

## **BILL ANALYSIS**

C.S.H.B. 2388  
By: Sherman, Sr.  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

An essential part of transition back into society after incarceration is the proper means of identification, which is necessary to find job opportunities, housing, educational opportunities, and access to social services. A lack of an official, state-issued identification is one of the greatest barriers to reentry but can be solved through the release of essential documents upon release by the Texas Department of Criminal Justice and the Department of Public Safety. C.S.H.B. 2388 seeks to help inmates continue to reintegrate into society and make that process easier by providing for the issuance of a driver's license to inmates upon release.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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. 2388 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ) to submit a request to the Department of Public Safety (DPS) on behalf of an inmate who does not have a valid driver's license, commercial driver's license, or personal identification certificate before discharging the inmate or releasing the inmate on parole, mandatory supervision, or conditional pardon for the issuance of a renewal license if the inmate's license is expired but eligible for renewal and the inmate meets the license requirements. The bill requires TDCJ to provide a valid driver's license or commercial driver's license to an inmate who is discharged or released on parole, mandatory supervision, or conditional pardon, if available.

C.S.H.B. 2388 amends the Transportation Code to establish that the fee for such a renewal driver's license requested by TDCJ is \$5, which TDCJ may charge to the applicable inmate.

C.S.H.B. 2388 requires TDCJ, DPS, and the vital statistics unit of the Department of State Health Services to update as necessary the memorandum of understanding and rules on their respective responsibilities with respect to the issuance of driver's licenses and personal identification certificates for inmates who are discharged or released from TDCJ. The bill's provisions apply only to the discharge or release of an inmate on parole, mandatory supervision, or conditional pardon that occurs on or after December 1, 2021.

## **EFFECTIVE DATE**

September 1, 2021.

## **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2388 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes provisions that did not appear in the original establishing a \$5 fee for the renewal driver's licenses for inmates and authorizing TDCJ to charge the inmate for the fee.

The substitute does not include the original's requirement that TDCJ provide an inmate who is discharged or released with a document explaining the procedure for restoring the inmate's eligibility to register to vote after a felony conviction.

The substitute does not include the following provisions that appeared in the original:

- an authorization for a driver's license or personal identification certificate issued to an inmate on release to include the inmate's intended residence address instead of a current residence address; and
- a requirement for TDCJ and DPS to ensure that such a license or certificate includes the inmate's intended residence address unless that address is unknown.