

- SUBJECT:** Allowing counties to provide certain license services
- COMMITTEE:** Homeland Security and Public Safety — committee substitute recommended
- VOTE:** 8 ayes — Pickett, Fletcher, Cortez, Dale, Flynn, Lavender, Sheets, Simmons
- 0 nays
- 1 absent — Kleinschmidt
- WITNESSES:** For — Jim Allison, County Judges and Commissioners Association of Texas; Ronnie Keister; John Lee Norman, Garza County; (*Registered, but did not testify*: John Thompson, Polk County; Michael Vasquez, Texas Conference of Urban Counties)
- Against — (*Registered, but did not testify*: Claire Wilson James)
- On — David Palmer and Michael Terry, Texas Department of Public Safety (*Registered, but did not testify*: Tom Benavides and Jim Kilchenstein, Texas Department of Public Safety)
- BACKGROUND:** According to the Attorney General opinion GA-0917, the Department of Public Safety (DPS) lacks statutory authority to contract with a county to allow county employees to perform DPS duties relating to the issuance of driver's licenses and personal identification certificates. Similarly, counties lack the statutory authorization to participate in such a program.
- DIGEST:** CSHB 827 would allow the Texas Department of Public Safety to enter into an agreement with any county commissioners court to allow county employees to provide services relating to the issuance of renewal and duplicate driver's licenses and election and personal identification certificates in county offices. A county office in a participating county could provide these services after submitting written consent to the commissioners court.
- DPS would be required to provide to a participating county all equipment

necessary to perform these services. A participating county could collect an additional fee of \$1 for each transaction. The county would be required to remit to DPS all other fees collected.

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, 2013.

**SUPPORTERS
SAY:**

CSHB 827 would increase government efficiency and enhance convenience for citizens by allowing counties to renew driver's licenses and ID certificates. Because up to 80 counties do not have DPS offices, some residents must travel long distances to renew their licenses and certificates. This problem has been exacerbated as DPS recently closed offices in some counties and did not have the authority to allow counties to provide these services.

This bill would increase efficiency by combining services provided by government offices. Allowing counties to perform these necessary services would remove some of the burden from DPS. Consumers could see shorter lines at DPS offices.

Because CSHB 827 would be permissive, DPS and the county would enter into an agreement only if both sides consented. This gives both DPS and the county the flexibility to consider the costs and benefits of the agreement, without forcing either side to unwillingly spend resources.

**OPPONENTS
SAY:**

The implementation cost for DPS to provide counties with the necessary equipment could be relatively expensive. DPS would need to create and update program content, modify software applications, and train agency staff. Funding for this implementation would come from the State Highway Fund and could pull resources from other priorities. Similarly, participating counties could have to hire new staff or lease new office space. The \$1 county fee per transaction probably would not offset much of this cost.

NOTES:

The companion bill, SB 1729 by Nichols, was passed by the Senate by a vote of 29-0 on April 16 and it has been referred to the House Homeland Security and Public Safety Committee.

The introduced version of the bill would have limited participation to

counties that had a population of 50,000 or less. It would have specified that DPS would enter into the agreement with a county clerk and that county clerk employees would provide the services at the clerk's office. The introduced version would not have specified that DPS provide equipment necessary to perform the services.

The Legislative Budget Board estimated that CSHB 827 would result in a cost of about \$19.1 million to the State Highway Fund in fiscal 2014, about \$1.1 million in fiscal 2015, and about \$1.4 million in each following year.