

HB0022/323323/1

BY: Government, Labor, and Elections Committee

AMENDMENTS TO HOUSE BILL 22
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Wu” and substitute “Wu, Clippinger, Lehman, Fair, Ruth, Sample–Hughes, Solomon, and Wells”; in line 2, strike “and” and substitute a comma; in line 3, after “Licenses” insert “, and Birth Certificates”; in line 4, after “of” insert “providing that certain provisions about identification documents apply only to certain incarcerated individuals; requiring the Commissioner of Correction to determine whether an incarcerated individual is in possession of certain documentation on taking custody of the incarcerated individual; requiring the Commissioner to ensure a certain individual has a valid identification card under certain circumstances; providing that a certain individual is responsible for the safekeeping and care of certain identification documents in the possession of an incarcerated individual at the time of intake;”; in line 6, strike “of Correction”; in line 9, strike “or” and substitute a comma; and in the same line, after “license” insert “, or birth certificate”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“(A) THIS SECTION APPLIES ONLY TO AN INCARCERATED INDIVIDUAL SERVING A SENTENCE OF 18 MONTHS OR MORE AT A STATE CORRECTIONAL FACILITY.

“(B) (1) ON TAKING CUSTODY OF AN INCARCERATED INDIVIDUAL SENTENCED TO THE DIVISION OF CORRECTION, THE COMMISSIONER OF CORRECTION SHALL DETERMINE AND MAKE A RECORD OF WHETHER THE INCARCERATED INDIVIDUAL IS IN POSSESSION OF:

(I) A BIRTH CERTIFICATE;

(II) A SOCIAL SECURITY CARD; AND

(III) 1. A DRIVER'S LICENSE; OR

2. A VALID PHOTO IDENTIFICATION CARD ISSUED BY THE MOTOR VEHICLE ADMINISTRATION UNDER § 12-301 OF THE TRANSPORTATION ARTICLE.

(2) THE MANAGING OFFICIAL OF A STATE CORRECTIONAL FACILITY IS RESPONSIBLE FOR THE SAFEKEEPING AND CARE OF EACH IDENTIFICATION DOCUMENT IN THE POSSESSION OF AN INCARCERATED INDIVIDUAL AT THE TIME OF INTAKE FROM THE TIME THE INCARCERATED INDIVIDUAL IS LAWFULLY DETAINED IN OR COMMITTED TO THE FACILITY UNTIL DISCHARGED, RELEASED, OR WITHDRAWN UNDER A COURT ORDER OR OTHER LAWFUL AUTHORITY.”;

in line 21, strike “(a)” and substitute “(C)”; and in the same line, strike “The” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE”.

On page 2, after line 4, insert:

“(3) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IF THE COMMISSIONER OF CORRECTION HAS DETERMINED THAT THE INCARCERATED INDIVIDUAL IS IN POSSESSION OF THE INCARCERATED INDIVIDUAL'S IDENTIFICATION THAT MEETS THE REQUIREMENTS OF AN IDENTIFICATION CARD ISSUED BY THE MOTOR VEHICLE ADMINISTRATION SET FORTH IN § 12-301.1 OF THE TRANSPORTATION ARTICLE.”;

HB0022/323323/01 Government, Labor, and Elections Committee
Amendments to HB 22
Page 3 of 6

in lines 5, 28, and 35, strike “(b)”, “(C)”, and “(D)”, respectively, and substitute “(D)”, “(F) (1)”, and “(G)”, respectively; strike beginning with “on” in line 5 down through “Correction” in line 6 and substitute “AT LEAST 9 MONTHS BEFORE THE ANTICIPATED RELEASE OF AN INCARCERATED INDIVIDUAL”; in line 25, after “(3)” insert “(I)”; after line 27, insert:

“(II) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IF THE COMMISSIONER OF CORRECTION HAS DETERMINED THAT THE INCARCERATED INDIVIDUAL IS IN POSSESSION OF THE INCARCERATED INDIVIDUAL’S BIRTH CERTIFICATE.

“(III) PARAGRAPH (2) OF THIS SUBSECTION DOES NOT APPLY IF THE COMMISSIONER OF CORRECTION HAS DETERMINED THAT THE INCARCERATED INDIVIDUAL IS IN POSSESSION OF THE INCARCERATED INDIVIDUAL’S SOCIAL SECURITY CARD.

