87R1178 MCF-D

By:  Sherman, Sr. H.B. No. 2388

A BILL TO BE ENTITLED

AN ACT

relating to providing inmates with certain documents on release or discharge.

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.  Section 501.0165, Government Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (b-1) 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.

(b-1)  Notwithstanding any other law, a license or personal identification certificate issued to an inmate under Subsection (a)(2) may include in lieu of the inmate's current residence address the inmate's intended residence address after discharge or release. The department and the Department of Public Safety shall ensure that a license or personal identification certificate issued to an inmate under Subsection (a)(2) includes the inmate's intended residence address unless that address is unknown.

(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.

SECTION 3.  Subchapter A, Chapter 501, Government Code, is amended by adding Section 501.0167 to read as follows:

Sec. 501.0167.  PROVIDING DISCHARGED OR RELEASED INMATE WITH INFORMATION ON VOTING. When an inmate is discharged or is released on parole, mandatory supervision, or conditional pardon, the department shall provide the inmate with a document explaining the procedure for restoring the inmate's eligibility to register to vote after a felony conviction in accordance with Section 13.001(a)(4), Election Code.

SECTION 4.  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 5.  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 6.  This Act takes effect September 1, 2021.