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CS/CS/HB 53, Engrossed 1

2014 Legislature

1  
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; authorizing issuance  
5 of temporary permits in certain circumstances;  
6 amending s. 322.17, F.S.; waiving the fee for  
7 replacement driver licenses for certain inmates;  
8 amending s. 382.0255, F.S.; requiring a waiver of fees  
9 for certain inmates receiving a copy of a birth  
10 certificate; amending s. 944.605, F.S.; requiring the  
11 Department of Corrections to work with other agencies  
12 in acquiring necessary documents for certain inmates  
13 to acquire an identification card or driver license  
14 before release; providing exceptions; requiring the  
15 department to provide specified assistance to inmates  
16 born outside this state; requiring a report; amending  
17 s. 944.803, F.S.; authorizing the department to  
18 operate male and female faith- and character-based  
19 institutions; providing an appropriation; providing an  
20 effective date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

23  
24 Section 1. Subsection (9) of section 322.051, Florida  
25 Statutes, is amended to read:

26 322.051 Identification cards.—



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27           (9) Notwithstanding any other provision of this section or  
28 s. 322.21 to the contrary, the department shall issue or renew a  
29 card at no charge to a person who presents evidence satisfactory  
30 to the department that he or she is homeless as defined in s.  
31 414.0252(7), to an inmate receiving a card issued pursuant to s.  
32 944.605(7), or, if necessary, to an inmate receiving a  
33 replacement card if the department determines that he or she has  
34 a valid state identification card. If the replacement state  
35 identification card is scheduled to expire within 6 months, the  
36 department may also issue a temporary permit valid for at least  
37 6 months after the release date.

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

40           322.17 Replacement licenses and permits.—

41           (4) Notwithstanding any other provision of this section or  
42 s. 322.21, the department shall, if necessary, issue or renew a  
43 replacement driver license at no charge to an inmate if the  
44 department determines that he or she has a valid driver license.  
45 If the replacement driver license is scheduled to expire within  
46 6 months, the department may also issue a temporary permit valid  
47 for at least 6 months after the release date.

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

50           382.0255 Fees.—

51           (3) Fees shall be established by rule. However, until  
52 rules are adopted, the fees assessed pursuant to this section



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53 shall be the minimum fees cited. The fees established by rule  
54 must be sufficient to meet the cost of providing the service.  
55 All fees shall be paid by the person requesting the record, are  
56 due and payable at the time services are requested, and are  
57 nonrefundable, except that, when a search is conducted and no  
58 vital record is found, any fees paid for additional certified  
59 copies shall be refunded. The department may waive all or part  
60 of the fees required under this section for any government  
61 entity. The department shall waive all fees required under this  
62 section for a certified copy of a birth certificate issued for  
63 purposes of an inmate acquiring a state identification card  
64 before release pursuant to s. 944.605(7).

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

67 944.605 Inmate release; notification; identification  
68 card.—

69 (7) (a) The department, working in conjunction with the  
70 Department of Health and the Department of Highway Safety and  
71 Motor Vehicles, shall provide every Florida-born inmate with a  
72 certified copy of his or her birth certificate and a state  
73 identification card before the inmate's release upon expiration  
74 of his or her sentence. A replacement driver license shall be  
75 provided in lieu of a state identification card when an inmate  
76 has a valid state driver license issued by the Department of  
77 Highway Safety and Motor Vehicles which was lost, stolen, or  
78 destroyed.



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

80 1. The department determines have a valid driver license  
81 or state identification card, except that the department shall  
82 provide these inmates with a replacement state identification  
83 card or replacement driver license, if necessary.

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.

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  
96 for 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  
99 in obtaining a birth certificate, shall submit to the Department  
100 of 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.



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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, identifies any  
116 impediments in the implementation of this subsection, and  
117 provides recommendations to improve obtaining release documents  
118 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  
123 department expand the faith- and character-based initiative  
124 through the use of faith- and character-based institutions. The  
125 department is encouraged to phase out the faith-based and self  
126 improvement dormitory programs and move toward the goal of only  
127 implementing faith- and character-based institutions. The  
128 department is also encouraged to dedicate and maintain faith-  
129 and character-based institutions that serve both male and female  
130 inmates at their respective institutions.



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

143           (2) The Department of Health and the Department of Highway  
144 Safety and Motor Vehicles may request a budget amendment  
145 pursuant to chapter 216, Florida Statutes, if additional trust  
146 fund authority is required for implementation of this act.

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