

Certification Letter for Family or Dating Violence Waiver for Texas Birth Certificate

Full Name of Applicant: _____

Date of Birth: _____

I, _____ certify, to the best of my knowledge and belief, that on the date listed below, the above named individual is a victim or child of a victim of family or dating violence, as defined by Family Code §71.0021 or Human Resources Code §51.002 who is currently fleeing a dangerous living situation. I provide this certification in my capacity as (check one below):

- An advocate at a family violence center who assisted the victim
- Licensed medical care or mental health provider
- The director of an emergency shelter or transitional housing
- The director of a transitional living program

Signature: _____ Date: _____

Title: _____ Employer: _____

Email: _____ Phone: _____

Address: _____ City: _____ State: _____ Zip: _____

Relevant Law and Definitions:

Victim of Family Violence Defined under Human Resources Code §51.002

An adult member of a family or household who is subjected to an act of family violence; or a member of the household of the adult, other than the member of the household who commits the act of family violence, including an act of emotional abuse.

Victim of Dating Violence Defined under Family Code §71.0021

Dating violence means an act, other than a defensive measure to protect oneself, by an actor that:

- (1) is committed against a victim or applicant for a protective order:
 - (A) with whom the actor has or has had a dating relationship; or
 - (B) because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
- (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.

Birth Certificates: Effective September 1, 2021, Texas Health and Safety Code §191.00491 states that the state registrar, local registrar, or county clerk shall issue a birth record (birth certificate) without payment of a fee to a victim of family or dating violence and their children as defined by Family Code §71.0021 or Human Resources Code §51.002.

Texas Identification Cards and Driver's Licenses: Effective September 1, 2021: Texas Transportation Code §521.1016 states that a victim of family or dating violence and their children as defined by Family Code §71.0021 and Human Resources Code §51.002, may provide a copy of their birth certificate as proof of their identity and U.S. Citizenship; if the individual does not have a residence, they must provide a letter from one of the entities listed on this form, certifying the victim or their child is homeless and does not have a residence or domicile; and obtain personal identification certificate (Texas ID) exempt from the payment or fee. Texas Transportation Code §521.1811 waives the fee for a foster or homeless youth or victim or child of victim of dating or family violence's driver license.