1 AN ACT

2 relating to a personal identification certificate or driver's

3 license issued to present or former inmates of the Texas Department

4 of Criminal Justice.

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

6   SECTION 1. Section 501.015(a), Government Code, is amended

7 to read as follows:

8   (a) When an inmate is discharged or is released on parole,

9 mandatory supervision, or conditional pardon, the department

10 [institutional division] shall provide the inmate with:

11   (1) suitable civilian clothing;

12   (2) money held in the inmate's trust account by the

13 director; [and]

14   (3) cash, in an amount and in the manner described by

15 Subsection (b); and

16   (4) a personal identification certificate obtained

17 under Section 501.0165, if available.

18   SECTION 2. Subchapter A, Chapter 501, Government Code, is

19 amended by adding Section 501.0165 to read as follows:

20   Sec. 501.0165. STATE-ISSUED IDENTIFICATION; NECESSARY

21 DOCUMENTATION. (a) Before discharging an inmate or releasing an

22 inmate on parole, mandatory supervision, or conditional pardon, the

23 department shall:

24   (1) determine whether the inmate has:

1   (A)   a valid license issued under Chapter 521 or

2 522, Transportation Code; or

3   (B)   a valid personal identification certificate

4 issued under Chapter 521, Transportation Code; and

5   (2)   if the inmate does not have a valid license or

6 certificate described by Subdivision (1), submit to the Department

7 of Public Safety on behalf of the inmate a request for the issuance

8 of a personal identification certificate under Chapter 521,

9 Transportation Code.

10   (b)   The department shall submit a request under Subsection

11 (a)(2) as soon as is practicable to enable the department to provide

12 the inmate with the personal identification certificate when the

13 department discharges or releases the inmate.

14   (c)   The department, the Department of Public Safety, and the

15 bureau of vital statistics of the Department of State Health

16 Services shall by rule adopt a memorandum of understanding that

17 establishes their respective responsibilities with respect to the

18 issuance of a personal identification certificate to an inmate,

19 including responsibilities related to verification of the inmate's

20 identity.   The memorandum of understanding must require the

21 Department of State Health Services to electronically verify the

22 birth record of an inmate whose name and any other personal

23 information is provided by the department and to electronically

24 report the recorded filing information to the Department of Public

25 Safety to validate the identity of an inmate under this section.

26   (d)   The department shall reimburse the Department of Public

27 Safety or the Department of State Health Services for the actual

1 costs incurred by those agencies in performing responsibilities

2 established under this section. The department may charge an

3 inmate for the actual costs incurred under this section or the fees

4 required by Section 521.421, Transportation Code.

5   (e) This section does not apply to an inmate who:

6   (1) is not legally present in the United States; or

7   (2) was not a resident of this state before the person

8 was placed in the custody of the department.

9   SECTION 3. Section 521.001(a), Transportation Code, is

10 amended by amending Subdivision (1) and adding Subdivisions (1-a)

11 and (7-a) to read as follows:

12   (1) "Correctional facility" means:

13   (A) a place described by Section 1.07(a)(14),

14 Penal Code; or

15   (B) a secure correctional facility or secure

16 detention facility, as defined by Section 51.02, Family Code.

17   (1-a) "Department" means the Department of Public

18 Safety.

19   (7-a) "Parole facility" means a place described by

20 Section 508.118 or 508.119, Government Code.

21   SECTION 4. Section 521.101, Transportation Code, is amended

22 by adding Subsection (f-1) to read as follows:

23   (f-1) A personal identification certificate issued to a

24 person whose residence or domicile is a correctional facility or a

25 parole facility expires on the first birthday of the license holder

26 occurring after the first anniversary of the date of issuance.

27   SECTION 5. Section 521.271, Transportation Code, is amended

1 to read as follows:

2 Sec. 521.271. LICENSE EXPIRATION. (a) Each original

3 driver's license and provisional license expires as follows:

4 (1) except as provided by Section 521.2711, a driver's

5 license expires on the first birthday of the license holder

6 occurring after the sixth anniversary of the date of the

7 application;

8 (2) a provisional license expires on the earlier of:

9 (A) the 18th birthday of the license holder; or

10 (B) the first birthday of the license holder

11 occurring after the date of the application;

12 (3) an instruction permit expires on the second

13 birthday of the license holder occurring after the date of the

14 application; [and]

15 (4) an occupational license expires on the first

16 anniversary of the court order granting the license; and

17 (5) unless an earlier date is otherwise provided, a

18 driver's license issued to a person whose residence or domicile is a

19 correctional facility or a parole facility expires on the first

20 birthday of the license holder occurring after the first

21 anniversary of the date of issuance.

22 (b) Except as provided by Section 521.2711, a driver's

23 license that is renewed expires on the earlier of:

24 (1) the sixth anniversary of the expiration date

25 before renewal; or

26 (2) for a renewal driver's license issued to a person

27 whose residence or domicile is a correctional facility or a parole

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1 facility, the first birthday of the license holder occurring after

2 the first anniversary of the date of issuance unless an earlier date

3 is otherwise provided.

4   SECTION 6. Section 521.421, Transportation Code, is amended

5 by adding Subsections (a-1) and (a-2) to read as follows:

6   (a-1) The fee for a personal identification certificate

7 issued under Section 501.0165, Government Code, is $5.

8   (a-2) Except as provided by Subsection (a-1), the

9 department by rule shall establish the fee for a personal

10 identification certificate or driver's license issued to a person

11 whose residence or domicile is a correctional facility or a parole

12 facility.

13   SECTION 7. Section 522.051, Transportation Code, is amended

14 by adding Subsection (g) to read as follows:

15   (g) A commercial driver's license issued to a person whose

16 residence or domicile is a correctional facility or a parole

17 facility expires on the first birthday of the license holder

18 occurring after the first anniversary of the date of issuance. The

19 department by rule shall establish the fee for a commercial

20 driver's license issued to a person whose residence or domicile is a

21 correctional facility or a parole facility.

22   SECTION 8. Section 522.052, Transportation Code, is amended

23 by adding Subsection (h) to read as follows:

24   (h) A renewal commercial driver's license issued to a person

25 whose residence or domicile is a correctional facility or a parole

26 facility expires on the first birthday of the license holder

27 occurring after the first anniversary of the date of issuance.

1   SECTION 9. This Act does not make an appropriation. A
2 provision in this Act that creates a new governmental program,
3 creates a new entitlement, or imposes a new duty on a governmental
4 entity is not mandatory during a fiscal period for which the
5 legislature has not made a specific appropriation to implement the
6 provision.

7   SECTION 10. This Act takes effect September 1, 2009.

_____   _____
        President of the Senate   Speaker of the House

    I certify that H.B. No. 2161 was passed by the House on May 1,
2009, by the following vote: Yeas 112, Nays 29, 1 present, not
voting; and that the House concurred in Senate amendments to H.B.
No. 2161 on May 29, 2009, by the following vote: Yeas 120, Nays 23,
1 present, not voting.

                                         _____
                                                  Chief Clerk of the House

    I certify that H.B. No. 2161 was passed by the Senate, with
amendments, on May 23, 2009, by the following vote: Yeas 31, Nays
0.

                                         _____
                                                  Secretary of the Senate

APPROVED: _____
                Date

          _____
                Governor