

SENATE AMENDMENTS

2nd Printing

By: Canales

H.B. No. 1823

A BILL TO BE ENTITLED

AN ACT

1
2 relating to properly recorded diacritical marks in vital statistics
3 records, driver's licenses, commercial driver's licenses, and
4 personal identification certificates.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter A, Chapter 191, Health and Safety
7 Code, is amended by adding Section 191.009 to read as follows:

8 Sec. 191.009. USE OF DIACRITICAL MARKS. (a) In this
9 section, "diacritical mark" means a mark used in Latin script to
10 change the sound of the letter to which it is added or used to
11 distinguish the meaning of the word in which the letter appears.
12 The term includes accents, tildes, graves, umlauts, and cedillas.

13 (b) The state registrar shall ensure that a vital statistics
14 record issued under this title properly records any diacritical
15 mark used in a person's name.

16 SECTION 2. Subchapter F, Chapter 521, Transportation Code,
17 is amended by adding Section 521.127 to read as follows:

18 Sec. 521.127. USE OF DIACRITICAL MARKS. (a) In this
19 section, "diacritical mark" means a mark used in Latin script to
20 change the sound of a letter to which it is added or used to
21 distinguish the meaning of the word in which the letter appears.
22 The term includes accents, tildes, graves, umlauts, and cedillas.

23 (b) The department shall ensure that an original or renewal
24 driver's license or personal identification certificate issued

1 under this chapter properly records any diacritical mark used in a
2 person's name.

3 SECTION 3. Section 522.030, Transportation Code, is amended
4 by adding Subsection (d) to read as follows:

5 (d) The department shall ensure that an original or renewal
6 commercial driver's license or commercial learner's permit issued
7 under this chapter properly records any diacritical mark used in a
8 person's name. In this subsection, "diacritical mark" means a mark
9 used in Latin script to change the sound of a letter to which it is
10 added or used to distinguish the meaning of the word in which the
11 letter appears. The term includes accents, tildes, graves,
12 umlauts, and cedillas.

13 SECTION 4. The change in law made by this Act applies only
14 to a vital statistics record issued by the Department of State
15 Health Services vital statistics unit or a driver's license,
16 personal identification certificate, or commercial driver's
17 license or learner's permit issued or renewed by the Texas
18 Department of Public Safety on or after September 1, 2018.

19 SECTION 5. This Act takes effect September 1, 2017.

ADOPTED

MAY 23 2017

Katay Spaw
Secretary of the Senate

By: *Tafferni*

H.B. No. 1823

Substitute the following for H.B. No. 1823:

By: *Tafferni*

C.S. H.B. No. 1823

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7 Code, is amended by adding Section 191.009 to read as follows:

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19 section, "diacritical mark" means a mark used in Latin script to
20 change the sound of a letter to which it is added or used to
21 distinguish the meaning of the word in which the letter appears.
22 The term includes accents, tildes, graves, umlauts, and cedillas.

23 (b) The department shall ensure that an original or renewal
24 driver's license or personal identification certificate issued

1 under this chapter properly records any diacritical mark used in a
2 person's name.

3 SECTION 3. Section 522.030, Transportation Code, is amended
4 by adding Subsection (d) to read as follows:

5 (d) The department shall ensure that an original or renewal
6 commercial driver's license or commercial learner's permit issued
7 under this chapter properly records any diacritical mark used in a
8 person's name. In this subsection, "diacritical mark" means a mark
9 used in Latin script to change the sound of a letter to which it is
10 added or used to distinguish the meaning of the word in which the
11 letter appears. The term includes accents, tildes, graves,
12 umlauts, and cedillas.

13 SECTION 4. The change in law made by this Act applies only
14 to a vital statistics record issued by the Department of State
15 Health Services vital statistics unit or a driver's license,
16 personal identification certificate, or commercial driver's
17 license or learner's permit issued or renewed by the Texas
18 Department of Public Safety on or after January 1, 2019.

19 SECTION 5. This Act takes effect September 1, 2017.

ADOPTED

MAY 23 2017

Atay Spaw
Secretary of the Senate

Franco Licio

FLOOR AMENDMENT NO. 1

BY: _____

1 Amend C.S.H.B. No. 1823 (senate committee report) by adding
2 the following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Subtitle B, Title 7, Transportation Code, is
5 amended by adding Chapter 526 to read as follows:

6 CHAPTER 526. DIGITAL IDENTIFICATION PILOT PROGRAM

7 Sec. 526.001. DEFINITIONS. In this chapter:

8 (1) "Department" and "driver's license" have the
9 meanings assigned by Section 521.001.

