

1-1 By: Turner of Harris, Marquez H.B. No. 2161  
1-2 (Senate Sponsor - Whitmire)  
1-3 (In the Senate - Received from the House May 4, 2009;  
1-4 May 6, 2009, read first time and referred to Committee on Criminal  
1-5 Justice; May 18, 2009, reported favorably, as amended, by the  
1-6 following vote: Yeas 7, Nays 0; May 18, 2009, sent to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Whitmire

1-8 Amend H.B. 2161 (engrossed version) as follows:

1-9 (1) In SECTION 2 of the bill, added Section 501.0165(c),  
1-10 Government Code (page 3, line 10), after the period, add "The  
1-11 memorandum of understanding must require the Department of State  
1-12 Health Services to electronically verify the birth record of an  
1-13 inmate whose name and any other personal information is provided by  
1-14 the department and to electronically report the recorded filing  
1-15 information to the Department of Public Safety to validate the  
1-16 identity of an inmate under this section.".

1-17 (2) In SECTION 2 of the bill, added Section 501.0165(d),  
1-18 Government Code (page 3, line 12), strike "any" and substitute "the  
1-19 actual".

1-20 (3) In SECTION 2 of the bill, in added Section 501.0165(d),  
1-21 Government Code (page 3, line 14), after the period add "The  
1-22 department may charge an inmate for the actual costs incurred under  
1-23 this section or the fees required by Section 521.421,  
1-24 Transportation Code.".

1-25 (4) Insert the following appropriately numbered SECTIONS to  
1-26 the bill and renumber subsequent SECTIONS accordingly:

1-27 SECTION \_\_\_\_\_. Section 521.001(a), Transportation Code, is  
1-28 amended by amending Subsection (1) and adding Subsections (1-a) and  
1-29 (7-a) to read as follows:

1-30 (1) "Correctional facility" means:

1-31 (A) a place described by Section 1.07(a)(14),  
1-32 Penal Code; or

1-33 (B) a secure correctional facility or secure  
1-34 detention facility, as defined by Section 51.02, Family Code.

1-35 (1-a) "Department" means the Department of Public  
1-36 Safety.

1-37 (7-a) "Parole facility" means a place described by  
1-38 Section 508.118 or 508.119, Government Code.

1-39 SECTION \_\_\_\_\_. Section 521.101, Transportation Code, is  
1-40 amended by adding Subsection (f-1) to read as follows:

1-41 (f-1) A personal identification certificate issued to a  
1-42 person whose residence or domicile is a correctional facility or a  
1-43 parole facility expires on the first birthday of the license holder  
1-44 occurring after the first anniversary of the date of issuance.

1-45 SECTION \_\_\_\_\_. Section 521.271, Transportation Code, is  
1-46 amended to read as follows:

1-47 Sec. 521.271. LICENSE EXPIRATION. (a) Each original  
1-48 driver's license and provisional license expires as follows:

1-49 (1) except as provided by Section 521.2711, a driver's  
1-50 license expires on the first birthday of the license holder  
1-51 occurring after the sixth anniversary of the date of the  
1-52 application;

1-53 (2) a provisional license expires on the earlier of:

1-54 (A) the 18th birthday of the license holder; or

1-55 (B) the first birthday of the license holder  
1-56 occurring after the date of the application;

1-57 (3) an instruction permit expires on the second  
1-58 birthday of the license holder occurring after the date of the  
1-59 application; ~~and~~

1-60 (4) an occupational license expires on the first  
1-61 anniversary of the court order granting the license; and

1-62 (5) unless an earlier date is otherwise provided, a  
1-63 driver's license issued to a person whose residence or domicile is a  
1-64 correctional facility or a parole facility expires on the first

2-1 birthday of the license holder occurring after the first  
2-2 anniversary of the date of issuance.

2-3 (b) Except as provided by Section 521.2711, a driver's  
2-4 license that is renewed expires on the earlier of:

2-5 (1) the sixth anniversary of the expiration date  
2-6 before renewal; or

2-7 (2) for a renewal driver's license issued to a person  
2-8 whose residence or domicile is a correctional facility or a parole  
2-9 facility, the first birthday of the license holder occurring after  
2-10 the first anniversary of the date of issuance unless an earlier date  
2-11 is otherwise provided.

