

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB1405 H1

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Cousins

3. **Committee:** Public Safety

4. **Title:** Prisoners; Department of Corrections-issued and jailer-issued identification.

5. **Summary:** The substitute bill amends § 53.1-31.4 (Department of Corrections-issued identification) by requiring the Department of Corrections (DOC) to establish a procedure for securing a government-issued identification card, birth certificate, or Social Security card through the Department of Motor Vehicles. The bill requires the Department of Motor Vehicles to expedite, to the extent possible, the processing of an application submitted by a prisoner for such government-issued identification card and the issuance of such identification.

Currently, § 53.1-116.1:02 (Jailer-issued identification) allows a sheriff, jail superintendent, or other jail administrator to establish a procedure for securing such identification through the Department of Motor Vehicles. This bill requires such procedure to be established and adds a provision requiring the Department of Motor Vehicles to expedite, to the extent possible, the processing of an application submitted by a prisoner for such government-issued identification card and the issuance of such identification.

An enactment clause requires DOC, in coordination with the State Board of Local and Regional Jails, the Department of Motor Vehicles, and the State Registrar of Vital Records, to (i) review the processes involved in assisting a prisoner in applying for and obtaining a government-issued identification card, birth certificate, or Social Security card; (ii) identify any obstacles that may interfere with a prisoner obtaining such identification or documents prior to such prisoner's release or discharge; and (iii) issue a report of its findings and recommendations to the General Assembly no later than November 1, 2024.

6. **Budget Amendment Necessary:** See Item 8 below.

7. **Fiscal Impact Estimates:** Preliminary. See Item 8 below.

8. **Fiscal Implications:** The Department of Corrections (DOC) reports that there are already policies and procedures established that address providing birth certificates, social security cards, and Department of Motor Vehicles (DMV)-issued identification cards to inmates prior to their release. The identification cards are provided through the DMV Connect program. DOC does not expect this provision or the requirement of the study to have a material impact on agency operations.

According to DMV, the agency does not work directly with any jails through the DMV Connect program to offer the services described in this bill. The bill requires jails to establish procedures for obtaining identification through DMV, and for DMV to expediate, to the extent possible, the processing of application submitted by a prisoner in a local jail. DMV believes it may need up to six additional Office Specialist positions and one additional Program Specialist to at an estimated cost of \$482,715 from the general fund each fiscal year. However, at this time, it is unknown how many prisoners in local jails would submit applications to DMV. It is also unknown how many prisoners do not currently have government issued identification. Therefore, the additional workload increase for DMV is unknown.

The impact this bill may have on local and regional jails is not known at this time. If additional information becomes available, this statement will be revised.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, Department of Motor Vehicles, State Board of Local and Regional Jails, State Registrar of Vital Records

10. Technical Amendment Necessary: No

11. Other Comments: None