

Legislative Analysis



DRIVER'S LICENSE OR STATE ID CARD FOR PRISONERS BEING RELEASED ON PAROLE OR DISCHARGED

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4191 as enrolled
Sponsor: Rep. Abraham Aiyash

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4192 as enrolled
Sponsor: Rep. Felicia Brabec

House Bill 4193 as enrolled
Sponsor: Rep. Kimberly Edwards

House Bill 4194 as enrolled
Sponsor: Rep. Mike McFall

Committee: Criminal Justice
Complete to 1-31-25

(Vetoed by the Governor 1-17-25)

SUMMARY:

House Bills 4191 to 4194 would require the Department of Corrections (DOC) to apply for a driver's license or state personal ID card on behalf of a prisoner scheduled to be released from prison and would provide procedures for the secretary of state for processing and, if applicable, issuing and delivering a license or card. DOC would have to give the license or card to an individual when they are released on parole or discharged after completing their maximum sentence. As described in **Fiscal Impact**, below, the bills would codify procedures that are already now followed by DOC and the secretary of state.

House Bill 4192 would amend the Corrections Code, which requires DOC, by contract or otherwise, to assist prisoners with reentry into the community by assisting and reasonably allowing them (subject to security needs) to obtain a Social Security card or Social Security number verification, as well as identification documents that, combined with a prisoner ID card, will meet requirements for getting a driver's license or state ID card. The bill would change "reasonably allowing" to "assisting" in these provisions.

The bill would additionally require DOC, by contract or otherwise, to assist a prisoner with reentry into the community by doing both of the following at least 60 days before the prisoner is scheduled to be released on parole or discharged upon completing their maximum sentence:

- Collecting application documents, to the extent possible, and a photograph of the prisoner required for a driver's license or state ID card.
- Sending the secretary of state those documents, the photograph, and the projected date the prisoner will be released on parole or discharged from prison.

DOC would have to provide the individual with any driver's license or state ID card received from an application made to the secretary of state as described above.

MCL 791.234c

House Bills 4191 and 4193 would respectively amend the Michigan Vehicle Code and the official state personal identification card act (1972 PA 222) to provide procedures for the

secretary of state to follow in processing an application made under HB 4192 for a driver's license or state ID card, as applicable.

Under the bills, beginning October 1, 2023, upon receiving from DOC the required application documents, a prisoner's photograph, and the projected date the prisoner will be released on parole or discharged upon completing their maximum sentence, the secretary of state, to the extent possible, would have to issue a driver's license or state ID card to an eligible prisoner. The secretary of state would have to deliver the license or card to DOC before the projected date or, if the prisoner was already released or discharged, mail the license or card to DOC as soon as possible.

HB 4191 (driver's licenses): MCL 257.307

HB 4193 (state ID cards): MCL 28.291

House Bill 4194 would amend the Enhanced Driver License and Enhanced Official State Personal Identification Card Act to update a reference to a provision of the official state personal identification card act that would be renumbered by HB 4193.

MCL 28.305

House Bills 4191, 4192, and 4193 are all tie-barred to one another, and House Bill 4194 is tie-barred to HB 4193. A bill cannot take effect unless all the bills it is tie-barred to are enacted.

BRIEF DISCUSSION:

The bills would put into law an existing DOC program that enables eligible state prisoners to have an official Michigan driver's license or state ID when they are released on parole or at the end of their sentence. Without proper ID, it can be difficult for a newly released individual to obtain such things as a Social Security number, a bank account, housing, or employment. The ability to quickly find employment and housing after release decreases recidivism (committing new crimes) and increases successful reintegration. Before the program, it was not uncommon for individuals to struggle for months or years after release to obtain a birth certificate or other documentation needed to move forward. Note that the program applies only to inmates leaving prison, and some feel it should be expanded to also cover individuals who are sentenced to probation rather than incarceration, who sometimes similarly cannot find employment or housing because they do not have a proper ID.

FISCAL IMPACT:

House Bills 4191, 4192, and 4193 would have no new fiscal impact on the state or on local units of government. The bills would codify current procedures followed by the Department of Corrections and the secretary of state for providing state personal ID cards or driver's licenses to offenders upon their release from prison.

The Department of Corrections has worked closely with the secretary of state over the past few years to develop and implement the program currently in place for issuing ID cards or driver's licenses. The program was created in the spring of 2020 and launched in the fall of 2020. The focus of the program is to issue driver's licenses to eligible offenders. If offenders are not eligible for driver's licenses, they are issued state personal ID cards.

The Department of Corrections employs 20 employment counselors around the state who spend between 60% and 70% of their time working on obtaining vital documents for offenders, and three staff at headquarters that work full-time on obtaining vital documents. These staff assist offenders who are nearing their release dates with obtaining birth certificates, Social Security cards, state personal ID cards, and driver's licenses. They assist offenders with completing various applications and take photographs of offenders for their ID cards/licenses.

According to the Department of Corrections, 381 ID cards/licenses were secured for offenders in 2019, 715 were secured in 2020, 4,831 were secured in 2021, 5,939 were secured in 2022, 6,052 were secured in 2023, and 6,945 were secured in 2024. The department's goal is to secure ID cards or driver's licenses for 98% of offenders being released from prison. The department cannot reach a goal of 100% because there are times when offenders refuse the assistance or leave the Michigan correctional system to enter correctional systems in other states, or when obtaining necessary paperwork for offenders from other states is delayed.

The Department of Corrections incurs costs for obtaining state personal ID cards and driver's licenses. The department pays the same amount as the public pays for obtaining these vital documents. The department also makes an annual payment of \$100,000 to the secretary of state to support secretary of state staff involved in the process. Costs have been considered operational costs and have been covered by existing appropriations within the Department of Corrections budget for operations, as the department has never received a direct appropriation for this purpose.

House Bill 4194 would have no fiscal impact on the state or on local units of government.

Vetoed 1-17-25:

The bills proposed to amend sections of law that were recently amended by other public acts,¹ but the legislature did not update the bills to include those recent amendments. If enacted as passed, the bills would have overwritten and undone those earlier amendments. The governor vetoed the bills on that basis, while expressing support for the policy.²

Legislative Analyst: Rick Yuille
Fiscal Analysts: Robin Risko
Michael Cnossen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ House Bills 4984, 4985, and 4986, concerning automatic voter registration, which were enacted as 2023 PAs 260, 261, and 263, and take effect June 30, 2025. <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2023-HB-4983>

² [https://content.govdelivery.com/attachments/MIEOG/2025/01/17/file_attachments/3136679/HB%204191-94%20\(Parole%20Driver's%20License%20Bills\)-%20Veto%20Letter%20\(1\).pdf](https://content.govdelivery.com/attachments/MIEOG/2025/01/17/file_attachments/3136679/HB%204191-94%20(Parole%20Driver's%20License%20Bills)-%20Veto%20Letter%20(1).pdf)