

## **BILL ANALYSIS**

H.B. 4355  
By: Krause  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the release of children committed to the Texas Juvenile Justice Department (TJJD) and prisoners serving a sentence in a county jail, specifically that these individuals may have difficulty reintegrating into the community on their release due to lacking a basic identification document. Additionally, many inmates on their release are unable to obtain employment or housing and means of transportation because they are lacking such identification. H.B. 4355 seeks to facilitate this transition by requiring TJJD and a county sheriff, as applicable, to provide newly discharged or released children or inmates with certain identification documents.

### **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**

H.B. 4355 amends the Human Resources Code and Local Government Code to require the Texas Juvenile Justice Department (TJJD) and a county sheriff to do the following before releasing a child under supervision or finally discharging a child or before discharging a prisoner serving a sentence in a county jail, as applicable:

- determine whether the child or prisoner has a valid driver's license or personal identification certificate and a certified copy of a birth certificate and copy of a social security card; and
- if the child or prisoner does not have such a valid license or certificate and such a document, submit to the Department of Public Safety (DPS) or the appropriate entity a request for the issuance of a certificate or applicable document on the child's or prisoner's behalf as soon as is practicable to enable TJJD or the sheriff to provide the child or prisoner with the certificate or applicable document on release or discharge.

H.B. 4355 requires TJJD or the Commission on Jail Standards, DPS, and the vital statistics unit of the Department of State Health Services (DSHS) to adopt a memorandum of understanding that establishes their respective responsibilities with respect to the issuance of a personal identification certificate to a child or county jail prisoner, including responsibilities related to verification of the child's or prisoner's identity. The memorandum must require DSHS to electronically verify the birth record of a child or prisoner whose name and any other personal information is provided by TJJD or the sheriff and to electronically report the recorded filing information to DPS to validate the child's or prisoner's identity. The bill requires TJJD or the

sheriff or county commissioners court to reimburse DPS or DSHS for the actual costs incurred by the agencies in performing those responsibilities and authorizes TJJD or the sheriff to charge the child's parent or guardian or the prisoner for the actual costs incurred or the required fees for the issuance of the certificate. The bill's provisions do not apply to a child or prisoner who is not legally present in the United States or was not a Texas resident before the person was placed in custody of TJJD or the sheriff.

H.B. 4355 amends the Transportation Code to establish that the fee for a personal identification certificate issued under the bill's provisions is \$5.

H.B. 4355 applies only to the release under supervision or final discharge of a child or to the discharge of a prisoner, as applicable, that occurs on or after December 1, 2021.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.