

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 22

(Delegate Schindler, *et al.*)

Government, Labor, and Elections

**Correctional Services - Incarcerated Individuals - Identification Cards and
Driver's Licenses**

This bill requires a State or local correctional facility to return an incarcerated individual's identification (ID) card or driver's license at or before the individual's release from confinement if the incarcerated individual entered the correctional facility with a valid photo ID card issued by the Motor Vehicle Administration (MVA) or a driver's license. Six months before the anticipated release from confinement of an incarcerated individual who is serving a sentence of one year or more in a State or local correctional facility, the Commissioner of Correction and the managing official of a local correctional facility must provide the appropriate forms to and work with the incarcerated individual to ensure that a photo ID card issued by MVA or a driver's license is available to the incarcerated individual at the time of release from confinement. This requirement may be satisfied by the return of a valid ID card or driver's license to an incarcerated individual, as provided by the bill. The bill's provisions may not be construed in a manner that in any way delays the release from confinement of an incarcerated individual.

Fiscal Summary

State Effect: The bill's changes are not anticipated to materially affect State operations or finances.

Local Effect: The bill's changes are not anticipated to materially affect local government operations or finances.

Small Business Effect: None.

Analysis

Current Law:

State Correctional Facilities

The Commissioner of Correction must issue an ID card to an incarcerated individual before release from confinement in a State correctional facility. The ID card must meet the requirements for secondary identification for the purpose of an ID card issued by MVA under § 12-301 of the Transportation Article. In addition, pursuant to Chapter 514 of 2020, the Commissioner of Correction must obtain an incarcerated individual's birth certificate and Social Security card after taking custody of an incarcerated individual (unless the incarcerated individual does not consent).

The Commissioner of Correction must adopt regulations (1) establishing a release plan for incarcerated individuals upon release from confinement in a State correctional facility to help identify resources to assist incarcerated individuals following release, including the provision of transportation from the facility for an incarcerated individual upon release and (2) implementing provisions concerning the issuance of an ID card to incarcerated individuals on release from confinement in a State correctional facility.

Local Correctional Facilities

Chapter 514 requires each local correctional facility to develop and implement a policy for assisting incarcerated individuals to obtain ID cards issued by MVA, as specified, either before or after release from confinement.

Additional Comments: The Department of Public Safety and Correctional Services (DPSCS) advises that, through an interagency agreement with MVA, it has established a procedure for assisting incarcerated individuals with the process of obtaining MVA-issued ID cards prior to their release from State correctional facilities. DPSCS notes that before an MVA-issued ID card can be requested, an incarcerated individual must have both their birth certificate and Social Security card. DPSCS further reports that it has a memorandum of understanding with the Maryland Department of Health's Division of Vital Records and the Social Security Administration to facilitate this process.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Anne Arundel, Baltimore, Cecil, Frederick, Montgomery, and Somerset counties; Maryland Association of Counties; Department of Public Safety and Correctional Services; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2026
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