
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1320

State of Washington

64th Legislature

2015 Regular Session

By House General Government & Information Technology (originally sponsored by Representatives Goodman and Moscoso; by request of Department of Corrections)

READ FIRST TIME 02/18/15.

1 AN ACT Relating to creating an identicard program for certain
2 incarcerated offenders; amending RCW 46.20.117 and 46.20.117; adding
3 a new section to chapter 72.09 RCW; creating a new section; providing
4 effective dates; providing an expiration date; and declaring an
5 emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature intends to create an
8 identicard program to provide incarcerated offenders with a state-
9 issued identicard to assist and prepare each offender for release
10 from prison and reentry into the community. The legislature finds
11 that each step that assists individuals being released from prison
12 helps incarcerated offenders avoid predictable conditions that lead
13 to future recidivism and that a reduction in recidivism makes the
14 community safer, transforms formerly incarcerated offenders into
15 productive citizens, and strengthens the family structure that
16 surrounds each offender. The goal of the identicard program is to
17 provide proper state identification to offenders upon release to the
18 community, which is critical for accessing services, employment,
19 housing, and various other opportunities in the community.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09
2 RCW to read as follows:

3 (1) The department, in conjunction with the department of
4 licensing, must provide offenders with a state-issued identicard
5 pursuant to RCW 46.20.117.

6 (2) An offender is eligible for an original, renewal, or
7 replacement identicard under this section if he or she:

8 (a) Has been sentenced to a term of confinement totaling more
9 than one year and committed to department custody;

10 (b) Is confined within a state correctional facility and has at
11 least sixty days remaining on his or her confinement term as of the
12 effective date of this section;

13 (c) Has not waived his or her right under this section to an
14 identicard; and

15 (d) Does not have a current and valid state-issued identification
16 card.

17 (3) An offender's valid identification card issued by the
18 department may serve as sufficient proof of identity and residency
19 under RCW 46.20.035 to obtain a state-issued identicard pursuant to
20 RCW 46.20.117.

21 (4) An offender receiving a state-issued identicard pursuant to
22 this section must pay a fee as established in RCW 46.20.117 to the
23 department to offset the cost of obtaining the identicard. Provided
24 such action does not reduce an offender's account below the indigency
25 level, such costs may be paid or deducted from the offender's gross
26 wages, gratuities, or the offender's personal inmate savings account.
27 If an offender's inmate account is below the indigency level, or
28 would become below the indigency level as a result of paying such
29 fee, the department may pay or subsidize the cost associated with
30 issuing the identicard to the offender.

31 **Sec. 3.** RCW 46.20.117 and 2012 c 80 s 6 are each amended to read
32 as follows:

33 (1) **Issuance.** The department shall issue an identicard,
34 containing a picture, if the applicant:

35 (a) (i) Does not hold a valid Washington driver's license;

36 ~~((b))~~ (ii) Proves his or her identity as required by RCW
37 46.20.035; and

38 ~~((c))~~ (iii) Pays the required fee. Except as provided in (b) of
39 this subsection and subsection (5) of this section, the fee is forty-

1 five dollars from October 1, 2012, to June 30, 2013, and fifty-four
2 dollars after June 30, 2013, unless an applicant is a recipient of
3 continuing public assistance grants under Title 74 RCW, who is
4 referred in writing by the secretary of social and health services.
5 For those persons the fee must be the actual cost of production of
6 the identicard; or

7 (b) Qualifies for an identicard under section 2 of this act.

8 (i) An identicard issued under this subsection (1)(b) expires one
9 year from the first anniversary of the offender's birth date after
10 issuance.

11 (ii) The department may charge the department of corrections a
12 fee of the amount appropriate to cover the cost of production of an
13 identicard issued under this subsection (1)(b).

14 (2) **Design and term.** The identicard must:

15 (a) Be distinctly designed so that it will not be confused with
16 the official driver's license; and

17 (b) Except as provided in subsection (1)(b) or (5) of this
18 section, expire on the sixth anniversary of the applicant's birthdate
19 after issuance.

20 (3) **Renewal.** An application for identicard renewal may be
21 submitted by means of:

22 (a) Personal appearance before the department; or

23 (b) Mail or electronic commerce, if permitted by rule of the
24 department and if the applicant did not renew his or her identicard
25 by mail or by electronic commerce when it last expired.

