87R24660 MCF-D

By:  Sherman, Sr., Fierro, Stephenson, H.B. No. 2388

     Guillen

Substitute the following for H.B. No. 2388:

By:  Murr C.S.H.B. No. 2388

A BILL TO BE ENTITLED

AN ACT

relating to providing inmates with certain documents on release or discharge; changing a fee.

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

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 shall provide the inmate with:

(1)  suitable civilian clothing;

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

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

(4)  a license or personal identification certificate obtained under Section 501.0165, if available.

SECTION 2.  Sections 501.0165(a), (b), (c), and (d), Government Code, are amended to read as follows:

(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 certificate described by Subdivision (1), submit to the Department of Public Safety on behalf of the inmate a request for the issuance of:

(A)  a renewal license under Chapter 521 or 522, Transportation Code, if:

(i)  the inmate's license issued under the applicable chapter is expired but eligible for renewal; and

(ii)  the inmate meets the requirements for the issuance of the license; or

(B)  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 license or 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 unit 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 license or personal identification certificate to an inmate under this section, 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 required by Section 521.421 or 522.029, Transportation Code, as applicable.

SECTION 3.  Section 521.421(a-1), Transportation Code, is amended to read as follows:

(a-1)  The fee for a renewal driver's license or a personal identification certificate issued under Section 501.0165, Government Code, or Section 841.153, Health and Safety Code, as applicable, is $5.

SECTION 4.  Section 522.029, Transportation Code, is amended by amending Subsection (a) and adding Subsection (n) to read as follows:

(a)  The fee for a commercial driver's license issued by the department is $96, except as provided by Subsections (f), (h), (j), (k), [~~and~~] (m), and (n).

(n)  The fee for a renewal commercial driver's license issued under Section 501.0165, Government Code, is $5.

SECTION 5.  As soon as practicable after the effective date of this Act, the Texas Department of Criminal Justice, the Department of Public Safety of the State of Texas, and the vital statistics unit of the Department of State Health Services shall update as necessary the memorandum of understanding and rules required by Section 501.0165(c), Government Code, as amended by this Act.

SECTION 6.  The change in law made by this Act applies only to the discharge or release of an inmate on parole, mandatory supervision, or conditional pardon that occurs on or after December 1, 2021. A discharge or release that occurs before that date is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 7.  This Act takes effect September 1, 2021.