

HOUSE BILL 22

E5

6lr0677

(PRE-FILED)

By: ~~Delegates Schindler, Behler, Crutchfield, Foley, Hill, Kaufman, Terrasa, and Wu~~ Wu, Clippinger, Lehman, Fair, Ruth, Sample-Hughes, Solomon, and Wells

Requested: August 11, 2025

Introduced and read first time: January 14, 2026

Assigned to: Government, Labor, and Elections

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2026

CHAPTER _____

1 AN ACT concerning

2 **Correctional Services – Incarcerated Individuals – Identification Cards ~~and,~~**
3 **Driver’s Licenses, and Birth Certificates**

4 FOR the purpose of providing that certain provisions about identification documents apply
5 only to certain incarcerated individuals; requiring the Commissioner of Correction
6 to determine whether an incarcerated individual is in possession of certain
7 documentation on taking custody of the incarcerated individual; requiring the
8 Commissioner to ensure a certain individual has a valid identification card under
9 certain circumstances; providing that a certain individual is responsible for the
10 safekeeping and care of certain identification documents in the possession of an
11 incarcerated individual at the time of intake; requiring a certain correctional facility
12 to return a certain identification card or driver’s license to a certain incarcerated
13 individual at a certain time under certain circumstances; requiring the
14 Commissioner of Correction and the managing official of a local correctional facility
15 to provide certain forms to and work with a certain incarcerated individual under
16 certain circumstances to ensure a certain identification card ~~or,~~ driver’s license, or
17 birth certificate is available to the incarcerated individual at the time of the
18 incarcerated individual’s release from confinement; and generally relating to
19 incarcerated individuals.

20 BY repealing and reenacting, with amendments,
21 Article – Correctional Services

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 9–609.1
 2 Annotated Code of Maryland
 3 (2025 Replacement Volume)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 5 That the Laws of Maryland read as follows:

6 **Article – Correctional Services**

7 9–609.1.

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

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

15 **(I) A BIRTH CERTIFICATE;**

16 **(II) A SOCIAL SECURITY CARD; AND**

17 **(III) 1. A DRIVER’S LICENSE; OR**

18 **2. A VALID PHOTO IDENTIFICATION CARD ISSUED BY**
 19 **THE MOTOR VEHICLE ADMINISTRATION UNDER § 12–301 OF THE**
 20 **TRANSPORTATION ARTICLE.**

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

27 ~~(a)~~ **(C) (1) The EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
 28 **SUBSECTION, THE** Commissioner of Correction shall issue an identification card to an
 29 incarcerated individual before release from confinement in a State correctional facility.

30 (2) The identification card issued under paragraph (1) of this subsection
 31 shall meet the requirements [for secondary identification for the purpose of an
 32 identification card issued by the Motor Vehicle Administration under § 12–301] **SET**
 33 **FORTH IN § 12–301.1** of the Transportation Article.

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

7 ~~(D)~~ **(D)** (1) (i) Except as provided in paragraph (3) of this subsection, ~~on~~
8 ~~taking custody of an incarcerated individual sentenced to the Division of Correction~~ **AT**
9 **LEAST 9 MONTHS BEFORE THE ANTICIPATED RELEASE OF AN INCARCERATED**
10 **INDIVIDUAL**, the Commissioner of Correction shall begin the process of obtaining the
11 incarcerated individual's birth certificate.

12 (ii) If an incarcerated individual's birth certificate is obtained under
13 subparagraph (i) of this paragraph, the Commissioner of Correction shall provide the
14 incarcerated individual with the birth certificate before release from confinement in a State
15 correctional facility.

16 (2) (i) Except as provided in paragraph (3) of this subsection, the
17 Commissioner of Correction shall apply to the Social Security Administration to obtain an
18 incarcerated individual's Social Security card:

19 1. at the earliest date possible in accordance with any
20 memorandum of understanding between the Division of Correction and the Social Security
21 Administration providing for the issuance of incarcerated individual Social Security cards;
22 or

23 2. as soon as is practicable.

24 (ii) If an incarcerated individual's Social Security card is obtained
25 under subparagraph (i) of this paragraph, the Commissioner of Correction shall provide the
26 incarcerated individual with the Social Security card before release from confinement in a
27 State correctional facility.

28 (3) **(I)** The Commissioner of Correction may not obtain a document
29 under paragraph (1) or (2) of this subsection unless the incarcerated individual consents in
30 writing to the Commissioner of Correction obtaining the document.

