
OLR Bill Analysis

sHB 6875 (as amended by House "A")*

AN ACT CONCERNING THE ISSUANCE OF AN IDENTITY CARD OR MOTOR VEHICLE OPERATOR'S LICENSE TO A PERSON BEING DISCHARGED FROM A CORRECTIONAL FACILITY.

SUMMARY

This bill requires the Department of Correction (DOC) and Department of Motor Vehicles (DMV) commissioners to proactively ensure that eligible incarcerated individuals with sentences of at least one year have a state identity card or driver's license when they are released from a correctional facility.

Under current law, the commissioners must ensure an incarcerated individual has a card or license if he or she requests and qualifies for one and pays any associated fee. The bill instead requires the commissioners to do so unless the person (1) indicates in writing, on a DOC commissioner-prescribed form, that he or she does not want a card or license or (2) is otherwise ineligible for one due to suspension, revocation, or cancellation of motor vehicle provisions in Connecticut or another state. It also (1) imposes deadlines by which the commissioners must start helping incarcerated individuals get necessary documentation and (2) generally eliminates the requirement that the commissioners do so within available appropriations.

The bill's card and license requirements apply to those who are released or discharged from a correctional facility after serving any part of a prison term for a misdemeanor or felony conviction, rather than just those released, as under current law.

The bill requires the DMV commissioner to conduct a feasibility examination on expanding the allowable forms of identification an incarcerated individual may use to obtain an identification card and driver's license. It also requires the DOC commissioner to annually

report to the Judiciary Committee certain statistics, issues, and recommendations on giving these cards and licenses to incarcerated individuals.

*House Amendment "A" (1) delays the effective date from July 1, 2023, to April 1, 2024; (2) limits the bill's applicability to those sentenced for at least one year; (3) eliminates the underlying bill's requirement that DOC give incarcerated individuals an initial driver's license; (4) only requires providing access to fees and fee waivers within available appropriations; (5) eliminates the underlying bill's provision on those with life imprisonment; (6) adds the feasibility study provisions; and (7) makes various minor, technical, and conforming changes.

EFFECTIVE DATE: April 1, 2024

STATE IDENTITY CARD AND DRIVER'S LICENSE

When a person is taken into DOC custody, the bill requires the DOC commissioner, in consultation and collaboration with the DMV commissioner, to determine whether the person has a current state identity card or driver's license and, if so, the date it expires.

For any individual sentenced to a term of imprisonment who wants an initial state identity card, to renew a driver's license or card, or obtain a duplicate of a lost card or license, the DOC commissioner, in consultation and collaboration with the DMV commissioner, must:

1. at least 24 months before the person's discharge date, determine the documentation needed for the card or license and help enable the person to quickly get this documentation by providing access to any forms, fees, and fee waivers, within available appropriations, and notary services and mailing-related needs; and
2. at least 13 months before the person's discharge date, similarly enable him or her to quickly get any more required documentation or photographs by providing the same access as listed above and a way to get required photographs.

The DOC commissioner must also begin the process within the same timeframes above based on a person's earliest eligibility date for parole. For those whose sentences are reduced to a discharge date within these timeframes (24 months and 13 months), the commissioner must immediately begin the process.

Under the bill, when a person who requested assistance getting a card or license is released from a correctional facility, DOC must give the person their card or license unless he or she was ineligible to receive one.

FEASIBILITY EXAMINATION

The bill requires the DMV commissioner, by January 1, 2025, to examine whether any feasible modifications can be made to expand the allowable forms of identification that incarcerated individuals may use to obtain a driver's license or identity card. The commissioner must implement any modifications he determines are feasible.

ANNUAL REPORT

By January 1, 2025, the DOC commissioner, in collaboration with the DMV commissioner, must begin annually reporting to the Judiciary Committee on:

1. the total number of formerly incarcerated individuals who were issued renewal or duplicate state identity cards and driver's licenses, separated by card and license type;
2. the total number of cards and licenses issued to individuals in each individual correctional facility;
3. the total number of incarcerated individuals who were not able to be issued an identity card or driver's license, disaggregated to the extent possible by reason for non-issuance; and
4. any issues the commissioners encountered in implementing the bill and feasibility examination, and any recommendations for improving or resolving them.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/27/2023)

Appropriations Committee

Joint Favorable

Yea 53 Nay 0 (05/01/2023)