



House of Representatives

General Assembly

File No. 588

January Session, 2023

Substitute House Bill No. 6875

House of Representatives, April 13, 2023

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 18-81ff of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) The Commissioners of Correction and Motor Vehicles shall [,
4 within available appropriations,] ensure that [an inmate] a person who
5 is incarcerated possesses [a state identification] an identity card issued
6 pursuant to section 1-1h or a motor vehicle operator's license issued
7 pursuant to chapter 246 at the time such [inmate] person is released
8 from a correctional facility after serving any part of a term of
9 imprisonment for a misdemeanor or felony conviction, [provided any
10 such inmate (1) requests and qualifies for such identification card or
11 license, and (2) pays any fee associated with obtaining such
12 identification card or license.] unless such person indicates, in writing,
13 on a form prescribed by the Commissioner of Correction, that such

14 person does not wish to obtain such card or license.

15 (b) In order to effectuate the provisions of subsection (a) of this
16 section, at the time a person is committed to the custody of the
17 Commissioner of Correction, who, in consultation and collaboration
18 with the Commissioner of Motor Vehicles, shall ascertain (1) whether
19 the person has been issued a valid identity card pursuant to section 1-
20 1h or motor vehicle operator's license pursuant to chapter 246, and (2) if
21 such card or license has been issued, the date upon which such card or
22 license is to expire.

23 (c) For any person who is incarcerated who wishes to obtain an initial
24 identity card issued pursuant to section 1-1h or a motor vehicle
25 operator's license issued pursuant to chapter 246, or renew such card or
26 license, or obtain a duplicate card or license if the original card or license
27 has been lost, the Commissioner of Correction, in consultation and
28 collaboration with the Commissioner of Motor Vehicles, shall:

29 (1) (A) Not later than twenty-four months prior to the date on which
30 such person is to be discharged from the correctional facility, determine
31 the documentation such person requires to obtain such card or license;
32 and (B) facilitate the process that allows such person to expeditiously
33 obtain the required documentation by providing access to any forms,
34 fees, fee waivers, notary services, and mailing-related needs, to secure
35 the required documentation. For any person sentenced to a term of life
36 imprisonment, the Commissioner of Correction shall begin the process
37 described in this subdivision not later than twenty-four months prior to
38 the person's earliest date of eligibility for parole, and immediately begin
39 the process for any person whose sentence is reduced and the reduced
40 sentence results in a date of discharge within twenty-four months or
41 who is otherwise scheduled to be released with a date of discharge
42 within twenty-four months;

43 (2) Not later than thirteen months prior to the date on which such
44 person is to be discharged from the correctional facility, initiate a
45 process that allows such person to expeditiously obtain any additionally
46 required documentation or photographs by providing (A) access to any

47 forms, fees, fee waivers, notary services, and mailing-related needs, to
48 secure the required documentation, and (B) a means by which to obtain
49 the required photographs. For any person sentenced to a term of life
50 imprisonment, the Commissioner of Correction shall begin the process
51 described in this subdivision not later than thirteen months prior to the
52 person's earliest date of eligibility for parole, and immediately begin the
53 process for any person whose sentence is reduced and the reduced
54 sentence results in a date of discharge within thirteen months or who is
55 otherwise scheduled to be released with a date of discharge within
56 thirteen months; and

57 (3) Make any required licensing examination available to a person
58 seeking to obtain a motor vehicle operator's license issued pursuant to
59 chapter 246, except the provisions of this subdivision shall not apply to
60 any required road test administered by the Department of Motor
61 Vehicles.

62 (d) At the time a person is released from a correctional facility, the
63 Commissioner of Correction shall provide an identity card issued
64 pursuant to section 1-1h or a motor vehicle operator's license issued
65 pursuant to chapter 246 to any person who has successfully obtained
66 such card or license pursuant to the provisions of this section.

67 (e) Not later than July 1, 2024, and annually thereafter, the
68 Commissioner of Correction shall report, in accordance with the
69 provisions of section 11-4a, to the joint standing committee of the
70 General Assembly having cognizance of matters relating to the judiciary
71 on:

72 (1) The total number of formerly incarcerated persons who were
73 issued original, renewal or duplicate identity cards pursuant to section
74 1-1h, and original, renewal or duplicate motor vehicle operator's
75 licenses issued pursuant to chapter 246, disaggregated by card and
76 license type, and licensing examinations disaggregated by license type;

77 (2) The total number of identification cards and motor vehicle
78 operator's licenses issued to such persons by each individual state

79 correctional facility; and

80 (3) Any issues encountered by the Department of Correction in
81 implementing the provisions of this section along with
82 recommendations for the resolution of such issues and any
83 recommended enhancements to the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	18-81ff

Statement of Legislative Commissioners:

In Subsec. (a), "a state identification card" was replaced with "an identity card" for accuracy; in Subsec. (b), "care and custody of the Department of Correction" was replaced with "custody of the Commissioner of Correction" for conformity with the general statutes; in Subsec. (c), language was clarified concerning persons being released earlier than the proposed timeline in Subdivs. (1) and (2); and in Subsec. (e), "to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary" was added for clarity.

