

SUBJECT: Establishing a digital personal identification program

COMMITTEE: Homeland Security & Public Safety — committee substitute recommended

VOTE: 6 ayes — Guillen, Jarvis Johnson, Bowers, Canales, Goodwin, Holland
1 nay — Dorazio
2 absent — Harless, Troxclair

WITNESSES: For — (*Registered, but did not testify:* Jennifer Szimanski, Combined Law Enforcement Associations of Texas; Jeff Miller, DocTrace; Wendy Foster, Independent Bankers Association of Texas; Carlos Ortiz, San Antonio Police Officers' Association; Thomas Parkinson)

Against — Tom Glass, Texas Constitutional Enforcement; Gregory Porter, Texas For Liberty; Elizabeth Dewey; Christin Hemmens; (*Registered, but did not testify:* Julie McCarty, True Texas Project; and six individuals)

On — Sheri Gipson, Texas Department of Public Safety (*Registered, but did not testify:* Michelle Evans)

BACKGROUND: Some have suggested that a digital driver's license would offer greater convenience and security to Texans, while providing a platform to deliver new services.

DIGEST: HB 71 would require the Department of Public Safety (DPS), in consultation with the Parks and Wildlife Department (TPWD), to establish a digital identification (ID) program. DPS would be required to assess and upgrade department infrastructure and provide a digital ID solution that:

- would be capable of presenting on a wireless device a digital ID that included driver's license information and, as applicable, handgun, hunting, or fishing license information;

- would include an authentication and verification process for the device; and
- could be used in any location regardless of the location's wireless connection or service.

DPS would be required to deploy the digital ID solution and implement any procedures necessary to allow law enforcement officials to accept digital ID. DPS could contract with a third party to establish the program if the contract came at no additional cost. DPS could charge a fee to issue digital IDs to offset the costs of establishing and implementing the program. Digital IDs would be prohibited from being used for voting purposes.

DPS would be required to establish the program by February 1, 2025. If DPS determined that federal authorization was needed in order to implement the program, DPS could delay implementing the program until authorization was granted.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.