

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Committee Substitute

for

House Bill 2083

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[Originating in the committee on the Judiciary;

January 24, 2019.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §17B-2-1c, relating to facilitating a released inmate's reintegration into society,
3 by requiring the Division of Corrections and Rehabilitation to provide an identification card
4 for eligible released inmates who do not have a West Virginia identification card or driver's
5 license; permitting the Division of Motor Vehicles to make visits to Division of Corrections
6 and Rehabilitation's facilities to assist inmates with applications to obtain a West Virginia
7 identification card; providing that the Division of Corrections and Rehabilitation be
8 temporary in nature; providing that the identification card issued by the Division of
9 Corrections and Rehabilitation have the same force and effect as a standard/Not For
10 Federal Use identification card; providing that the Division of Motor Vehicles shall accept
11 an unexpired Division of Corrections and Rehabilitation identification card and a document
12 from the Division of Corrections and Rehabilitation as the only two (2) items needed to
13 issue a standard/Not For Federal Use identification card; and requiring a former inmate to
14 pay all fees charged by the Division of Motor Vehicles related to the issuance of an
15 identification card.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.

§17B-2-1c. Identification card for released inmates.

1 (a) It is the intent of the Legislature to enact legislation that reduces recidivism rates for
2 West Virginia's released inmates. Furthermore, it is the intent of the Legislature to establish a
3 mechanism that will provide certain inmates with identification cards upon their release from the
4 custody of the Division of Corrections and Rehabilitation, providing them with an important tool
5 for their reintegration into society.

6 (b) The Legislature finds and declares all of the following:

7 (1) The lack of proper identification for individuals recently released from prison is a major
8 barrier to successful community reintegration.

9 (2) Inmates who have served long sentences may have outdated identification cards or
10 lost their cards during their travel through the criminal justice system.

11 (3) The lack of an identification card leaves released inmates unable to complete
12 employment forms, apply for housing, open a bank account, cash or deposit a check, receive
13 necessary medication, register for school or enter a federal building.

14 (c) Prior to each inmate being released from a Division of Corrections and Rehabilitation
15 prison unit, the division shall take reasonable steps to issue an identification card to each inmate
16 who is eligible pursuant to the division's policies.

17 (d) The Division of Corrections and Rehabilitation, in collaboration with the Division of
18 Motor Vehicles, shall allow the Division of Motor Vehicles to make visits to its facilities for the
19 purpose of assisting inmates with the application process to obtain a valid West Virginia
20 identification card.

21 (e) An inmate is not eligible to receive an identification card pursuant to this section if the
22 inmate already has possession of an unexpired West Virginia identification card or driver's
23 license. Further, an inmate is not eligible to receive an identification card if the inmate is not a
24 U.S. citizen.

25 (f) The identification card issued by the Division of Corrections and Rehabilitation shall be
26 temporary in nature and expire ninety (90) days after issuance.

27 (g) The identification card issued by the Division of Corrections and Rehabilitation shall
28 have the same force and effect as a standard/Not For Federal Use identification card issued by
29 the Division of Motor Vehicles.

30 (h) Notwithstanding any other provision of this article to the contrary, the Division of Motor
31 Vehicles shall accept an unexpired identification card issued by the Division of Corrections and
32 Rehabilitation as proof of identity and proof of residency. If no other document is presented by
33 the released inmate showing proof of social security number, the Division of Motor Vehicles shall
34 contact the Division of Corrections and Rehabilitation to verify the social security number of the

35 released inmate. The released inmate is not required to provide any further documentation to
36 obtain a standard/Not For Federal Use identification card. The Division of Corrections and
37 Rehabilitation, in collaboration with the Division of Motor Vehicles, will work together to develop
38 a policy to verify social security numbers of released inmates.
39 (i) A released inmate shall pay all fees charged by the Division of Motor Vehicles related
40 to the issuance of an identification card.

NOTE: The purpose of this bill is to facilitate a released inmate's reintegration into society, by requiring the Division of Corrections and Rehabilitation, to provide an identification card for inmates who do not have a West Virginia identification card or driver's license.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.