

## **BILL ANALYSIS**

C.S.H.B. 2161  
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Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Formerly incarcerated individuals are released into Texas communities largely without the identification necessary to obtain gainful employment or housing. Legislation enacted in 2005 requires the Department of Public Safety (DPS) to accept a Texas Department of Criminal Justice (TDCJ) inmate card as satisfactory proof of identity. However, this law has not been honored by DPS based on a two-month limited survey conducted by DPS in 2005. DPS's inability to honor the TDCJ inmate card perpetuates the barriers released offenders face in reintegrating into society and complying with certain requirements of the TDCJ parole division. Furthermore, cities and communities experience frustration in not being able to properly identify ex-offenders in their communities.

C.S.H.B. 2161 requires TDCJ to request from DPS a personal identification certificate for each inmate being transferred to pre-parole status who does not possess other valid identification upon release.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2161 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ), not later than the 90th day before the date an inmate is transferred to pre-parole status, to request a personal identification certificate for the inmate from the Department of Public Safety (DPS) if the inmate does not possess a valid driver's license or personal identification certificate. The bill requires TDCJ to send DPS a certified copy of the offender identification card or similar form of identification as requested by DPS, with a current photograph of the inmate. The bill requires TDCJ on receipt of the personal identification certificate from DPS, to verify the information on the certificate and request any necessary change. The bill requires any fee associated with obtaining a personal identification certificate to be paid in equal parts by TDCJ, Project RIO, and DPS.

C.S.H.B. 2161 amends the Transportation Code to require DPS to accept, as satisfactory proof of identity for purposes of issuing a personal identification card, an offender identification card or similar form of identification issued to an inmate by TDCJ.

### **EFFECTIVE DATE**

September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2161 differs from the original by requiring any fee associated with obtaining a personal

identification certificate to be paid in equal parts by TDCJ, Project RIO, and DPS, whereas the original requires TDCJ to pay any such fee out of funds appropriated to it for Project Rio. The substitute differs from the original by requiring TDCJ, if instead of sending DPS an offender identification card it sends DPS a similar form of identification, to send a similar form of identification as requested by DPS, rather than sending DPS a similar form of identification but without provision for DPS to specify such form, as in the original.