

1-1 By: Swanson (Senate Sponsor - Whitmire) H.B. No. 4544
1-2 (In the Senate - Received from the House May 3, 2021;
1-3 May 10, 2021, read first time and referred to Committee on Criminal
1-4 Justice; May 20, 2021, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Bettencourt	X		
1-11	Birdwell	X		
1-12	Hinojosa	X		
1-13	Miles	X		
1-14	Nichols	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to providing children committed to the Texas Juvenile
1-18 Justice Department with state-issued identification on discharge
1-19 or release.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 245.0535(e), Human Resources Code, is
1-22 amended to read as follows:

1-23 (e) The department may contract and coordinate with private
1-24 vendors, units of local government, or other entities to implement
1-25 the comprehensive reentry and reintegration plan developed under
1-26 this section, including contracting to:

1-27 (1) coordinate the supervision and services provided
1-28 to children during the time children are in the custody of the
1-29 department with any supervision or services provided children who
1-30 have been released under supervision or finally discharged from the
1-31 department;

1-32 (2) provide children awaiting release under
1-33 supervision or final discharge with documents that are necessary
1-34 after release or discharge, including identification papers that
1-35 include, if available, personal identification certificates
1-36 obtained under Section 245.0536, medical prescriptions, job
1-37 training certificates, and referrals to services; and

1-38 (3) provide housing and structured programs,
1-39 including programs for recovering substance abusers, through which
1-40 children are provided services immediately following release under
1-41 supervision or final discharge.

1-42 SECTION 2. Subchapter B, Chapter 245, Human Resources Code,
1-43 is amended by adding Section 245.0536 to read as follows:

1-44 Sec. 245.0536. PROVIDING RELEASED OR DISCHARGED CHILD WITH
1-45 STATE-ISSUED IDENTIFICATION. (a) Before releasing a child under
1-46 supervision or finally discharging a child, the department shall:

1-47 (1) determine whether the child has:

1-48 (A) a valid license issued under Chapter 521,
1-49 Transportation Code; or

1-50 (B) a valid personal identification certificate
1-51 issued under Chapter 521, Transportation Code; and

1-52 (2) if the child does not have a valid license or
1-53 certificate described by Subdivision (1), submit to the Department
1-54 of Public Safety on behalf of the child a request for the issuance
1-55 of a personal identification certificate under Chapter 521,
1-56 Transportation Code.

1-57 (b) The department shall submit a request under Subsection
1-58 (a)(2) as soon as is practicable to enable the department to receive
1-59 the personal identification certificate before the department
1-60 releases or discharges the child and to provide the child with the
1-61 personal identification certificate when the department releases

2-1 or discharges the child.

2-2 (c) The department, the Department of Public Safety, and the
2-3 vital statistics unit of the Department of State Health Services
2-4 shall adopt a memorandum of understanding that establishes their
2-5 respective responsibilities with respect to the issuance of a
2-6 personal identification certificate to a child, including
2-7 responsibilities related to verification of the child's identity.
2-8 The memorandum of understanding must require the Department of
2-9 State Health Services to electronically verify the birth record of
2-10 a child whose name and any other personal information is provided by
2-11 the department and to electronically report the recorded filing
2-12 information to the Department of Public Safety to validate the
2-13 identity of a child under this section.

2-14 (d) The department shall reimburse the Department of Public
2-15 Safety or the Department of State Health Services for the actual
2-16 costs incurred by those agencies in performing responsibilities
2-17 established under this section. The department may charge the
2-18 child's parent or guardian for the actual costs incurred under this
2-19 section or the fees required by Section 521.421, Transportation
2-20 Code.

2-21 (e) This section does not apply to a child who:
2-22 (1) is not legally present in the United States; or
2-23 (2) was not a resident of this state before the child
2-24 was placed in the custody of the department.

2-25 SECTION 3. Section 521.421(a-1), Transportation Code, is
2-26 amended to read as follows:

2-27 (a-1) The fee for a personal identification certificate
2-28 issued under Section 501.0165, Government Code, [~~or~~] Section
2-29 841.153, Health and Safety Code, or Section 245.0536, Human
2-30 Resources Code, is \$5.

2-31 SECTION 4. Section 245.0536, Human Resources Code, as added
2-32 by this Act, applies only to the release under supervision or final
2-33 discharge of a child that occurs on or after December 1, 2021. A
2-34 release under supervision or final discharge that occurs before
2-35 that date is governed by the law in effect immediately before the
2-36 effective date of this Act, and the former law is continued in
2-37 effect for that purpose.

2-38 SECTION 5. This Act takes effect September 1, 2021.

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