

BILL ANALYSIS

C.S.H.B. 4544
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Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

While the Texas Department of Criminal Justice has a system under which it works with the Texas Department of Public Safety to process state-issued identification more efficiently for inmates on release, there is no such process established in state law for juveniles being released from the Texas Juvenile Justice Department (TJJD). In light of reports that TJJD experiences a delay in processing personal identification certificates for children being released or discharged from TJJD supervision, it has been suggested that streamlining the process of obtaining these certificates may aid in the successful rehabilitation of children seeking access to programs or jobs after release or discharge. C.S.H.B. 4544 seeks to remedy this issue by requiring certain agency cooperation in the issuance of personal identification certificates to children being released or discharged from TJJD supervision.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4544 amends the Human Resources Code to require the Texas Juvenile Justice Department (TJJD) to do the following before releasing a child under supervision or finally discharging a child:

- determine whether the child has a valid driver's license or personal identification certificate; and
- if the child does not have such a valid license or certificate, submit to the Department of Public Safety (DPS) a request for the issuance of a certificate on the child's behalf as soon as is practicable to enable TJJD to receive the certificate before it releases or discharges the child and to provide the child with the certificate on release or discharge.

C.S.H.B. 4544 requires TJJD, DPS, and the vital statistics unit of the Department of State Health Services (DSHS) to adopt a memorandum of understanding that establishes their respective responsibilities with respect to the issuance of a personal identification certificate to a child. The memorandum must require DSHS to electronically verify the birth record of a child whose name and any other personal information is provided by TJJD and to electronically report the recorded filing information to DPS to validate the child's identity. The bill requires TJJD to reimburse DPS or DSHS for the actual costs incurred by the agencies in performing those responsibilities and authorizes TJJD to charge the child's parent or guardian for the actual costs incurred or the required fees for the issuance of the certificate. The bill's provisions do not apply to a child who

is not legally present in the United States or was not a Texas resident before being placed in TJJD custody.

C.S.H.B. 4544 specifies that the contracting authority of TJJD with respect to implementing a comprehensive reentry and reintegration plan for children includes contracting to provide children with personal identification certificates obtained under the bill's provisions.

C.S.H.B. 4544 amends the Transportation Code to establish a \$5 fee for a personal identification certificate issued under the bill's provisions.

C.S.H.B. 4544 applies only to the release under supervision or final discharge of a child that occurs on or after December 1, 2021.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4544 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the original required TJJD to submit the request for a child's personal identification certificate as soon as practicable for the purpose of providing the child the certificate on release or discharge, the substitute includes a specification not in the original that the purpose of the timely submission of the request is also to enable TJJD to receive the certificate before that release or discharge.

The substitute does not include a specification that appeared in the original that the adoption of the memorandum of understanding between TJJD, DPS, and the DSHS vital statistics unit is done by rule.

The substitute includes the following provisions, which were absent from the original:

- a provision establishing a \$5 fee for the certificate; and
- a procedural provision making the bill's provisions applicable to the release under supervision or final discharge of a child that occurs on or after December 1, 2021.