26 An identicard may not be renewed by mail or by electronic
27 commerce unless the renewal issued by the department includes a
28 photograph of the identicard holder.

29 (4) **Cancellation.** The department may cancel an identicard if the
30 holder of the identicard used the card or allowed others to use the
31 card in violation of RCW 46.20.0921.

32 (5) **Alternative issuance/renewal/extension.** The department may
33 issue or renew an identicard for a period other than five years from
34 October 1, 2012, to June 30, 2013, or six years after June 30, 2013,
35 or may extend by mail or electronic commerce an identicard that has
36 already been issued, in order to evenly distribute, as nearly as
37 possible, the yearly renewal rate of identicard holders. The fee for
38 an identicard issued or renewed for a period other than five years
39 from October 1, 2012, to June 30, 2013, or six years after June 30,
40 2013, or that has been extended by mail or electronic commerce, is

1 nine dollars for each year that the identicard is issued, renewed, or
2 extended. The department may adopt any rules as are necessary to
3 carry out this subsection.

4 **Sec. 4.** RCW 46.20.117 and 2014 c 185 s 2 are each amended to
5 read as follows:

6 (1) **Issuance.** The department shall issue an identicard,
7 containing a picture, if the applicant:

8 (a)(i) Does not hold a valid Washington driver's license;

9 ((~~b~~)) (ii) Proves his or her identity as required by RCW
10 46.20.035; and

11 ((~~c~~)) (iii) Pays the required fee. Except as provided in (b) of
12 this subsection and subsection (5) of this section, the fee is forty-
13 five dollars from October 1, 2012, to June 30, 2013, and fifty-four
14 dollars after June 30, 2013, unless an applicant is a recipient of
15 continuing public assistance grants under Title 74 RCW, who is
16 referred in writing by the secretary of social and health services.
17 For those persons the fee must be the actual cost of production of
18 the identicard; or

19 (b) Qualifies for an identicard under section 2 of this act.

20 (i) An identicard issued under this subsection (1)(b) expires one
21 year from the first anniversary of the offender's birth date after
22 issuance.

23 (ii) The department may charge the department of corrections a
24 fee of the amount appropriate to cover the cost of production of an
25 identicard issued under this subsection (1)(b).

26 (2)(a) **Design and term.** The identicard must:

27 (i) Be distinctly designed so that it will not be confused with
28 the official driver's license; and

29 (ii) Except as provided in subsection (1)(b) or (5) of this
30 section, expire on the sixth anniversary of the applicant's birthdate
31 after issuance.

32 (b) The identicard may include the person's status as a veteran,
33 consistent with RCW 46.20.161(2).

34 (3) **Renewal.** An application for identicard renewal may be
35 submitted by means of:

36 (a) Personal appearance before the department; or

37 (b) Mail or electronic commerce, if permitted by rule of the
38 department and if the applicant did not renew his or her identicard
39 by mail or by electronic commerce when it last expired.

1 An identicard may not be renewed by mail or by electronic
2 commerce unless the renewal issued by the department includes a
3 photograph of the identicard holder.

4 (4) **Cancellation.** The department may cancel an identicard if the
5 holder of the identicard used the card or allowed others to use the
6 card in violation of RCW 46.20.0921.

7 (5) **Alternative issuance/renewal/extension.** The department may
8 issue or renew an identicard for a period other than five years from
9 October 1, 2012, to June 30, 2013, or six years after June 30, 2013,
10 or may extend by mail or electronic commerce an identicard that has
11 already been issued, in order to evenly distribute, as nearly as
12 possible, the yearly renewal rate of identicard holders. The fee for
13 an identicard issued or renewed for a period other than five years
14 from October 1, 2012, to June 30, 2013, or six years after June 30,
15 2013, or that has been extended by mail or electronic commerce, is
16 nine dollars for each year that the identicard is issued, renewed, or
17 extended. The department may adopt any rules as are necessary to
18 carry out this subsection.

19 NEW SECTION. **Sec. 5.** Section 3 of this act expires August 30,
20 2017.

21 NEW SECTION. **Sec. 6.** Section 4 of this act takes effect August
22 30, 2017.

23 NEW SECTION. **Sec. 7.** Except for section 4 of this act, this act
24 is necessary for the immediate preservation of the public peace,
25 health, or safety, or support of the state government and its
26 existing public institutions, and takes effect July 1, 2015.

--- END ---