



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4074 (Substitute H-2 as reported without amendment)

House Bill 4075 (Substitute H-2 as reported without amendment)

House Bill 4076 (Substitute H-2 as reported without amendment)

House Bill 4077 (Substitute H-2 as reported without amendment)

Sponsor: Representative Margaret O'Brien (H.B. 4074)

Representative Mike Shirkey (H.B. 4075)

Representative Kurt Damrow (H.B. 4076)

Representative Ben Glardon (H.B. 4077)

House Committee: Judiciary

Senate Committee: Judiciary

CONTENT

House Bill 4074 (H-2) would amend the Corrections Code to do the following:

- Require the Department of Corrections (DOC) to assist prisoners with reentry into the community, including assisting them in obtaining identification documents.
- Require the DOC, subject to its security needs, to allow a prisoner, before being released, to obtain identification documents that would meet the application requirements for a driver license or official State personal ID card, or to obtain a Social Security card or number verification.
- Require the DOC to allow the Secretary of State (SOS) to have electronic access to prisoner information, for the purpose of verifying the identity of a prisoner who applied for a driver license or State ID.
- Create the "Reentry Success Fund" for the DOC's expenses in assisting prisoners to obtain identification documents.
- Require a parole eligibility report to include whether a prisoner refused to attempt to obtain identification documents.
- Require the DOC to provide a prisoner with an ID card when he or she was released; and require the card to contain the prisoner's photograph, legal name, and date of birth, and a statement of whether the prisoner was placed on parole or discharged after completing his or her sentence.

The provisions requiring the DOC to assist prisoners and allow them to obtain identification documents would apply to all prisoners serving a sentence under the DOC's jurisdiction after the bill's effective date who were eligible to obtain a driver license or a State personal ID card.

House Bill 4075 (H-2) would amend Public Act 222 of 1972, which provides for the issuance of an official State personal ID card, and House Bill 4076 (H-2) would amend the Michigan Vehicle Code, to require the SOS to accept a prisoner ID card issued by the DOC as one of the documents required to obtain a State ID card or driver license.

House Bill 4077 (H-2) would amend the Code of Criminal Procedure to require that a person committed to a State correctional facility be notified of the importance of obtaining a driver license or State ID card upon release from incarceration. The notification would have to list the personal identification documents necessary for obtaining a driver license or State

personal ID card that would meet the requirements for getting a driver license or official State personal ID card, or to obtain a Social Security card. It also would have to contain a request that the person obtain and provide those required documents to the DOC, and state that the DOC would retain the documents until the prisoner was released from secure confinement. Any identification documents previously provided by the person would have to accompany the commitment papers.

Under the Code of Criminal Procedure, before the court sentences a person charged with a felony, or a person in certain other cases, the probation officer must submit a written presentence investigation report to the court. Under the bill, the report would have to include a statement as to whether the person had provided the identification documents referred to above.

All of the bills are tie-barred.

MCL 791.235 et al. (H.B. 4074)
28.291 (H.B. 4075)
257.307 (H.B. 4076)
771.14 (H.B. 4077)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on State and local government. The following highlights some of the key considerations in each of the bills:

The primary content of House Bill 4074 (H-2) has already been partially implemented via a Memorandum of Understanding between the Department of Corrections and the Secretary of State. Therefore, cost increases associated with implementation would likely be negligible. The bill would set up a "Reentry Success Fund" within the State Treasury, but does not specifically designate that any funds be placed into this Fund.

House Bills 4075 (H-2) and 4076 (H-2) would have a negligible fiscal impact. The DOC could incur small technology and labor costs in order to give the SOS read-only access to DOC prisoner information database.

House Bill 4077 (H-2) would likely cause a modest increase in labor/administrative costs for the Department of Corrections during the reception process when incoming prisoners are admitted into the system. There also could be marginal cost increases associated with organizing and storing any identification documents provided during the admitted prisoner's time served.

Date Completed: 1-25-12

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.