

BILL ANALYSIS

Senate Research Center
79R1704 MTB-D

S.B. 250
By: West, Royce
Transportation and Homeland Security
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, neither Texas driver's licenses or identification cards list the race or ethnicity of the license or card holder. While this information is captured on the application, and is contained on the magnetic strip, there is currently not a field within either instrument where that information can be displayed.

Currently, the statute prohibiting racial profiling by law enforcement mandates that the race of those detained be documented. Texas' traffic citations have been modified to contain a field for recording that information but peace officers sometimes must depend on their own observations in making a determination of race.

Persons of Hispanic heritage now comprise one-third of Texas' population; however, in 2005, in many official records, they are still categorized as white/Caucasian or Anglo.

As proposed, S.B. 250 requires that the race or ethnicity of the holder of a driver's license or personal identification card be displayed on the face of the license or card.

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 Section 521.001(a), Transportation Code, by adding Subdivision (7-a), to define "race or ethnicity."

SECTION 2. Amends Section 521.101, Transportation Code, by adding Subsection (j) to require that a personal identification certificate include the race or ethnicity of the holder.

SECTION 3. Amends Section 521.121(a), Transportation Code, by requiring a driver's license to include the race or ethnicity of the holder.

SECTION 4. Amends Section 521.142(c), Transportation Code, by requiring the application for an original license to state the race or ethnicity of the applicant.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2005.