

- SUBJECT:** Omitting home address on federal and state judges' driver's licenses
- COMMITTEE:** Public Safety — favorable, without amendment
- VOTE:** 8 ayes — Merritt, Burnam, Driver, P. King, Lewis, Mallory Caraway, Rodriguez, Vo
0 nays
1 absent — Frost
- WITNESSES:** For — Jim Allison, County Judges and Commissioners Association of Texas; Ron Clark, U.S. District Judge
Against — None
- BACKGROUND:** In 2007, the 80th Legislature enacted HB 41 by Paxton, which exempted current, former, and retired federal and state judges from requirements that they list their residence address information on public voter registration or appraisal records. HB 41 also allowed federal and state judges to list the street address of the courthouse on their concealed handgun license.

Transportation Code, ch. 521 requires that a person applying for a new driver's license or changing addresses provide a home address and that the home address be displayed on the driver's license issued by the Texas Department of Public Safety (DPS).
- DIGEST:** HB 598 would amend Transportation Code, sec. 521.121 to allow federal and state judges and their spouses to omit their home address from their driver's licenses and list instead the street address of the courthouse. The bill also would require DPS to establish a procedure to implement the bill and for the documentary evidence needed to make the application.

The bill also would require the judges and their spouses to list their home addresses on a new duplicate driver's license after their judgeship ends.

The bill would take effect on September 1, 2009.

**SUPPORTERS
SAY:**

Federal law formerly prevented judges from omitting their home addresses from driver's licenses, which is why they were omitted from the legislation enacted last session allowing judges to omit their home addresses from other documents. The federal statute has since been changed, so HB 598 would allow additional protections to these individuals whose safety could be jeopardized should someone obtain readily accessible information on the face of a driver's license. Since 1979, three federal judges have been assassinated, all at their homes. Judges encounter angry and vengeful individuals due to decisions in civil and criminal cases. They also routinely receive threatening letters mailed to their homes. HB 598 would help shield not only their privacy but also safeguard the personal safety of judges and their families.

Judges can be found routinely at the courthouse should there ever be a need to serve them with summons or other legal documents. Federal judges serve for life and rarely transfer to courthouses in new jurisdictions.

Judges for constitutional county courts — in contrast with the statutorily-created county courts — routinely do not face the same personal risks as federal and state judges, and need not be included in HB 598 protections. Traditionally, constitutional county courts have divested themselves of civil and criminal jurisdiction and placed it in the statutory county courts. County judges in mid- to large-sized counties cover a myriad of legislative and administrative duties, such as presiding at the commissioners court, and perform few judicial acts that require a special exception to listing their home address on their driver's license.

**OPPONENTS
SAY:**

Eliminating the home address from the driver's license of judges and their spouse would go too far. Process servers might need access to judge's home address information to serve summons and other legal documents if the judge were a party to a lawsuit.

**OTHER
OPPONENTS
SAY:**

Constitutional county court judges also should be included in provisions of HB 598. Many county judges in smaller counties issue restraining orders and render decisions in family law cases. They can be at risk as well and should have the kind of safeguard provided in the bill so that aggrieved parties could not find their home addresses too easily.