

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 23-88—sHB 6875

Judiciary Committee

Appropriations Committee

**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 act generally requires the Department of Correction (DOC) and Department of Motor Vehicles (DMV) commissioners to 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 prior law, the commissioners had to ensure an incarcerated individual had a card or license if he or she requested and qualified for one and paid any associated fee. The act 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, including due to suspension, revocation, or cancellation of motor vehicle operating privileges in Connecticut or another state. It also (1) eliminates the requirement that the commissioners meet these requirements only within available appropriations and (2) imposes deadlines by which the commissioners must start helping incarcerated individuals get necessary documentation.

The act'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 criminal conviction, rather than just those released, as under prior law.

The act 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 on certain statistics, issues, and recommendations on giving these cards and licenses to incarcerated individuals.

EFFECTIVE DATE: April 1, 2024

STATE IDENTITY CARD AND DRIVER'S LICENSE

When a person is taken into DOC custody, the act 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:

OLR PUBLIC ACT SUMMARY

1. at least 24 months before the person's discharge date, determine the documentation needed for the card or license and help the person to quickly get this documentation by providing access to any forms, fees and fee waivers (within available appropriations), 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 parole eligibility date. For those whose sentences are reduced to a discharge date within these timeframes (24 months and 13 months) or who are otherwise scheduled to be released within those timeframes, the commissioner must immediately begin the process.

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

FEASIBILITY EXAMINATION

The act 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 original, renewal, or duplicate state identity cards and renewal or duplicate 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 unable 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 act and feasibility examination, any recommendations for resolving them, and any legislative recommendations for improvement.