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HOUSE BILL 1679

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State of Washington

65th Legislature

2017 Regular Session

By Representatives Goodman, Klippert, Pettigrew, Chapman, Hayes, Muri, Hudgins, and Robinson; by request of Department of Corrections

Read first time 01/26/17. Referred to Committee on Public Safety.

1 AN ACT Relating to issuing a two-year identicard for offenders  
2 released from prison facilities; amending RCW 46.20.117 and  
3 46.20.117; adding a new section to chapter 72.09 RCW; creating new  
4 sections; providing an effective date; and providing an expiration  
5 date.

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 assist incarcerated offenders to obtain a  
9 state-issued identicard to aid and prepare offenders for release from  
10 prison and reentry into the community. The legislature finds that  
11 each step that assists individuals being released from prisons helps  
12 incarcerated offenders avoid predictable conditions that lead to  
13 future recidivism. In accordance with executive order 16-05 building  
14 safe and strong communities through successful reentry, this act  
15 intends to ensure that offenders released from state prisons have  
16 adequate identification in order to increase public safety and reduce  
17 recidivism.

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

1 (1) The department, working in conjunction with the department of  
2 licensing, shall create and implement an identicard program to  
3 provide offenders released within Washington state a state-issued  
4 identicard pursuant to RCW 46.20.117.

5 (2) An offender is eligible for an original, renewal, or  
6 replacement identicard pursuant to this section, provided he or she:

7 (a) Meets the department of licensing criteria under RCW  
8 46.20.117;

9 (b) Is sentenced to the custody of the department, and is  
10 incarcerated within a correctional facility with an earned release  
11 date that is more than one year from his or her admission date;

12 (c) Has not been found by the United States attorney general to  
13 be subject to a deportation detainer or order and does not become  
14 subject to a deportation order during the period of incarceration;  
15 and

16 (d) Is expected to be released to a location within Washington  
17 state.

18 (3) The department may seek reimbursement for the cost of the  
19 identicard issued to offenders pursuant to this section. The  
20 department may deduct the cost of the identicard from either the  
21 offender's mandatory savings account; or from funds that have been  
22 received on the offender's behalf specifically for this purpose.

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

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

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

28 ((+b)) (ii) Proves his or her identity as required by RCW  
29 46.20.035; and

30 ((+e)) (iii) Pays the required fee. Except as provided in (b) of  
31 this subsection or subsection (5) of this section, the fee is  
32 ~~((forty five dollars from October 1, 2012, to June 30, 2013, and))~~  
33 fifty-four dollars ~~((after June 30, 2013))~~, unless an applicant is a  
34 recipient of continuing public assistance grants under Title 74 RCW,  
35 who is referred in writing by the secretary of social and health  
36 services. For those persons the fee must be the actual cost of  
37 production of the identicard; or

38 (b) Is eligible for issuance of an identicard under section 2 of  
39 this act.

1 (i) A valid identification card issued by the department of  
2 corrections may serve as sufficient proof of identity and residency  
3 for an applicant under this subsection (1)(b);

4 (ii) An identicard issued under this subsection (1)(b) must  
5 expire two years from the first anniversary of the offender's  
6 birthdate after issuance; and

7 (iii) The department may charge the department of corrections a  
8 fee of eighteen dollars for an identicard issued under this  
9 subsection (1)(b).

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

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

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

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

18 (a) Personal appearance before the department; or

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

22 An identicard may not be renewed by mail or by electronic  
23 commerce unless the renewal issued by the department includes a  
24 photograph of the identicard holder.

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

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

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

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

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

6       (~~(b)~~) (ii) Proves his or her identity as required by RCW  
7 46.20.035; and

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

16       **(b) Is eligible for issuance of an identicard under section 2 of**  
17 **this act.**

18       **(i) A valid identification card issued by the department of**  
19 **corrections may serve as sufficient proof of identity and residency**  
20 **for an applicant under this subsection (1)(b);**

21       **(ii) An identicard issued under this subsection (1)(b) must**  
22 **expire two years from the first anniversary of the offender's**  
23 **birthdate after issuance; and**

24       **(iii) The department may charge the department of corrections a**  
25 **fee of eighteen dollars for an identicard issued under this**  
26 **subsection (1)(b).**

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

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

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

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

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

37       (a) Personal appearance before the department; or

38       (b) Mail or electronic commerce, if permitted by rule of the  
39 department and if the applicant did not renew his or her identicard  
40 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.** The department of corrections and the  
20 department of licensing may enter into a memorandum of understanding  
21 to meet the requirements of this act, and have discretion to  
22 implement this act over a period of time not to exceed twelve months  
23 from the effective date of this section.

24 NEW SECTION. **Sec. 6.** Section 4 of this act takes effect August  
25 30, 2017.

26 NEW SECTION. **Sec. 7.** Section 3 of this act expires August 30,  
27 2017.

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