

- SUBJECT:** Providing certain children and prisoners with state-issued identification
- COMMITTEE:** Juvenile Justice and Family Issues — favorable, without amendment
- VOTE:** 9 ayes — Neave, Swanson, Cook, Frank, Leach, Ramos, Talarico, Vasut, Wu
0 nays
- WITNESSES:** For — (*Registered, but did not testify:* Melissa Shannon, Bexar County Commissioners Court; Jill Mata, Bexar County Juvenile Probation Department; Traci Berry, Goodwill Central Texas; Alison Mohr Boleware, National Association of Social Workers - Texas Chapter; Kate Murphy, Texans Care for Children; Gabriella McDonald, Texas Appleseed; Lori Henning, Texas Association of Goodwills; Andrew Homer, Texas CASA; Alycia Castillo, Texas Criminal Justice Coalition; Suzi Kennon, Texas PTA; Molly Weiner, United Ways of Texas)

Against — None

On — Rebekah Hibbs, Texas Department of Public Safety; (*Registered, but did not testify:* Prestonn Streufert, Texas Juvenile Justice Department)
- BACKGROUND:** Concerns have been raised that children committed to the Texas Juvenile Justice Department and prisoners serving a sentence in a county jail may have difficult reintegrating into the community after release because they lack basic identification documents.
- DIGEST:** HB 4355 would require the Texas Juvenile Justice Department (TJJD) or a county sheriff, as applicable, to provide children in TJJD custody or prisoners serving a sentence in county jail with state-issued identification upon final discharge or release under supervision.

Request for identification certificate. Before releasing a child under supervision or finally discharging a child from TJJD custody or discharging a prisoner from county jail, TJJD or the county sheriff, as

applicable, would be required to determine whether the child or prisoner had a valid driver's license or personal identification certificate. If the child or prisoner did not have such identification, the department or the county sheriff would have to submit to the Department of Public Safety (DPS) on behalf of the child or prisoner a request for issuance of a personal identification certificate. The request would have to be made as soon as practicable to enable TJJD or the county sheriff to provide the child or prisoner with the identification certificate when the individual was released or discharged.

Memorandum of understanding. The bill would require TJJD, DPS, and the vital statistics unit of the Department of State Health Services (DSHS) to adopt a memorandum of understanding that established their respective responsibilities with respect to the issuance of a personal identification certificate to a child, including responsibilities related to verification of the child's identity.

HB 4355 also would require the Commission on Jail Standards, DPS, and the vital statistics unit of DSHS to adopt a memorandum of understanding that established the respective responsibilities of a sheriff, DPS, and DSHS with respect to the issuance of a personal identification certificate to a prisoner serving a sentence in a county jail.

The memorandum of understanding would have to require DSHS to electronically verify the birth record of a child or prisoner whose name and any other personal information was provided by TJJD or a sheriff and to electronically report the recorded filing information to DPS to validate the identify of a child or prisoner.

TJJD or the sheriff or commissioner court of a county, as applicable, would be required to reimburse DPS or DSHS for the actual costs incurred by those agencies in performing responsibilities established under the bill. TJJD or the sheriff could charge a child, the child's parent or guardian, or a prisoner, as applicable, for the actual costs incurred under the bill or the fees required for the issuance of the certificate of identification.

Birth certificate, social security card. The bill also would require that before releasing or discharging a child from TJJJ custody or discharging a prisoner serving a sentence in a county jail, TJJJ or the sheriff of the county would have to determine whether the child or prisoner had a certified copy of the individual's birth certificate and a copy of the individual's social security card. If the child or prisoner did not have such documents, TJJJ or the sheriff would have to submit a request to the appropriate entity on behalf of the child or prisoner for the issuance of the documents. The request would have to be made as soon as practicable to enable TJJJ or the sheriff to provide the child or prisoner with the applicable documents upon the individual's release or discharge.

Other provisions. HB 4355 would not apply to a child or prisoner who was not legally present in the United States or who was not a resident of the state before being placed in custody.

The bill would apply only to the release under supervision or final discharge of a child or discharge of a prisoner that occurred on or after the bill's effective date.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.