

SUBJECT: Establishing a no-cost process for certain victims to obtain identification

COMMITTEE: Juvenile Justice and Family Issues — favorable, without amendment

VOTE: 8 ayes — Neave, Swanson, Cook, Frank, Ramos, Talarico, Vasut, Wu

0 nays

1 absent — Leach

SENATE VOTE: On final passage, April 9 — 31-0, on Local and Uncontested Calendar

WITNESSES: No public hearing.

BACKGROUND: Some have raised concerns that domestic violence survivors face difficulties in rebuilding their lives due to lack of identification and have called for establishing an alternative, no-cost process for obtaining a birth certificate and state-issued identification for these victims.

DIGEST: SB 798 would require the state registrar, a local registrar, or a county clerk to issue upon request, without payment of a fee, a certified copy of the birth record for an individual who was:

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

The bill would authorize an individual who was a victim of dating violence, family violence, or the child of such a victim to apply for a personal identification certificate by providing a copy of the individual's birth certificate as proof of the individual's identity and United States citizenship, as applicable. If the applicant did not have a residence or domicile, the individual could provide a letter certifying that the individual was experiencing homelessness.

The certification letter could be issued by:

- 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 the U.S. Department of Housing and Urban Development or through the federal Victims of Crime Act of 1984.

The bill would require the Department of Public Safety (DPS) to exempt such victims from the payment of any fee for the issuance of a personal identification certificate and would exempt the individual from the payment of any fee for the issuance of a driver's license.

DPS would be required to deposit to the credit of the Texas Mobility Fund an amount from the identification fee exemption account that was equal to the amount of the waived fee that would otherwise be deposited to the mobility fund. DPS could not grant an exemption if money was not available in the identification fee exemption account.

The bill would take effect September 1, 2021, and would apply only to an application for a birth record, driver's license, or personal identification certificate submitted on or after the effective date.