

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2083**

BY DELEGATES PUSHKIN, SHOTT, MILEY, LOVEJOY AND

MILLER

[Introduced January 9, 2019; Referred  
to the Committee on the Judiciary then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §25-1-9, relating to facilitating a released inmate's reintegration into society,  
3 by requiring the Commissioner of the Division of Motor Vehicles and Commissioner of  
4 Corrections, to provide an identification card for released inmates who do not have a West  
5 Virginia identification card or driver's license.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 1. ORGANIZATION, INSTITUTIONS AND CORRECTIONS MANAGEMENT.**

### **§25-1-9. 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 an  
3 interagency program between the Division of Corrections and the Division of Motor Vehicles that  
4 provides inmates with identification cards upon their release from the custody of the Division of  
5 Corrections, providing them with an important tool 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9 (2) Inmates who have served long sentences may have outdated identification cards or  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 the Division of Corrections the division shall  
15 take reasonable steps to ensure that each inmate successfully obtains a valid West Virginia  
16 identification card issued by the Division of Motor Vehicles.

17 (d) The Division of Corrections, in collaboration with the Division of Motor Vehicles, shall  
18 allow the division to make visits to its facilities for the purpose of providing state-issued

19 identification cards to inmates upon their release and to inmates who are eligible to be released  
20 or released on parole within six months.

21 (e) An inmate is not eligible to receive an identification card pursuant to this section if the  
22 inmate already has possession of a validly issued West Virginia identification card or driver's  
23 license.

24 (f) An inmate shall pay all fees charged by the Division of Motor Vehicles related to the  
25 issuance of an identification card. However, the division shall waive the fee upon a finding of an  
26 inability to pay.

NOTE: The purpose of this bill is to facilitate a released inmate's reintegration into society, by requiring the Commissioner of the Division of Motor Vehicles and Commissioner of Corrections, 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.