

BILL ANALYSIS

Senate Research Center
87R20764 JAM-D

C.S.S.B. 2054
By: Menéndez
Transportation
4/21/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Driver's licenses and IDs are integral to securing a job, enrolling in school, obtaining voter registration, and reliably accessing safe housing and healthcare. The inability of youth in foster care to obtain a Texas driver's license is an issue that severely impacts their ability to successfully transition from foster care into adulthood. A study conducted by Casey Family Programs found that youth previously in foster care "had better outcomes if they had a driver's license upon leaving care." Unfortunately, many foster youth face significant barriers to obtaining a driver's license in Texas, including lack of access to driver education and driver tests.

Last session, the legislature passed H.B. 123 which created a fund to pay for costs associated with obtaining driver's licenses and state identification for youth in foster care and youth and young adults experiencing homelessness. The people of Texas have been incredibly generous and have donated a significant amount of money to support these populations in securing an ID and driver's license.

S.B. 2054 would build off of the success last session and would have the Comptroller of Public Accounts of the State of Texas (comptroller) maintain three times the amount spent in the previous fiscal year in the fund to continue to waive the fees for IDs and driver's licenses for current or former youth or youth who have experienced homelessness. It would also have the comptroller allocate the rest of the funds to cover the fees and costs associated with complying with the requirements for obtaining a driver's license, which includes driving classes, practice time, and testing fees. Lastly, the bill would have the Texas Workforce Commission, which has a long history of working with youth in foster care or youth experiencing homelessness, evaluate youth eligibility and oversee the administration of the fee and cost waivers for these requirements.

(Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 2054 amends current law relating to the payment of fees and costs associated with driver education and safety courses and driver's license examinations for foster children or youth, former foster children or youth, and youth experiencing homelessness.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 (Section 521.168, Transportation Code) of this bill.

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 2 (Section 521.4265, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter H, Chapter 521, Transportation Code, by adding Section 521.168, as follows:

Sec. 521.168. PAYMENT OF FEES FOR CERTAIN FOSTER AND HOMELESS CHILDREN AND YOUTHS. (a) Requires the Texas Workforce Commission (TWC) to, unless prohibited under Section 521.4265(c), on request pay the fees associated with

meeting a requirement imposed under Subchapter H (Education and Examination Requirements) or Chapter 1001 (Driver and Traffic Safety Education), Education Code, for a person who is:

(1) eligible for a driver's license fee exemption under Section 521.1811 (Waiver of Fees for Foster Child or Youth or Homeless Child or Youth); or

(2) younger than 26 years of age and was in the managing conservatorship of the Department of Family and Protective Services (DFPS) on the day before the person's 18th birthday or is a homeless child or youth as defined by 42 U.S.C. Section 11434a.

(b) Requires TWC by rule to establish a process by which:

(1) a person described by Subsection (a) is authorized to apply to TWC for the payment of fees under this section; and

(2) TWC pays fees associated with meeting a requirement imposed under Subchapter H or Chapter 1001, Education Code, to appropriate entities on behalf of the person described by Subsection (a).

SECTION 2. Amends Section 521.4265, Transportation Code, by amending Subsections (b) and (c) and adding Subsection (d), as follows:

(b) Requires the Department of Public Safety of the State of Texas (DPS), from the money in the identification fee exemption account, to:

(1) request that the Comptroller of Public Accounts of the State of Texas (comptroller) transfer to TWC amounts sufficient to provide for the payment by TWC of fees to entities other than DPS under Section 521.168;

(2) pay DPS's costs associated with administering Subdivision (1); and

(3) creates this subdivision from existing text and makes nonsubstantive changes.

(c) Prohibits DPS from:

(1) requesting a transfer under Subsection (b)(1) or paying a cost under Subsection (b)(2) if DPS determines in consultation with TWC that the balance of the account is insufficient; or

(2) creates this subdivision from existing text and makes a conforming change.

(d) Requires DPS by rule, in consultation with TWC, to establish a process by which transfers are made under Subsection (b).

SECTION 3. Effective date: September 1, 2021.