

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Swanson

H.B. No. 4544

A BILL TO BE ENTITLED

AN ACT

relating to providing children committed to the Texas Juvenile Justice Department with state-issued identification on discharge or release.

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

SECTION 1. Section 245.0535(e), Human Resources Code, is amended to read as follows:

(e) The department may contract and coordinate with private vendors, units of local government, or other entities to implement the comprehensive reentry and reintegration plan developed under this section, including contracting to:

(1) coordinate the supervision and services provided to children during the time children are in the custody of the department with any supervision or services provided children who have been released under supervision or finally discharged from the department;

(2) provide children awaiting release under supervision or final discharge with documents that are necessary after release or discharge, including identification papers that include, if available, personal identification certificates obtained under Section 245.0536, medical prescriptions, job training certificates, and referrals to services; and

(3) provide housing and structured programs, including programs for recovering substance abusers, through which

children are provided services immediately following release under supervision or final discharge.

SECTION 2. Subchapter B, Chapter 245, Human Resources Code, is amended by adding Section 245.0536 to read as follows:

Sec. 245.0536. PROVIDING RELEASED OR DISCHARGED CHILD WITH STATE-ISSUED IDENTIFICATION. (a) Before releasing a child under supervision or finally discharging a child, the department shall:

(1) determine whether the child has:

(A) a valid license issued under Chapter 521, Transportation Code; or

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

(2) if the child does not have a valid license or certificate described by Subdivision (1), submit to the Department of Public Safety on behalf of the child a request for the issuance of 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 receive the personal identification certificate before the department releases or discharges the child and to provide the child with the personal identification certificate when the department releases or discharges the child.

(c) The department, the Department of Public Safety, and the vital statistics unit of the Department of State Health Services shall adopt a memorandum of understanding that establishes their respective responsibilities with respect to the issuance of a

1 personal identification certificate to a child, including  
2 responsibilities related to verification of the child's identity.  
3 The memorandum of understanding must require the Department of  
4 State Health Services to electronically verify the birth record of  
5 a child whose name and any other personal information is provided by  
6 the department and to electronically report the recorded filing  
7 information to the Department of Public Safety to validate the  
8 identity of a child under this section.

9 (d) The department shall reimburse the Department of Public  
10 Safety or the Department of State Health Services for the actual  
11 costs incurred by those agencies in performing responsibilities  
12 established under this section. The department may charge the  
13 child's parent or guardian for the actual costs incurred under this  
14 section or the fees required by Section 521.421, Transportation  
15 Code.

16 (e) This section does not apply to a child who:  
17 (1) is not legally present in the United States; or  
18 (2) was not a resident of this state before the child  
19 was placed in the custody of the department.

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

22 (a-1) The fee for a personal identification certificate  
23 issued under Section 501.0165, Government Code, ~~[or]~~ Section  
24 841.153, Health and Safety Code, or Section 245.0536, Human  
25 Resources Code, is \$5.

26 SECTION 4. Section 245.0536, Human Resources Code, as added  
27 by this Act, applies only to the release under supervision or final

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1 discharge of a child that occurs on or after December 1, 2021. A  
2 release under supervision or final discharge that occurs before  
3 that date is governed by the law in effect immediately before the  
4 effective date of this Act, and the former law is continued in  
5 effect for that purpose.

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

ADOPTED

MAY 24 2021

*Latey Spaw*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Zaffirini*

Amend H.B. No. 4544 (senate committee printing) as follows:

(1) In the recital to SECTION 2 of the bill, adding Section 245.0536, Human Resources Code (page 1, line 43), strike "Section 245.0536" and substitute "Sections 245.0536 and 245.0537".

(2) In SECTION 2 of the bill, immediately after added Section 245.0536, Human Resources Code (page 2, between lines 24 and 25), insert the following:

Sec. 245.0537. PROVIDING RELEASED OR DISCHARGED CHILD WITH BIRTH CERTIFICATE AND SOCIAL SECURITY CARD. (a) In addition to complying with the requirements of Section 245.0536, before releasing a child under supervision or finally discharging a child, the department must:

(1) determine whether the child has a:

(A) certified copy of the child's birth certificate; and

(B) copy of the child's social security card; and

(2) if the child does not have a document described by Subdivision (1), submit to the appropriate entity on behalf of the child a request for the issuance of the applicable document.

(b) The department shall submit a request under Subsection (a)(2) as soon as is practicable to enable the department to receive the applicable document before the department releases or discharges the child and to provide the child with the applicable document when the department releases or discharges the child.

(c) This section does not apply to a child who:

(1) is not legally present in the United States; or

(2) was not a resident of this state before the child was placed in the custody of the department.

(3) In SECTION 4 of the bill, adding transition language

1 (page 2, lines 31 and 32), strike "Section 245.0536, Human  
2 Resources Code, as added by this Act, applies" and substitute  
3 "Sections 245.0536 and 245.0537, Human Resources Code, as added by  
4 this Act, apply".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 25, 2021**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4544** by Swanson (Relating to providing children committed to the Texas Juvenile Justice Department with state-issued identification on discharge or release.), **As Passed 2nd House**

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|---|
| <b>No significant fiscal implication to the State is anticipated.</b> |
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It is assumed that the costs associated with the bill's provisions relating to providing children committed to the Texas Juvenile Justice Department with state-issued identification on discharge or release could be absorbed using existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 537 State Health Services, 644 Juvenile Justice Department

**LBB Staff:** JMc, LBO, KFB, KCL, DKN, NA

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 17, 2021**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4544** by Swanson (Relating to providing children committed to the Texas Juvenile Justice Department with state-issued identification on discharge or release.), **As Engrossed**

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**LBB Staff:** JMc, DKN, KFB, NA



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 17, 2021**

**TO:** Honorable Victoria Neave, Chair, House Committee on Juvenile Justice & Family Issues

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4544** by Swanson (Relating to providing children committed to the Texas Juvenile Justice Department with state-issued identification on discharge or release.), **Committee Report 1st House, Substituted**

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**Source Agencies:** 405 Department of Public Safety, 537 State Health Services, 644 Juvenile Justice Department

**LBB Staff:** JMc, DKN, KFB, NA

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 10, 2021**

**TO:** Honorable Victoria Neave, Chair, House Committee on Juvenile Justice & Family Issues

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4544** by Swanson (Relating to the issuance of personal identification certificates to youths committed to the Texas Juvenile Justice Department.), **As Introduced**

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| <b>No significant fiscal implication to the State is anticipated.</b> |
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It is assumed that the costs associated with the bill's provisions relating to the issuance of personal identification certificates to youths committed to the Texas Juvenile Justice Department could be absorbed using existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 537 State Health Services, 644 Juvenile Justice Department

**LBB Staff:** JMc, DKN, KFB, NA