



# House of Representatives

**File No. 836**

General Assembly

January Session, 2023

**(Reprint of File No. 588)**

Substitute House Bill No. 6875  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 26, 2023

**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 Section 18-81ff of the general statutes is repealed and the  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 April 1, 2024*):

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 discharged  
8 or released from a correctional facility after serving any part of a term  
9 of imprisonment for a misdemeanor or felony conviction [, provided  
10 any such inmate (1) requests and qualifies for such identification card  
11 or license, and (2) pays any fee associated with obtaining such  
12 identification card or license.] with a sentence of not less than one year,

13 unless such person (1) indicates, in writing, on a form prescribed by the  
14 Commissioner of Correction, that such person does not wish to obtain  
15 such card or license, or (2) is otherwise ineligible for such card or license  
16 for reasons that include, but are not limited to, suspension, revocation  
17 or cancellation of motor vehicle operating provisions in this or any other  
18 state.

19 (b) In order to effectuate the provisions of subsection (a) of this  
20 section, at the time a person is committed to the custody of the  
21 Commissioner of Correction, said commissioner, in consultation and  
22 collaboration with the Commissioner of Motor Vehicles, shall ascertain  
23 (1) whether the person has been issued a valid identity card pursuant to  
24 section 1-1h or a motor vehicle operator's license pursuant to chapter  
25 246, and (2) if such card or license has been issued, the date upon which  
26 such card or license is to expire.

27 (c) For any person who is sentenced to a term of imprisonment who  
28 wishes to (1) obtain an initial identity card issued pursuant to section 1-  
29 1h, or renew such card, (2) renew a motor vehicle operator's license  
30 pursuant to chapter 246, or (3) obtain a duplicate card or license if the  
31 original card or license has been lost, the Commissioner of Correction,  
32 in consultation and collaboration with the Commissioner of Motor  
33 Vehicles, shall:

34 (A) (i) Not later than twenty-four months prior to the date on which  
35 such person is to be discharged from the correctional facility, determine  
36 the documentation such person requires to obtain such card or license;  
37 and (ii) facilitate the process that allows such person to expeditiously  
38 obtain the required documentation by providing access to any forms,  
39 fees and fee waivers, within available appropriations, notary services  
40 and mailing-related needs, to secure the required documentation. The  
41 Commissioner of Correction shall begin the process described in this  
42 subdivision not later than twenty-four months prior to the person's  
43 earliest date of eligibility for parole, and immediately begin the process  
44 for any person whose sentence is reduced, if the reduced sentence  
45 results in a date of discharge within twenty-four months or for any

46 person who is otherwise scheduled to be released with a date of  
47 discharge within twenty-four months; and

48 (B) Not later than thirteen months prior to the date on which such  
49 person is to be discharged from the correctional facility, initiate a  
50 process that allows such person to expeditiously obtain any additionally  
51 required documentation or photographs by providing (i) access to any  
52 forms, fees and fee waivers, within available appropriations, notary  
53 services and mailing-related needs, to secure the required  
54 documentation, and (ii) a means by which to obtain the required  
55 photographs. The Commissioner of Correction shall begin the process  
56 described in this subdivision not later than thirteen months prior to the  
57 person's earliest date of eligibility for parole, and immediately begin the  
58 process for any person whose sentence is reduced, if the reduced  
59 sentence results in a date of discharge within thirteen months or for any  
60 person who is otherwise scheduled to be released with a date of  
61 discharge within thirteen months.

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 requested assistance in  
66 obtaining such card or license pursuant to the provisions of this section  
67 and is not otherwise ineligible to receive such card or license.

68 (e) Not later than January 1, 2025, and annually thereafter, the  
69 Commissioner of Correction, in collaboration with the Commissioner of  
70 Motor Vehicles, shall report, in accordance with the provisions of  
71 section 11-4a, to the joint standing committee of the General Assembly  
72 having cognizance of matters relating to the judiciary on:

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

80 (3) The total number of incarcerated persons who were not able to be  
81 issued an identification card or motor vehicle operator's license under  
82 this section, disaggregated to the extent practicable by reasons for the  
83 nonissuance of such cards or licenses; and

84 (4) Any issues encountered by the Commissioners of Correction and  
85 Motor Vehicles in implementing the provisions of this section and  
86 section 14-41c, as amended by this act, along with recommendations for  
87 the resolution of such issues and any recommended legislative  
88 enhancements to the provisions of this section and section 14-41c, as  
89 amended by this act.