JUD *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Correction, Dept.	GF - Cost	368,974	378,198
State Comptroller - Fringe Benefits ¹	GF - Cost	157,995	161,945
Motor Vehicle Dept.	TF - Cost	Up to 25,000	Up to 25,000
Motor Vehicle Dept.	TF - Revenue Gain	See Below	See Below

Note: GF=General Fund; TF=Transportation Fund

Municipal Impact: None

Explanation

The bill requires the Department of Correction (DOC) and the Department of Motor Vehicles (DMV) to ensure incarcerated individuals have a state identity card or driver's license when they are released from a correctional facility resulting in the costs described below.

To meet the requirements of the bill the DOC will have to hire six new employees (five correctional counselor's and one financial clerk) for a cost to the DOC of \$368,974 in FY 24 and \$378,198 in FY 25, along with associated fringe benefit costs of \$157,995 in FY 24 and \$161,945 in FY 25. The bill requires the DOC to:

- Determine if each new inmate has an identity card or driver's

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

license and when it expires.

- Determine the documentation needed 24 and 13 months before the discharge date for an inmate and facilitate the process by providing forms, fees, waivers, mailing, etc.
- Make a written licensing exam available to any person seeking a driver's license.

Currently, DOC and DMV must ensure an inmate possess an identity card or license if they request one, qualify for one, and pay the associated fees. In FY 22 the DOC helped over 1,300 inmates secure a driver's license or a non-driver ID and approximately 8,000 inmates were discharged from correctional facilities.

The bill results in a cost to DMV of up to \$25,000 for making any required driver's license exams available (the road test is exempt from the bill's requirements) and related processing and issuance costs. The cost would be dependent on implementation decisions made by DMV and DOC and on the number of incarcerated people needing written testing, such as first-time license seekers and those with licenses expired for more than two years. The bill also results in a revenue gain to the Special Transportation Fund for additional ID card and licensing fees received. It is unknown how many additional incarcerated people will apply for IDs and driver's licenses under the bill.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the number of incarcerated people requesting ID cards and licenses.

OLR Bill Analysis**HB 6875*****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 help incarcerated individuals to ensure that they 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 possesses the card or license if he or she requests and qualifies for it and pays any associated fee. The bill instead (1) requires the commissioners to do so unless the person indicates, in writing, on a DOC commissioner-prescribed form, that he or she does not want a card or license and (2) imposes deadlines by which the commissioners must start helping incarcerated individuals get necessary documentation. It also eliminates the requirement that the commissioners give this help within available appropriations.

As under current law, the bill's provisions apply to those released from a correctional facility after serving any part of a prison term for a misdemeanor or felony conviction.

EFFECTIVE DATE: July 1, 2023

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 incarcerated individual who wants an initial state identity card or driver's license or to renew or obtain a duplicate one for 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 necessary for the card or license and facilitate the process to enable the person to quickly get this documentation by providing access to any forms, fees, fee waivers, notary services, and mailing-related needs;
2. at least 13 months before the person's discharge date, to 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; and
3. make any required licensing exam available to the person seeking a driver's license, except for the required DMV road test.

For those in prison on a life sentence, the timeframes are the same as above but based on the person's earliest eligibility date for parole, rather than the discharge date. The commissioner must also immediately begin the process for getting necessary documentation when any such person's sentence is reduced and the reduced sentence results in a discharge date within these timeframes.

Under the bill, when a person is released from a correctional facility DOC must give the card or license to anyone who has successfully obtained it.

ANNUAL REPORT

By July 1, 2024, the DOC commissioner must begin annually reporting to the Judiciary Committee on:

1. the total number of formerly incarcerated individuals who were issued original, renewal, or duplicate state identity cards and

- driver’s licenses, separated by card and license and examination type;
2. the total number of cards and licenses issued to individuals in each individual correctional facility; and
 3. any issues DOC encounters in implementing the bill along with any recommendations for resolving the problems or improving the bill’s provisions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/27/2023)