

1-1 By: Guillen (Senate Sponsor - West) H.B. No. 3641
 1-2 (In the Senate - Received from the House April 24, 2023;
 1-3 April 25, 2023, read first time and referred to Committee on
 1-4 Transportation; May 19, 2023, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to residency requirements for driver's licenses and
 1-20 personal identification certificates.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 521.101, Transportation Code, is amended
 1-23 by amending Subsections (f-1) and (j) to read as follows:

1-24 (f-1) A personal identification certificate issued to a
 1-25 person whose address of principal residence [~~or domicile~~] is a
 1-26 correctional facility or a parole facility expires on the first
 1-27 birthday of the license holder occurring after the first
 1-28 anniversary of the date of issuance.

1-29 (j) The department may not issue a personal identification
 1-30 certificate to a person who has not established an address of
 1-31 principal residence [~~a domicile~~] in this state.

1-32 SECTION 2. Section 521.1015(c), Transportation Code, is
 1-33 amended to read as follows:

1-34 (c) Notwithstanding Section 521.101, Section 521.1426, or
 1-35 any other provision of this chapter, a child or youth described by
 1-36 Subsection (b) may, in applying for a personal identification
 1-37 certificate:

1-38 (1) provide a copy of the child's or youth's birth
 1-39 certificate as proof of the child's or youth's identity and United
 1-40 States citizenship, as applicable; and

1-41 (2) if the child or youth does not have an address of
 1-42 principal [~~a~~] residence [~~or domicile~~]:

1-43 (A) provide a letter certifying the child or
 1-44 youth is a homeless child or youth issued by:

1-45 (i) the school district in which the child
 1-46 or youth is enrolled;

1-47 (ii) the director of an emergency shelter
 1-48 or transitional housing program funded by the United States
 1-49 Department of Housing and Urban Development; or

1-50 (iii) the director of:

1-51 (a) a basic center for runaway and
 1-52 homeless youth; or

1-53 (b) a transitional living program; or

1-54 (B) use the address of the regional office where
 1-55 the Department of Family and Protective Services caseworker for the
 1-56 child or youth is based.

1-57 SECTION 3. Section 521.1016(c), Transportation Code, is
 1-58 amended to read as follows:

1-59 (c) Notwithstanding Section 521.101, Section 521.1426, or
 1-60 any other provision of this chapter, an individual described by
 1-61 Subsection (b) may, in applying for a personal identification

2-1 certificate:

2-2 (1) provide a copy of the individual's birth
2-3 certificate as proof of the individual's identity and United States
2-4 citizenship, as applicable; and

2-5 (2) if the individual does not have an address of
2-6 principal [a] residence [or domicile], provide a letter certifying
2-7 the individual is homeless issued by:

2-8 (A) an advocate;

2-9 (B) a licensed mental health services provider
2-10 who examined and evaluated the individual; or

2-11 (C) the director of an emergency shelter or
2-12 transitional housing program funded by the United States Department
2-13 of Housing and Urban Development or through the Victims of Crime Act
2-14 of 1984 (Title II, Pub. L. No. 98-473).

2-15 SECTION 4. Section 521.1426, Transportation Code, is
2-16 amended to read as follows:

2-17 Sec. 521.1426. ADDRESS OF PRINCIPAL RESIDENCE [DOMICILE]
2-18 REQUIREMENT; VERIFICATION. (a) The department may not issue a
2-19 driver's license or a personal identification certificate to a
2-20 person who has not established an address of principal residence [a
2-21 domicile] in this state.

2-22 (b) The department shall adopt rules for determining
2-23 whether an address of principal residence [a domicile] has been
2-24 established, including rules prescribing the types of
2-25 documentation the department may require from the applicant to
2-26 verify the validity of the claimed principal residence [domicile].

2-27 (c) The department may contract with a third-party personal
2-28 data verification service to assist the department in verifying a
2-29 claim of an address of principal residence [domicile], including
2-30 whether the physical address provided by the applicant is the
2-31 applicant's actual principal residence.

2-32 SECTION 5. Sections 521.271(a) and (b), Transportation
2-33 Code, are amended to read as follows:

2-34 (a) Each original driver's license, provisional license,
2-35 learner license, or occupational driver's license issued to an
2-36 applicant who is a citizen, national, or legal permanent resident
2-37 of the United States or a refugee or asylee lawfully admitted into
2-38 the United States expires as follows:

2-39 (1) except as provided by Section 521.2711, a driver's
2-40 license expires on the first birthday of the license holder
2-41 occurring after the eighth anniversary of the date of the
2-42 application;

2-43 (2) a provisional license expires on the 18th birthday
2-44 of the license holder;

2-45 (3) a learner license expires on the 18th birthday of
2-46 the license holder;

2-47 (4) an occupational driver's license expires on the
2-48 first anniversary of the court order granting the license; and

2-49 (5) unless an earlier date is otherwise provided, a
2-50 driver's license issued to a person whose address of principal
2-51 residence [or domicile] is a correctional facility or a parole
2-52 facility expires on the first birthday of the license holder
2-53 occurring after the first anniversary of the date of issuance.

2-54 (b) Except as provided by Section 521.2711, a driver's
2-55 license that is renewed expires on the earlier of:

2-56 (1) the eighth anniversary of the expiration date
2-57 before renewal if the applicant is a citizen, national, or legal
2-58 permanent resident of the United States or a refugee or asylee
2-59 lawfully admitted into the United States;

2-60 (1-a) for an applicant not described by Subdivision
2-61 (1):

2-62 (A) the earlier of:

2-63 (i) the eighth anniversary of the
2-64 expiration date before renewal; or

2-65 (ii) the expiration date of the applicant's
2-66 authorized stay in the United States; or

2-67 (B) the first anniversary of the date of
2-68 issuance, if there is no definite expiration date for the
2-69 applicant's authorized stay in the United States; or

3-1 (2) for a renewal driver's license issued to a person
3-2 whose address of principal residence [~~or domicile~~] is a
3-3 correctional facility or a parole facility, the first birthday of
3-4 the license holder occurring after the first anniversary of the
3-5 date of issuance unless an earlier date is otherwise provided.

3-6 SECTION 6. Section 521.421(a-2), Transportation Code, is
3-7 amended to read as follows:

3-8 (a-2) Except as provided by Subsection (a-1), the
3-9 department by rule shall establish the fee for a personal
3-10 identification certificate or driver's license issued to a person
3-11 whose address of principal residence [~~or domicile~~] is a
3-12 correctional facility or a parole facility.

3-13 SECTION 7. The changes in law made by this Act apply to an
3-14 application for a driver's license or personal identification
3-15 certificate submitted on or after the effective date of this Act.
3-16 An application for a driver's license or personal identification
3-17 certificate submitted before the effective date of this Act is
3-18 governed by the law in effect on the date the application was
3-19 submitted, and the former law is continued in effect for that
3-20 purpose.

3-21 SECTION 8. This Act takes effect September 1, 2023.

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