By: Hinojosa of Hidalgo S.B. No. 433

A BILL TO BE ENTITLED

AN ACT

relating to a grant program for counties to provide prisoners serving a sentence in a county jail with certain identification documents on discharge.

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

SECTION 1. Subchapter C, Chapter 351, Local Government Code, is amended by adding Section 351.049 to read as follows:

Sec. 351.049. DISCHARGED PRISONER IDENTIFICATION DOCUMENT GRANT PROGRAM. (a) From money appropriated or otherwise available for the purpose, the Department of Public Safety shall establish and administer a program to provide grants to counties for the purpose of providing a prisoner serving a sentence in a county jail with documents on discharge as provided by this section.

(b) A county is eligible for a grant under Subsection (a) if the county has a population of 350,000 or more.

(c) Before discharging a prisoner serving a sentence in a county jail, the sheriff of a county receiving a grant under Subsection (a) shall determine whether the prisoner has:

(1) either of the following:

(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) each of the following:

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

(B) a copy of the prisoner's social security card.

(d) Before discharging the prisoner, the sheriff shall, as applicable:

(1) if the prisoner does not have a valid license or certificate described by Subsection (c)(1), submit to the Department of Public Safety on behalf of the prisoner a request for the issuance of a personal identification certificate under Chapter 521, Transportation Code; and

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

(e) The sheriff shall submit a request under Subsection (d) as soon as is practicable to enable the sheriff to provide the prisoner with the applicable documents when the prisoner is discharged from the county jail.

(f) The Commission on Jail Standards, 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 the respective responsibilities of a sheriff, the Department of Public Safety, and the Department of State Health Services with respect to the issuance under the grant program of a personal identification certificate to a prisoner serving a sentence in a county jail, including responsibilities related to verification of the prisoner's identity. The memorandum of

understanding must require the Department of State Health Services to electronically verify the birth record of a prisoner whose name and any other personal information is provided by the sheriff and to electronically report the recorded filing information to the Department of Public Safety to validate the identity of a prisoner under this section.

(g) Money received under the grant program may be used only for costs related to providing a prisoner with the applicable documents under this section, including:

(1) reimbursing the Department of Public Safety, the Department of State Health Services, or another appropriate entity for the actual costs incurred by those entities in performing responsibilities established under this section or issuing the applicable documents;

(2) staffing related to providing the prisoner with the applicable documents; and

(3) the purchase and operation of equipment necessary for providing a prisoner with the applicable documents.

(h) This section does not apply with respect to a prisoner who:

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

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

(i) Not later than December 31, 2028, the Department of Public Safety shall submit to the legislature a report on the grant program established under this section. The report must include recommendations for statutory or funding changes to the program.

(j) The Department of Public Safety shall adopt rules to implement this section.

(k) This section expires September 1, 2029.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2027.