

BILL ANALYSIS

Senate Research Center
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S.B. 538
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 538 establishes an identification card fee waiver and application process for youth and young adults experiencing homelessness in Texas, similar to the existing policy for disabled veterans in Section 521.426, Transportation Code. As a result, it will be easier for youth experiencing homelessness to obtain identification and therefore, will increase the probability that these individuals will end their homelessness quickly and permanently.

Currently, youth in the foster care system are exempt from fees associated with driver license issuance if they are either younger than 18 years of age and under the conservatorship of the Department of Family and Protective Services or at least 18 years of age, but less than 21 years of age and reside in a foster care placement. S.B. 538 would maintain the waiver for these individuals and would add homeless children or youth and unaccompanied youth between the ages of 16 and 24 to the exemption from the fees for driver licenses or state identification cards.

Obtaining a state identification card is essential for Texas youth. Identification is required for a broad range of life activities, including applying for jobs, enrolling in education programs, opening financial accounts, accessing services, and interacting with law enforcement. Unfortunately, there are significant barriers to accessing identification for youth experiencing homelessness, most notably the lack of a fixed home address and funding to pay for the associated fee. Thirteen other states currently offer free or reduced fee cards for individuals experiencing homelessness, and a growing number offer clear criteria for individuals experiencing homelessness who cannot demonstrate proof of address.

S.B. 538 is supported by Texas Homeless Network, Outlast Youth, Lifeworks, Texas Network of Youth Services, and Metro Dallas Homeless Alliance.

As proposed, S.B. 538 amends current law relating to the issuance of a driver's license or personal identification certificate to a youth experiencing homelessness.

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 Subchapter R, Chapter 521, Transportation Code, by adding Section 521.4265, as follows:

Sec. 521.4265. EXEMPTION FOR YOUTH EXPERIENCING HOMELESSNESS. (a) Defines "youth experiencing homelessness."

(b) Provides that, except as provided by Subsections (f) and (i), a youth experiencing homelessness is entitled to an exemption from the payment of fees under this chapter (Driver's Licenses and Certificates) for the issuance of a driver's license or personal identification certificate.

(c) Requires, for purposes of this section, a person's status as a youth experiencing homelessness to be confirmed by a notarized affidavit from:

(1) a case manager employed by a homeless shelter or transitional housing facility, an organization that provides to youth experiencing homelessness or assists youth experiencing homelessness in obtaining services such as health services, mental or behavioral health services, substance abuse services, public assistance services, or employment services, or a faith-based organization that provides benefits or services to youth experiencing homelessness;

(2) a peace officer who is an official homeless liaison; or

(3) a counselor or administrator at a school attended by the youth experiencing homelessness.

(d) Prohibits a person from charging a fee for the affidavit described by Subsection (c).

(e) Prohibits an affidavit described by Subsection (c) from being used for a driver's license or a personal identification certificate application if the affidavit was signed more than 60 days before the date the application is submitted.

(f) Provides that Subsection (c) does not apply to a person subject to the registration requirements of Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure.

(g) Requires that for each exemption granted under this section the Department of Public Safety of the State of Texas (DPS) deposit to the credit of the Texas mobility fund an amount from the identification fee exemption account under Subsection (h) that is equal to the amount of the waived fee that would otherwise be deposited to the mobility fund.

(h) Provides that the identification fee exemption account is created as an account in the general revenue fund of the state treasury. Provides that the fund consists of grants and donations made to DPS for the purposes of this section. Requires DPS to administer the account. Authorizes money in the account to be appropriated for the purposes of Subsection (g).

(i) Prohibits DPS from granting an exemption under this section if money is not available in the identification fee exemption account to meet the requirements of Subsection (g).

SECTION 2. Effective date: September 1, 2019.