

BILL ANALYSIS

Senate Research Center
78R6201 JRJ-D

S.B. 944
By: Ogden
Infrastructure Development and Security
3/13/2003
As Filed

DIGEST AND PURPOSE

Currently, a noncitizen is not required to provide documentation of legal status in the United States in order to be issued a driver's license or identification card. In addition, there is no requirement that these forms of identification expire at the same time the person's legal stay in the country expires. As proposed, S.B. 944 ensures the integrity of Texas driver's licenses and identification cards by requiring a license or card issued to a noncitizen to expire when the individual's legal stay in the United States ends, if it occurs prior to the regular expiration date.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.101, Transportation Code, by amending Subsection (f) and adding Subsection (j), as follows:

(f) Provides that a certificate expires on a date specified by the Department of Public Safety (DPS), except that a certificate issued to a person 60 years of age or older, other than a person described by Subdivision (2), does not expire and a certificate issued to a person who is not a citizen of the United States expires on a date corresponding to the end of the period of legal stay as indicated by documentation issued by the federal agency responsible for citizenship and immigration.

(j) Requires the DPS to indicate "NONCITIZEN" on the face of a personal identification certificate issued to a person who is not a citizen of the United States.

SECTION 2. Amends Chapter 521F, Transportation Code, by adding Section 521.127, as follows:

Sec. 521.127. DESIGNATOR ON LICENSE ISSUED TO A NONCITIZEN. Requires DPS to indicate "NONCITIZEN" on the face of a license held by a person who is not a citizen of the United States.

SECTION 3. Amends Section 521.142, Transportation Code, by adding Subsection (h) to require an applicant who is not a citizen of the United States to present to DPS documentation issued by the federal agency responsible for citizenship and immigration authorizing the applicant to be in the United States.

SECTION 4. Amends Section 521.1425(b), Transportation Code, to require DPS to require each applicant for an original, renewal, or duplicate driver's license to furnish to the DPS the information required by Sections 521.142(c)(7) and (8) and (h).

SECTION 5. Amends Section 521.271(a), Transportation Code, to provide an exception.

SECTION 6. Amends Chapter 521M, Transportation Code, by adding Section 521.2715, as

follows:

Sec. 521.2715. LICENSE EXPIRATION: NONCITIZENS. Provides that a driver's license held by a person who is not a citizen of the United States, including a renewal, duplicate, or corrected license, expires on the earlier of the date specified in Section 521.271 or the date corresponding to the end of the period of legal stay as indicated by documentation issued by the federal agency responsible for citizenship and immigration.

SECTION 7. Amends Section 521.421, Transportation Code, by adding Subsection (k), to require DPS to prorate the fee according to the number of years the license is to be in effect, if a driver's license issued to a person who is not a citizen of the United States expires before the date specified in Section 521.271.

SECTION 8. Amends Section 521.422(a), Transportation Code, to provide a schedule of fees for a personal identification certificate.

SECTION 9. Amends Section 522.021, Transportation Code, by amending Subsection (a) and adding Subsection (e), as follows:

(a) Requires an application for a commercial driver's license or commercial driver learner's permit to include certain items.

(e) Requires an applicant who is not a citizen of the United States to present to DPS documentation issued by the federal agency responsible for citizenship and immigration authorizing the applicant to be in the United States.

SECTION 10. Amends Section 522.029, Transportation Code, by amending Subsection (a) and adding Subsection (i), as follows:

(a) Provides that the fee for a commercial driver's license or commercial driver learner's permit issued by DPS is \$60, except as provided by Subsections (f), (h), and (i).

(i) Requires DPS to prorate the fee according to the number of years the license or permit is to be in effect if a commercial driver's license or commercial driver learner's permit issued to a person who is not a citizen of the United States expires before the date specified in Section 522.051.

SECTION 11. Amends Section 522.030, Transportation Code, regarding what a commercial driver's license is required to contain, to require that if the person is not a citizen of the United States, the word "NONCITIZEN" be on the face of the license.

SECTION 12. Amends Section 522.051(a), Transportation Code, to provide an additional exception.

SECTION 13. Amends Chapter 522E, Transportation Code, by adding Section 522.0515, as follows:

Sec. 522.0515. EXPIRATION OF LICENSE OR PERMIT: NONCITIZENS. Provides that a commercial driver's license or commercial driver learner's permit held by a person who is not a citizen of the United States, including a renewal, duplicate, or corrected license, expires on the earlier of the date specified in Section 522.051 or 522.052 or the date corresponding to the end of the period of legal stay as indicated by documentation issued by the federal agency responsible for citizenship and immigration.

SECTION 14. Amends Section 522.052, Transportation Code, by adding Subsection (h), to require DPS to require each applicant to furnish to DPS the information required by Sections 522.021(a)(6)

and (e) for a renewal, duplicate, or corrected commercial driver's license or duplicate or corrected commercial driver learner's permit.

SECTION 15. Makes application of this Act prospective.

SECTION 16. Effective date: September 1, 2003.