

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

1 522, Transportation Code; or

2 (B) a valid personal identification certificate
3 issued under Chapter 521, Transportation Code; and

4 (2) if the inmate does not have a valid license or
5 certificate described by Subdivision (1), submit to the Department
6 of Public Safety on behalf of the inmate a request for the issuance
7 of:

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

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

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

14 (B) a personal identification certificate under
15 Chapter 521, Transportation Code.

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

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

1 (c) The department, the Department of Public Safety, and the
2 [~~bureau of~~] vital statistics unit of the Department of State Health
3 Services shall by rule adopt a memorandum of understanding that
4 establishes their respective responsibilities with respect to the
5 issuance of a license or personal identification certificate to an
6 inmate under this section, including responsibilities related to
7 verification of the inmate's identity. The memorandum of
8 understanding must require the Department of State Health Services
9 to electronically verify the birth record of an inmate whose name
10 and any other personal information is provided by the department
11 and to electronically report the recorded filing information to the
12 Department of Public Safety to validate the identity of an inmate
13 under this section.

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

16 Sec. 501.0167. PROVIDING DISCHARGED OR RELEASED INMATE WITH
17 INFORMATION ON VOTING. When an inmate is discharged or is released
18 on parole, mandatory supervision, or conditional pardon, the
19 department shall provide the inmate with a document explaining the
20 procedure for restoring the inmate's eligibility to register to
21 vote after a felony conviction in accordance with Section
22 13.001(a)(4), Election Code.

23 SECTION 4. As soon as practicable after the effective date
24 of this Act, the Texas Department of Criminal Justice, the
25 Department of Public Safety of the State of Texas, and the vital
26 statistics unit of the Department of State Health Services shall
27 update as necessary the memorandum of understanding and rules

1 required by Section 501.0165(c), Government Code, as amended by
2 this Act.

3 SECTION 5. The change in law made by this Act applies only
4 to the discharge or release of an inmate on parole, mandatory
5 supervision, or conditional pardon that occurs on or after December
6 1, 2021. A discharge or release that occurs before that date is
7 governed by the law in effect immediately before the effective date
8 of this Act, and the former law is continued in effect for that
9 purpose.

10 SECTION 6. This Act takes effect September 1, 2021.