10 (2) "Diacritical mark" has the meaning assigned by
11 Section 521.127.

12 (3) "Digital identification" includes digital
13 driver's licenses and digital personal identification
14 certificates.

15 Sec. 526.002. DIGITAL IDENTIFICATION PILOT PROGRAM. (a)
16 The department by rule may establish a pilot program for the
17 issuance of digital identification that properly records any
18 diacritical mark used in a person's name.

19 (b) In establishing the digital identification pilot
20 program, the department shall:

21 (1) assess existing department infrastructure and
22 identify changes required to implement the program;

23 (2) upgrade department infrastructure according to
24 the department's findings under Subdivision (1);

25 (3) acquire a mobile application that:

26 (A) properly records any diacritical mark used
27 in a person's name;

28 (B) displays digital identification that
29 includes the information described by Section 521.121(a) on a

1 wireless communication device;

2 (C) includes an authentication and verification
3 process for a wireless communication device; and

4 (D) may be used in any location regardless of
5 the location's level of wireless connectivity or cellular
6 telephone service;

7 (4) deploy the digital identification mobile
8 application at no cost to focus groups for testing and
9 evaluation; and

10 (5) implement a law enforcement version of the
11 application for field testing.

12 (c) Digital identification issued under this section may
13 not be used or accepted as valid proof of identification.

14 (d) The department may contract with a third party to
15 establish the pilot program described by this section if the
16 contract is at no cost to the department.

17 (e) The department shall prepare a report containing the
18 results of the pilot program and the department's
19 recommendations. The department shall submit the report to the
20 Public Safety Commission and the legislature not later than the
21 180th day after the date of completion of the pilot program.

22 Sec. 526.003. EXPIRATION. This chapter expires September
23 1, 2019.

24 SECTION ____ . The Department of Public Safety is required
25 to implement this Act only if the legislature appropriates money
26 specifically for that purpose. If the legislature does not
27 appropriate money specifically for that purpose, the department
28 may, but is not required to, implement this Act using other
29 appropriations available for that purpose.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 24, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1823 by Canales (Relating to properly recorded diacritical marks in vital statistics records, driver's licenses, commercial driver's licenses, and personal identification certificates.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code and the Transportation Code relating to properly recorded marks in vital statistics records, driver's licenses, commercial driver's licenses, and personal identification certificates. The bill would also amend the Transportation Code to require DPS to establish a pilot program for the issuance of a mobile application that displays, authenticates, and verifies digital identification, including diacritical marks, on a mobile communication device. It is assumed any costs associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 537 State Health Services, Department of

LBB Staff: UP, AG, AI, JAW, EP, RD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 19, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1823 by Canales (Relating to properly recorded diacritical marks in vital statistics records, driver's licenses, commercial driver's licenses, and personal identification certificates.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code and the Transportation Code relating to properly recorded diacritical marks in vital statistics records, driver's licenses, commercial driver's licenses, and personal identification certificates. Based on the LBB's analysis of the Department of State Health Services and the Department of Public Safety, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 537 State Health Services, Department of

LBB Staff: UP, AG, EP, RD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 12, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1823 by Canales (Relating to properly recorded diacritical marks in vital statistics records, driver's licenses, commercial driver's licenses, and personal identification certificates.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code and the Transportation Code relating to properly recorded diacritical marks in vital statistics records, driver's licenses, commercial driver's licenses, and personal identification certificates. Based on the LBB's analysis of the Department of State Health Services and the Department of Public Safety, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 537 State Health Services, Department of

LBB Staff: UP, AG, EP, RD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 3, 2017

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1823 by Canales (Relating to properly recorded diacritical marks in vital statistics records, driver's licenses, commercial driver's licenses, and personal identification certificates.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code and the Transportation Code relating to properly recorded diacritical marks in vital statistics records, driver's licenses, commercial driver's licenses, and personal identification certificates. Based on the LBB's analysis of the Department of State Health Services and the Department of Public Safety, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 537 State Health Services, Department of
of

LBB Staff: UP, AG, EP, RD