

By the Committees on Appropriations; and Criminal Justice; and
Senator Simmons

576-03293-14

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1 A bill to be entitled
2 An act relating to inmate reentry; amending s.
3 322.051, F.S.; waiving the fee for identification
4 cards issued to certain inmates; amending s. 322.17,
5 F.S.; waiving the fee for replacement driver licenses
6 issued to certain inmates; amending s. 382.0255, F.S.;
7 requiring a waiver of fees for certain inmates
8 receiving a copy of a birth certificate; amending s.
9 944.605, F.S.; requiring the Department of Corrections
10 to work with other agencies in acquiring necessary
11 documents for certain inmates to acquire an
12 identification card before release; providing
13 exceptions; requiring the department to provide an
14 inmate with a replacement identification card or
15 replacement driver license under certain
16 circumstances; requiring the Department of Highway
17 Safety and Motor Vehicles to issue a temporary permit
18 under certain circumstances; requiring the Department
19 of Corrections to provide specified assistance to
20 inmates born outside this state; requiring a report;
21 amending s. 944.803, F.S.; authorizing the department
22 to operate male and female faith- and character-based
23 institutions; providing an appropriation; providing an
24 effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

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28 Section 1. Subsection (9) of section 322.051, Florida
29 Statutes, is amended to read:

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30 322.051 Identification cards.—

31 (9) Notwithstanding any other provision of this section or
32 s. 322.21 to the contrary, the department shall issue or renew a
33 card at no charge to a person who presents evidence satisfactory
34 to the department that he or she is homeless as defined in s.
35 414.0252(7) or to an inmate receiving a card or replacement card
36 pursuant to s. 944.605(7).

37 Section 2. Subsection (4) is added to section 322.17,
38 Florida Statutes, to read:

39 322.17 Replacement licenses and permits.—

40 (4) Notwithstanding any other provisions of this section or
41 s. 322.21, the department shall issue a replacement driver
42 license at no charge to an inmate receiving a replacement driver
43 license pursuant to s. 944.605(7).

44 Section 3. Subsection (3) of section 382.0255, Florida
45 Statutes, is amended to read:

46 382.0255 Fees.—

47 (3) Fees shall be established by rule. However, until rules
48 are adopted, the fees assessed pursuant to this section shall be
49 the minimum fees cited. The fees established by rule must be
50 sufficient to meet the cost of providing the service. All fees
51 shall be paid by the person requesting the record, are due and
52 payable at the time services are requested, and are
53 nonrefundable, except that, when a search is conducted and no
54 vital record is found, any fees paid for additional certified
55 copies shall be refunded. The department may waive all or part
56 of the fees required under this section for any government
57 entity. The department shall waive all fees required under this
58 section for a certified copy of a birth certificate issued for

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59 purposes of an inmate acquiring a state identification card
60 before release, pursuant to s. 944.605(7).

61 Section 4. Subsection (7) is added to section 944.605,
62 Florida Statutes, to read:

63 944.605 Inmate release; notification; identification card.—

64 (7) (a) The department, working in conjunction with the
65 Department of Health and the Department of Highway Safety and
66 Motor Vehicles, shall provide every Florida-born inmate with a
67 certified copy of his or her birth certificate and a state
68 identification card before his or her release upon expiration of
69 the inmate's sentence. A replacement driver license or
70 replacement state identification card shall be provided in lieu
71 of a state identification card if an inmate has a valid driver
72 license or state identification card issued by the Department of
73 Highway Safety and Motor Vehicles which was lost, destroyed, or
74 stolen. If the replacement state identification card or
75 replacement driver license issued is within 6 months of
76 expiration, the Department of Highway Safety and Motor Vehicles
77 may also issue a temporary permit valid for at least 6 months
78 after the release date to assist the inmate in his or her
79 transition.

80 (b) Paragraph (a) does not apply to inmates who:

81 1. The department determines have a valid driver license or
82 state identification card, unless the state identification card
83 or driver license has been lost, destroyed, or stolen.

84 2. Have an active detainer, unless the department
85 determines that cancellation of the detainer is likely or that
86 the incarceration for which the detainer was issued will be less
87 than 12 months in duration.

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88 3. Are released due to an emergency release or a
89 conditional medical release under s. 947.149.

90 4. Are not in the physical custody of the department at or
91 within 180 days before release.

92 5. Are subject to sex offender residency restrictions, and
93 who, upon release under such restrictions, do not have a
94 qualifying address.

95 (c) The department shall assist each inmate in applying for
96 and obtaining a social security card before release if the
97 inmate needs a social security card.

98 (d) The department, for purposes of assisting the inmate in
99 obtaining a birth certificate, shall submit to the Department of
100 Health on all Florida-born inmates in its custody, the
101 department's inmate photo or digitized photo, and as provided by
102 the inmate his or her date of birth, full name at birth and any
103 subsequent legal name changes, city or county of birth, mother's
104 full name including her maiden surname, and father's full name.

105 (e) For inmates born outside of this state, the department
106 shall assist the inmate in completing the necessary forms or
107 applications to obtain a social security card, driver license,
108 or state identification card. The department shall also provide
109 the inmate with the location and address of the appropriate
110 licensing authority the inmate will need to obtain a valid
111 identification card in proximity to the inmate's release
112 address.

113 (f) The department shall, as part of its annual report,
114 provide a report that identifies the number of inmates released
115 with and without identification cards or driver licenses,
116 identifies any impediments in the implementation of this

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117 subsection, and provides recommendations to improve obtaining
118 release documents and identification cards for all inmates.

119 Section 5. Subsections (2) and (6) of section 944.803,
120 Florida Statutes, are amended to read:

121 944.803 Faith- and character-based programs.—

122 (2) It is the intent of the Legislature that the department
123 expand the faith- and character-based initiative through the use
124 of faith- and character-based institutions. The department is
125 encouraged to phase out the faith-based and self improvement
126 dormitory programs and move toward the goal of only implementing
127 faith- and character-based institutions. The department is also
128 encouraged to dedicate and maintain faith- and character-based
129 institutions that serve both male and female inmates at their
130 respective institutions.

131 (6) Within faith- and character-based institutions of the
132 state correctional system, peer-to-peer programming shall be
133 offered ~~allowed~~, such as Alcoholics Anonymous, literacy
134 instruction, and other activities, ~~when appropriate~~.

135 Section 6. There is appropriated to the Department of
136 Highway Safety and Motor Vehicles for the 2014-2015 fiscal year
137 the sums of \$221,276 in recurring funds and \$243,782 in
138 nonrecurring funds from the Highway Safety Operating Trust Fund
139 for the purpose of purchasing, equipping, and operating mobile
140 licensing vehicles whose primary responsibility shall be to
141 issue identification and licensing credentials to inmates before
142 their release from the custody of the Department of Corrections.

143 Section 7. This act shall take effect July 1, 2014.