31 **(II) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IF**
32 **THE COMMISSIONER OF CORRECTION HAS DETERMINED THAT THE INCARCERATED**
33 **INDIVIDUAL IS IN POSSESSION OF THE INCARCERATED INDIVIDUAL'S BIRTH**
34 **CERTIFICATE.**

35 **(III) PARAGRAPH (2) OF THIS SUBSECTION DOES NOT APPLY IF**
36 **THE COMMISSIONER OF CORRECTION HAS DETERMINED THAT THE INCARCERATED**

1 INDIVIDUAL IS IN POSSESSION OF THE INCARCERATED INDIVIDUAL'S SOCIAL
2 SECURITY CARD.

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

7 ~~(E)~~ (F) (1) IF EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
8 SUBSECTION, IF AN INCARCERATED INDIVIDUAL ENTERED A STATE CORRECTIONAL
9 FACILITY OR A LOCAL CORRECTIONAL FACILITY WITH A VALID PHOTO
10 IDENTIFICATION CARD ISSUED BY THE MOTOR VEHICLE ADMINISTRATION UNDER
11 § 12-301 OF THE TRANSPORTATION ARTICLE OR A DRIVER'S LICENSE AN ITEM
12 LISTED IN SUBSECTION (B) OF THIS SECTION, THE CORRECTIONAL FACILITY SHALL
13 RETURN THE IDENTIFICATION CARD OR DRIVER'S LICENSE EACH ITEM TO THE
14 INCARCERATED INDIVIDUAL AT OR BEFORE THE TIME OF THE INDIVIDUAL'S
15 RELEASE FROM CONFINEMENT.

16 (2) THE COMMISSIONER OF CORRECTION AND THE MANAGING
17 OFFICIAL:

18 (I) MAY NOT RETURN AN EXPIRED DRIVER'S LICENSE OR
19 PHOTO IDENTIFICATION ISSUED BY THE MOTOR VEHICLE ADMINISTRATION UNDER
20 § 12-301 OF THE TRANSPORTATION ARTICLE TO AN INCARCERATED INDIVIDUAL;
21 AND

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

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

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

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

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

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

3 **A. THE DRIVER'S LICENSE THAT THE INCARCERATED**
4 **INDIVIDUAL POSSESSED AT THE TIME OF INTAKE EXPIRED 1 YEAR OR MORE BEFORE**
5 **THE ANTICIPATED DATE OF THE INDIVIDUAL'S RELEASE FROM CONFINEMENT; OR**

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

11 ~~(D)~~ **(G) (1) EXCEPT AS PROVIDED IN PARAGRAPH PARAGRAPHS (2)**
12 **AND (3) OF THIS SUBSECTION, 6 MONTHS BEFORE THE ANTICIPATED RELEASE FROM**
13 **CONFINEMENT OF AN INCARCERATED INDIVIDUAL WHO IS SERVING A SENTENCE OF**
14 **1 YEAR OR MORE IN A STATE CORRECTIONAL FACILITY OR A LOCAL CORRECTIONAL**
15 **FACILITY AS SOON AS REASONABLY PRACTICABLE AFTER THE CONFIRMATION**
16 **REQUIRED UNDER SUBSECTION (E) OF THIS SECTION, THE COMMISSIONER OF**
17 **CORRECTION AND THE MANAGING OFFICIAL OF A LOCAL CORRECTIONAL FACILITY**
18 **SHALL PROVIDE THE APPROPRIATE FORMS TO AND WORK WITH THE INCARCERATED**
19 **INDIVIDUAL TO ENSURE THAT A PHOTO IDENTIFICATION CARD ISSUED BY THE**
20 **MOTOR VEHICLE ADMINISTRATION UNDER § 12-301 OF THE TRANSPORTATION**
21 **ARTICLE OR A DRIVER'S LICENSE IS AVAILABLE TO THE INCARCERATED INDIVIDUAL**
22 **AT THE TIME OF RELEASE FROM CONFINEMENT.**

23 **(2) PARAGRAPH (1) OF THIS SUBSECTION MAY BE SATISFIED BY**
24 **RETURN OF A VALID UNEXPIRED IDENTIFICATION CARD OR DRIVER'S LICENSE TO**
25 **AN INCARCERATED INDIVIDUAL UNDER SUBSECTION ~~(E)~~ (F) OF THIS SECTION.**

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

31 **(H) (1) AT LEAST 3 MONTHS BEFORE THE ANTICIPATED RELEASE OF AN**
32 **INCARCERATED INDIVIDUAL, THE COMMISSIONER OF CORRECTION SHALL**
33 **CONFIRM THAT THE INCARCERATED INDIVIDUAL WILL BE IN POSSESSION OF ALL**
34 **IDENTIFICATION DOCUMENTS REQUIRED TO BE OBTAINED UNDER THIS SECTION ON**
35 **THE INCARCERATED INDIVIDUAL'S RELEASE.**

36 **(2) IF AN INCARCERATED INDIVIDUAL IS RELEASED BEFORE THE**
37 **DATE OF THE INCARCERATED INDIVIDUAL'S ANTICIPATED DATE OF RELEASE, THE**

1 COMMISSIONER OF CORRECTION SHALL PROVIDE ALL IDENTIFICATION
2 DOCUMENTS BELONGING TO THE INCARCERATED INDIVIDUAL TO:

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

5 (II) THE ISSUING AGENCY.

6 ~~(E)~~ (I) THIS SECTION MAY NOT BE CONSTRUED IN A MANNER THAT IN
7 ANY WAY DELAYS THE RELEASE FROM CONFINEMENT OF AN INCARCERATED
8 INDIVIDUAL.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.