

By: Bryant

H.B. No. 3426

A BILL TO BE ENTITLED

AN ACT

1
2 relating to providing inmates with state-issued identification on
3 release or discharge.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 501.0165, Government Code, is amended by
6 amending Subsections (b) and (c) and adding Subsection (c-1) to
7 read as follows:

8 (b) The department shall submit a request under Subsection
9 (a)(2) as soon as is practicable to enable the department to provide
10 the inmate with the personal identification certificate when the
11 department discharges or releases the inmate but not later than:

12 (1) the 30th day before the date the inmate is
13 scheduled to be discharged; or

14 (2) the 15th day after the date the department is
15 notified that the inmate is to be released on parole, mandatory
16 supervision, or conditional pardon.

17 (c) The department, the Department of Public Safety, and the
18 [~~bureau of~~] vital statistics unit of the Department of State Health
19 Services shall by rule adopt a memorandum of understanding that
20 establishes their respective responsibilities with respect to the
21 issuance of a personal identification certificate to an inmate,
22 including responsibilities related to verification of the inmate's
23 identity. The memorandum of understanding must require:

24 (1) the Department of State Health Services to

1 electronically verify the birth record of an inmate whose name and
2 any other personal information is provided by the department and to
3 electronically report the recorded filing information to the
4 Department of Public Safety to validate the identity of an inmate
5 under this section; and

6 (2) the department and the Department of Public Safety
7 to establish procedures or other measures necessary to ensure that
8 inmates described by Subsection (a)(2) are provided with a personal
9 identification certificate when the department discharges or
10 releases the inmates.

11 (c-1) Not later than December 1 of each even-numbered year,
12 the department shall:

13 (1) submit to the governor, the lieutenant governor,
14 the speaker of the house of representatives, and each standing
15 committee of the legislature with primary jurisdiction over the
16 department a written report that contains the following information
17 for the two-year period proceeding the date of the report:

18 (A) the number of inmates discharged or released
19 on parole, mandatory supervision, or conditional pardon without a
20 valid license or personal identification certificate; and

21 (B) a summary of:

22 (i) the reasons inmates described by
23 Paragraph (A) were discharged or released without being provided a
24 personal identification certificate; and

25 (ii) the actions being implemented to
26 address the reasons identified under Subparagraph (i); and

27 (2) publish the report on the department's Internet

1 website.

2 SECTION 2. The change in law made by this Act applies only
3 to the discharge or release of an inmate on parole, mandatory
4 supervision, or conditional pardon that occurs on or after December
5 1, 2023. A discharge or release that occurs before that date is
6 governed by the law in effect immediately before the effective date
7 of this Act, and the former law is continued in effect for that
8 purpose.

9 SECTION 3. This Act takes effect September 1, 2023.