

House Bill 2161
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

- (1) suitable civilian clothing;
- (2) money held in the inmate's trust account by the director; [~~and~~]
- (3) cash, in an amount and in the manner described by Subsection (b); and
- (4) a personal identification certificate obtained under Section 501.0165, if available.

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

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

- (1) determine whether the inmate has:
 - (A) a valid license issued under Chapter 521 or 522, Transportation Code; or
 - (B) a valid personal identification certificate issued under Chapter 521, Transportation Code; and
- (2) if the inmate does not have a valid license or

SENATE VERSION

Same as House version.

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

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

- (1) determine whether the inmate has:
 - (A) a valid license issued under Chapter 521 or 522, Transportation Code; or
 - (B) a valid personal identification certificate issued under Chapter 521, Transportation Code; and
- (2) if the inmate does not have a valid license or

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certificate described by Subdivision (1), submit to the Department of Public Safety on behalf of the inmate a request for the issuance of a personal identification certificate under Chapter 521, Transportation Code.

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

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

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

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certificate described by Subdivision (1), submit to the Department of Public Safety on behalf of the inmate a request for the issuance of a personal identification certificate under Chapter 521, Transportation Code.

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

(c) The department, the Department of Public Safety, and the bureau of vital statistics of the Department of State Health Services shall by rule adopt a memorandum of understanding that establishes their respective responsibilities with respect to the issuance of a personal identification certificate to an inmate, including responsibilities related to verification of the inmate's identity. The memorandum of understanding must require the Department of State Health Services to electronically verify the birth record of an inmate whose name and any other personal information is provided by the department and to electronically report the recorded filing information to the Department of Public Safety to validate the identity of an inmate under this section.

(d) The department shall reimburse the Department of Public Safety or the Department of State Health Services for the actual costs incurred by those agencies in performing responsibilities established under this section. The department may charge an inmate for the actual costs incurred under this section or the fees

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(e) This section does not apply to an inmate who:
(1) is not legally present in the United States; or
(2) was not a resident of this state before the person was placed in the custody of the department.

No equivalent provision.

No equivalent provision.

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required by Section 521.421, Transportation Code.

(e) This section does not apply to an inmate who:
(1) is not legally present in the United States; or
(2) was not a resident of this state before the person was placed in the custody of the department.

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

- (1) "Correctional facility" means:
(A) a place described by Section 1.07(a)(14), Penal Code; or
(B) a secure correctional facility or secure detention facility, as defined by Section 51.02, Family Code.
(1-a) "Department" means the Department of Public Safety.
(7-a) "Parole facility" means a place described by Section 508.118 or 508.119, Government Code.

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

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

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No equivalent provision.

SECTION __. Section 521.271, Transportation Code, is amended to read as follows:

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

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

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

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

(B) the first birthday of the license holder occurring after the date of the application;

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

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

(5) unless an earlier date is otherwise provided, a driver's license issued to a person whose residence or domicile is a correctional facility or a parole facility expires on the first birthday of the license holder occurring after the first anniversary of the date of issuance.

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

(1) the sixth anniversary of the expiration date before renewal; or

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

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whose residence or domicile is a correctional facility or a parole facility, the first birthday of the license holder occurring after the first anniversary of the date of issuance unless an earlier date is otherwise provided.

No equivalent provision.

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

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

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

No equivalent provision.

SECTION __. Section 522.051, Transportation Code, is amended by adding Subsection (g) to read as follows:

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

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No equivalent provision.

SECTION __. Section 522.052, Transportation Code, is amended by adding Subsection (h) to read as follows:

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

No equivalent provision.

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

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

Same as House version.