90 Sec. 2. Section 14-41c of the general statutes is repealed and the  
91 following is substituted in lieu thereof (*Effective April 1, 2024*):

92 (a) The Commissioner of Motor Vehicles shall consult with the  
93 Commissioner of Correction to establish a procedure to renew the  
94 operator's licenses and identity cards of persons who are incarcerated,  
95 without the appearance of such persons at the Department of Motor  
96 Vehicles, in accordance with subsection (b) of section 14-36d. Such  
97 renewal shall be initiated at the request of an incarcerated person who  
98 responds to a renewal notice for such person's operator's license or  
99 identity card. This section shall not apply to the initial issuance of an  
100 operator's license or identity card or the issuance of a license or identity  
101 card that has expired more than two years before the date of the  
102 requested renewal.

103 (b) On or before January 1, 2025, the Commissioner of Motor Vehicles  
104 shall examine whether any feasible modifications can be made to  
105 expand the permissible forms of identification that may be utilized for  
106 purposes of obtaining operator's licenses and identity cards for persons  
107 who are incarcerated. If the commissioner determines that feasible  
108 modifications can be made, the commissioner shall implement such  
109 feasible modifications.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>April 1, 2024</i>	18-81ff
Sec. 2	<i>April 1, 2024</i>	14-41c

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	59,721	244,856
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	25,573	104,847
Department of Motor Vehicles	TF - Cost	Up to 5,000	Up to 20,000
Department of Motor Vehicles	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 certain incarcerated individuals have a state identity card or driver's license<sup>2</sup> 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 four new employees (three correctional counselor's and one financial clerk) for a cost to the DOC of \$59,271 in FY 24<sup>3</sup> and \$244,856 in FY 25, along with associated fringe benefit costs of \$25,573 in FY 24 and \$104,847 in

<sup>1</sup>The 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.

<sup>2</sup> The bill only includes renewal driver's licenses, it does not include issuing of initial drives license.

<sup>3</sup> The costs in FY 24 reflect the bills effective date of April, 1, 2024.

FY 25. The amendment requires the DOC to:

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

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 \$5,000 in FY 24 and up to \$20,000 in FY 25 for processing and issuance costs related to ID cards and license renewals. The cost would be dependent on implementation decisions made by DMV and DOC. The bill also results in a revenue gain to the Special Transportation Fund for ID card and license renewal fees. It is unknown how many additional incarcerated people will apply for IDs and driver's license renewals under the amendment.

House "A" strikes the underlying bill and its associated fiscal impact resulting in the impact described above.

### ***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.

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**OLR Bill Analysis****sHB 6875 (as amended by House "A")\******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 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 current law, the commissioners must ensure an incarcerated individual has a card or license if he or she requests and qualifies for one and pays any associated fee. The bill 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 due to suspension, revocation, or cancellation of motor vehicle provisions in Connecticut or another state. It also (1) imposes deadlines by which the commissioners must start helping incarcerated individuals get necessary documentation and (2) generally eliminates the requirement that the commissioners do so within available appropriations.

The bill'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 misdemeanor or felony conviction, rather than just those released, as under current law.

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

\*House Amendment "A" (1) delays the effective date from July 1, 2023, to April 1, 2024; (2) limits the bill's applicability to those sentenced for at least one year; (3) eliminates the underlying bill's requirement that DOC give incarcerated individuals an initial driver's license; (4) only requires providing access to fees and fee waivers within available appropriations; (5) eliminates the underlying bill's provision on those with life imprisonment; (6) adds the feasibility study provisions; and (7) makes various minor, technical, and conforming changes.

EFFECTIVE DATE: April 1, 2024

### **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 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:

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

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

#### **FEASIBILITY EXAMINATION**

The bill 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 renewal or duplicate state identity cards and 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 not able 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 bill and feasibility examination, and any recommendations for improving or resolving them.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/27/2023)

Appropriations Committee

Joint Favorable

Yea 53 Nay 0 (05/01/2023)