

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB1093ER

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> in Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron: Hope

3. Committee: Passed the House and Senate.

4. Title: Prisoners; issuance of special identification cards upon release

5. Summary: The bill requires the Department of Corrections (“DOC”) and the sheriff, jail superintendent, or other jail administrator of a local correctional facility to assist a prisoner who has been confined for 90 days or more with all of the paperwork necessary to obtain a government-issued identification card, birth certificate and Social Security card upon his release, provided the necessary documents and records can be readily obtained for their issuance and that the prisoner does not already possess a valid government-issued identification card.

In cases where a prisoner is unable to obtain a government issued identification card, the bill requires DOC to issue the prisoner a Department of Corrections Offender Identification form prior to his release or discharge. In addition, if DOC receives a government-issued identification card, birth certificate or Social Security card for a prisoner after his release, the bill requires the agency to forward all such documents to the prisoner. The bill also states that all costs and fees associated with obtaining a government-issued identification card or other related documents are to be paid by the prisoner, unless the prisoner is determined indigent.

Under current law, a prisoner held in a local correctional facility may be provided with a special identification card from the jail or regional jail, if the prisoner does not already possess a government-issued identification card. All costs and fees associated with obtaining such special identification card are paid by the prisoner.

Any prisoner, who has been confined for at least 90 days and does not possess a government-issued identification card, birth certificate, and Social Security card, the sheriff, jail superintendent, or other jail administrator shall provide the assistance necessary for such prisoner to apply for and obtain such identification and documents prior to his release or discharge, provided that the sheriff, superintendent, or administrator has or can readily obtain all records and information necessary for their issuance and the prisoner has not declined an offer by the sheriff, superintendent, or administrator to provide such assistance.

The bill also provides that if the sheriff, jail superintendent, or other jail administrator receives a government-issued identification card, birth certificate, or Social Security card for a prisoner after his release or discharge, the sheriff, superintendent, or administrator is required to make reasonable efforts to ensure that the prisoner obtains possession of such

identification or document. Unless the prisoner has funds in his account to cover all or part of the costs and fees associated with applying for and obtaining any identification or documents pursuant to this section, such costs must be paid by the jail.

6. **Budget Amendment Necessary:** Indeterminate.
7. **Fiscal Impact Estimates:** Final (see Item 8 below).
8. **Fiscal Implications:** The bill requires the Department of Corrections (“DOC”) and sheriffs, jail superintendents, or other jail administrators, to provide assistance with necessary paperwork to any prisoner who has been confined for 90 days or more and wishes to obtain a government-issued identification card upon release, provided the individual does not already possess a valid government-issued identification card.

According to the DOC, the bill would have no material fiscal impact on agency operations, assuming its current level of funding for the Department of Motor Vehicles (DMV) Connect program remains intact. Currently, the agency has \$200,000 each year in its base to support this initiative. If the funding is removed, the agency will need general fund appropriation to support the legislation.

According to the Compensation Board, the fiscal impact on each jail will vary based on the evaluation by each jail to determine the number of prisoners who might be required to obtain such identification cards with the assistance of the jail staff. Each jail would also need to determine the number of prisoners with available funding in inmate accounts to cover the applicable fees and costs. Until such determination is made, there is insufficient data to quantify the actual fiscal impact on jails and regional jails. While the immediate fiscal impact cannot be determined at this time, to the extent there are prisoners who require new identification cards and are unable to cover the costs and fees associated with applying for and obtaining any identification or documents pursuant to this section, the bill is expected to have a fiscal impact on the operations of the jails and regional jails.

9. **Specific Agency or Political Subdivisions Affected:** Department of Corrections, Department of Motor Vehicles, Sheriffs and jails.
10. **Technical Amendment Necessary:** No.
11. **Other Comments:** None.