2-12 SECTION \_\_\_\_\_. Section 521.421, Transportation Code, is  
2-13 amended by adding Subsections (a-1) and (a-2) to read as follows:

2-14 (a-1) The fee for a personal identification certificate  
2-15 issued under Section 501.0165, Government Code, is \$5.

2-16 (a-2) Except as provided by Subsection (a-1), the  
2-17 department by rule shall establish the fee for a personal  
2-18 identification certificate or driver's license issued to a person  
2-19 whose residence or domicile is a correctional facility or a parole  
2-20 facility.

2-21 SECTION \_\_\_\_\_. Section 522.051, Transportation Code, is  
2-22 amended by adding Subsection (g) to read as follows:

2-23 (g) A commercial driver's license issued to a person whose  
2-24 residence or domicile is a correctional facility or a parole  
2-25 facility expires on the first birthday of the license holder  
2-26 occurring after the first anniversary of the date of issuance. The  
2-27 department by rule shall establish the fee for a commercial  
2-28 driver's license issued to a person whose residence or domicile is a  
2-29 correctional facility or a parole facility.

2-30 SECTION \_\_\_\_\_. Section 522.052, Transportation Code, is  
2-31 amended by adding Subsection (h) to read as follows:

2-32 (h) A renewal commercial driver's license issued to a person  
2-33 whose residence or domicile is a correctional facility or a parole  
2-34 facility expires on the first birthday of the license holder  
2-35 occurring after the first anniversary of the date of issuance.

2-36 A BILL TO BE ENTITLED  
2-37 AN ACT

2-38 relating to the issuance of a personal identification certificate  
2-39 to present or former inmates of the Texas Department of Criminal  
2-40 Justice.

2-41 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

2-42 SECTION 1. Section 501.015(a), Government Code, is amended  
2-43 to read as follows:

2-44 (a) When an inmate is discharged or is released on parole,  
2-45 mandatory supervision, or conditional pardon, the department  
2-46 [institutional division] shall provide the inmate with:

2-47 (1) suitable civilian clothing;

2-48 (2) money held in the inmate's trust account by the  
2-49 director; ~~and~~

2-50 (3) cash, in an amount and in the manner described by  
2-51 Subsection (b); and

2-52 (4) a personal identification certificate obtained  
2-53 under Section 501.0165, if available.

2-54 SECTION 2. Subchapter A, Chapter 501, Government Code, is  
2-55 amended by adding Section 501.0165 to read as follows:

2-56 Sec. 501.0165. STATE-ISSUED IDENTIFICATION; NECESSARY  
2-57 DOCUMENTATION. (a) Before discharging an inmate or releasing an  
2-58 inmate on parole, mandatory supervision, or conditional pardon, the  
2-59 department shall:

2-60 (1) determine whether the inmate has:

2-61 (A) a valid license issued under Chapter 521 or  
2-62 522, Transportation Code; or

2-63 (B) a valid personal identification certificate  
2-64 issued under Chapter 521, Transportation Code; and

2-65 (2) if the inmate does not have a valid license or  
2-66 certificate described by Subdivision (1), submit to the Department  
2-67 of Public Safety on behalf of the inmate a request for the issuance  
2-68 of a personal identification certificate under Chapter 521,

3-1 Transportation Code.

3-2 (b) The department shall submit a request under Subsection  
3-3 (a)(2) as soon as is practicable to enable the department to provide  
3-4 the inmate with the personal identification certificate when the  
3-5 department discharges or releases the inmate.

3-6 (c) The department, the Department of Public Safety, and the  
3-7 bureau of vital statistics of the Department of State Health  
3-8 Services shall by rule adopt a memorandum of understanding that  
3-9 establishes their respective responsibilities with respect to the  
3-10 issuance of a personal identification certificate to an inmate,  
3-11 including responsibilities related to verification of the inmate's  
3-12 identity.

3-13 (d) The department shall reimburse the Department of Public  
3-14 Safety or the Department of State Health Services for any costs  
3-15 incurred by those agencies in performing responsibilities  
3-16 established under this section.

3-17 (e) This section does not apply to an inmate who:

3-18 (1) is not legally present in the United States; or

3-19 (2) was not a resident of this state before the person  
3-20 was placed in the custody of the department.

3-21 SECTION 3. This Act takes effect September 1, 2009.

3-22

\* \* \* \* \*