement in protecting themselves and their families from harm. There also appears to be no limitation, as no penalty exists if an official fails to apply for a new license with the official's home address within 30 days of leaving office.

**OTHER
CRITICS
SAY:** HB 368 could affect voting if the person's office address was in a different district than the person's home address, which is an issue some peace officers have reportedly faced. The bill should be changed to address such unintended consequences and ensure peace officers, prosecutors, and state legislators retained the ability to vote for elected officials representing the districts of their personal residences.