(E) AT LEAST 6 MONTHS BEFORE THE RELEASE OF AN INCARCERATED INDIVIDUAL, THE COMMISSIONER OF CORRECTION SHALL CONFIRM WHETHER THE INCARCERATED INDIVIDUAL’S DOCUMENTS REQUIRED UNDER SUBSECTION (D) OF THIS SECTION WERE OBTAINED.”;

in line 28, strike “IF” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF”; in line 29, strike “OR A LOCAL CORRECTIONAL FACILITY”; strike beginning with the second “A” in line 29 down through “LICENSE” in line 31 and substitute “AN ITEM LISTED IN SUBSECTION (B) OF THIS SECTION”; strike beginning with “THE” in line 32 down through “LICENSE” in line 33 and substitute “EACH ITEM”; after line 34, insert:

“(2) THE COMMISSIONER OF CORRECTION AND THE MANAGING OFFICIAL:

(Over)

(I) MAY NOT RETURN AN EXPIRED DRIVER'S LICENSE OR PHOTO IDENTIFICATION ISSUED BY THE MOTOR VEHICLE ADMINISTRATION UNDER § 12-301 OF THE TRANSPORTATION ARTICLE TO AN INCARCERATED INDIVIDUAL; AND

(II) SHALL WORK WITH AN INCARCERATED INDIVIDUAL IN ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION TO RENEW:

1. THE DRIVER'S LICENSE BEFORE THE RELEASE OF THE INCARCERATED INDIVIDUAL IF:

A. THE DRIVER'S LICENSE THAT THE INCARCERATED INDIVIDUAL POSSESSED AT THE TIME OF INTAKE EXPIRED LESS THAN 1 YEAR BEFORE THE ANTICIPATED DATE OF THE INDIVIDUAL'S RELEASE FROM CONFINEMENT;

B. THE LICENSE HAS NOT BEEN REFUSED, REVOKED, SUSPENDED, OR CANCELED UNDER ANY PROVISION OF THE MARYLAND VEHICLE LAW; AND

C. THE LICENSE IS NOT SUBJECT TO A RESTRICTION IMPOSED BY THE MOTOR VEHICLE ADMINISTRATION; OR

2. THE PHOTO IDENTIFICATION BEFORE THE RELEASE OF THE INCARCERATED INDIVIDUAL IF:

A. THE DRIVER'S LICENSE THAT THE INCARCERATED INDIVIDUAL POSSESSED AT THE TIME OF INTAKE EXPIRED 1 YEAR OR MORE

BEFORE THE ANTICIPATED DATE OF THE INDIVIDUAL'S RELEASE FROM CONFINEMENT; OR

B. THE PHOTO IDENTIFICATION CARD ISSUED BY THE MOTOR VEHICLE ADMINISTRATION UNDER § 12-301 OF THE TRANSPORTATION ARTICLE THAT THE INCARCERATED INDIVIDUAL POSSESSED AT THE TIME OF INTAKE EXPIRES BEFORE THE ANTICIPATED DATE OF THE INDIVIDUAL'S RELEASE FROM CONFINEMENT.;

in line 35, strike "PARAGRAPH" and substitute "PARAGRAPHS"; and in the same line, after "(2)" insert "AND (3)".

On pages 2 and 3, strike beginning with "6" in line 35 on page 2 down through the second "FACILITY" in line 1 on page 3 and substitute "AS SOON AS REASONABLY PRACTICABLE AFTER THE CONFIRMATION REQUIRED UNDER SUBSECTION (E) OF THIS SECTION".

On page 3, in line 2, strike "LOCAL"; in line 9, after "VALID" insert "UNEXPIRED"; in line 10, strike "(C)" and substitute "(F)"; after line 10, insert:

"(3) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IF THE COMMISSIONER OF CORRECTION HAS DETERMINED THAT THE INCARCERATED INDIVIDUAL IS IN POSSESSION OF THE INCARCERATED INDIVIDUAL'S UNEXPIRED PHOTO IDENTIFICATION CARD ISSUED BY THE MOTOR VEHICLE ADMINISTRATION UNDER § 12-301 OF THE TRANSPORTATION ARTICLE OR DRIVER'S LICENSE.

(H) (1) AT LEAST 3 MONTHS BEFORE THE ANTICIPATED RELEASE OF AN INCARCERATED INDIVIDUAL, THE COMMISSIONER OF CORRECTION SHALL CONFIRM THAT THE INCARCERATED INDIVIDUAL WILL BE IN POSSESSION OF ALL

(Over)

IDENTIFICATION DOCUMENTS REQUIRED TO BE OBTAINED UNDER THIS SECTION
ON THE INCARCERATED INDIVIDUAL'S RELEASE.

(2) IF AN INCARCERATED INDIVIDUAL IS RELEASED BEFORE THE
DATE OF THE INCARCERATED INDIVIDUAL'S ANTICIPATED DATE OF RELEASE,
THE COMMISSIONER OF CORRECTION SHALL PROVIDE ALL IDENTIFICATION
DOCUMENTS BELONGING TO THE INCARCERATED INDIVIDUAL TO:

(I) THE INCARCERATED INDIVIDUAL AS SOON AS
REASONABLY PRACTICABLE; OR

(II) THE ISSUING AGENCY.”;

and in line 11, strike “(E)” and substitute “(I)”.