

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 53.1-31.4 of the Code of Virginia, relating to prisoners; Department of*
 3 *Corrections-issued identification; report.*

4 [H 2221]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 53.1-31.4 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 53.1-31.4. Government-issued identification; Department of Corrections-issued identification.**

9 Prior to the release or discharge *into the community* of any prisoner who has been confined for at least 90
 10 days and does not possess a government-issued identification card, birth certificate, ~~and Social Security or~~
 11 ~~social security~~ card, the Department shall ~~provide the assistance necessary for such prisoner to apply for and~~
 12 ~~obtain such identification and documents prior to his release or discharge; provided that the Department has~~
 13 ~~or can readily obtain all records and information necessary for their issuance. If the prisoner is unable to~~
 14 ~~obtain a government-issued identification card prior to his release or discharge, in conjunction with the~~
 15 ~~Department of Motor Vehicles, the State Registrar of Vital Records, and any other relevant government~~
 16 ~~agency, provide such prisoner with a certified copy of his birth certificate, his social security card, or a~~
 17 ~~government-issued identification card unless such provision of a government-issued identification card is not~~
 18 ~~possible, in which case, the Department shall provide the prisoner with a Department of Corrections Offender~~
 19 ~~Identification form. The form shall include (i) a photograph of the prisoner; (ii) the prisoner's full name; (iii)~~
 20 ~~the prisoner's date of birth; (iv) the address of the facility in which the prisoner resided at the time of his~~
 21 ~~release or discharge; (v) the prisoner's release address; and (vi) if available, the prisoner's citizenship or~~
 22 ~~residency status and social security number. Such form shall be verified by the Department and shall serve as~~
 23 ~~proof of identity, proof of legal presence in the United States, two proofs of residency, or proof of a social~~
 24 ~~security number as required to obtain a government-issued identification card for the 120 days immediately~~
 25 ~~following the release or discharge of the prisoner identified on such form. If the Department receives a~~
 26 ~~government-issued identification card, birth certificate, or Social Security social security card for a prisoner~~
 27 ~~after his release or discharge, the Department shall forward such identification or document to the former~~
 28 ~~prisoner. Unless the prisoner is determined to be indigent pursuant to § 19.2-159, all costs and fees associated~~
 29 ~~with applying for and obtaining any identification or documents pursuant to this section shall be paid by the~~
 30 ~~prisoner.~~

31 *For the purposes of this section, "government-issued identification card" does not include a REAL ID*
 32 *credential.*

33 **2. That the Department of Corrections, in coordination with the State Board of Local and Regional**
 34 **Jails, the Department of Motor Vehicles, and the State Registrar of Vital Records, shall (i) identify the**
 35 **number of prisoners released with and without identification cards; (ii) review the processes involved**
 36 **in assisting a prisoner in applying for and obtaining a government-issued identification card, birth**
 37 **certificate, or social security card as required pursuant to §§ 53.1-31.4, as amended by this act, and**
 38 **53.1-116.1:02 of the Code of Virginia; (iii) identify any obstacles that may interfere with a prisoner**
 39 **obtaining such identification or documents prior to such prisoner's release or discharge; and (iv) issue**
 40 **a report of its findings and recommendations to the General Assembly no later than November 1, 2025.**