

HOUSE BILL NO. 5382

October 07, 2021, Introduced by Reps. Brabec, Aiyash, Wozniak, Brann, Young, Eisen, Puri, Carra, LaFave, Howell, Sneller, Brixie, Scott, Neeley, Cynthia Johnson and Rabhi and referred to the Committee on Transportation.

A bill to amend 1953 PA 232, entitled
"Corrections code of 1953,"
by amending section 34c (MCL 791.234c), as added by 2012 PA 24.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 34c. (1) The department, by contract or otherwise, shall
2 assist prisoners with reentry into the community, including, but
3 not limited to, doing ~~both~~**all** of the following:

4 (a) Assisting prisoners in obtaining the identification
5 documents described in this section.

1 (b) Subject to the department's security needs, ~~reasonably~~
2 ~~allowing~~**assisting** prisoners ~~to obtain in~~ **obtaining** the following
3 identification documents before those prisoners are released on
4 parole or discharged upon completion of their maximum sentences:

5 (i) Any of the identification documents that, in combination
6 with the prisoner identification card issued under section 37(4),
7 would satisfy the application requirements for obtaining an
8 operator's license or state personal identification card as
9 established by the secretary of state under section 307 of the
10 Michigan vehicle code, 1949 PA 300, MCL 257.307, or section 1 of
11 1972 PA 222, MCL 28.291.

12 (ii) A ~~social security~~**Social Security** card or ~~social security~~
13 **Social Security** number verification, if possible to obtain.

14 (c) **Not less than 60 days before a prisoner is scheduled to be**
15 **released on parole, collecting application documents, to the extent**
16 **possible, and a photograph of the prisoner required for an**
17 **operator's license or official state personal identification card**
18 **as established by the secretary of state under section 307 of the**
19 **Michigan vehicle code, 1949 PA 300, MCL 257.307, or section 1 of**
20 **1972 PA 222, MCL 28.291, as applicable, and sending the documents,**
21 **photograph, and the projected date the prisoner will be released on**
22 **parole to the secretary of state.**

23 (2) A prisoner's refusal to obtain or attempt to obtain the
24 documents identified in subsection (1)(b) may be included as part
25 of the prisoner's parole eligibility report, as provided in section
26 35(7)(e).

27 (3) This section applies to all prisoners who are serving a
28 sentence under the jurisdiction of the department after ~~the~~
29 ~~effective date of the amendatory act that added this section~~

1 **February 23, 2012** who are eligible to obtain an operator's license
2 under section 307 of the Michigan vehicle code, 1949 PA 300, MCL
3 257.307, or ~~a~~**an official** state personal identification card under
4 section 1 of 1972 PA 222, MCL 28.291.

5 (4) The department shall include in writing to each prisoner
6 the information described in section 14(9)(b) of chapter XI of the
7 code of criminal procedure, 1927 PA 175, MCL 771.14, listing the
8 identification documents referenced in subsection (1). For a
9 prisoner who begins serving a sentence under the jurisdiction of
10 the department after ~~the effective date of the amendatory act that~~
11 ~~added this section,~~ **February 23, 2012**, the department shall provide
12 that written information during reception center processing. For
13 any prisoner who is under the jurisdiction of the department on ~~the~~
14 ~~effective date of the amendatory act that added this section,~~
15 **February 23, 2012**, the department shall provide that written
16 information ~~as follows:~~

17 ~~(a) For a prisoner with less than 1 year remaining before~~
18 ~~parole eligibility, within 90 days after that effective date.~~

19 ~~(b) For any other prisoner, the information shall be given at~~
20 ~~the time the parole eligibility report is prepared.~~

21 (5) The department shall allow the secretary of state to have
22 electronic access to prisoner information for the purpose of
23 verifying the identity of prisoners who apply for driver licenses
24 or state personal identification cards.

25 (6) The reentry success fund is created within the state
26 treasury. The state treasurer may receive money or other assets
27 from any source for deposit into the fund. The state treasurer
28 shall direct the investment of the fund. The state treasurer shall
29 credit to the fund interest and earnings from fund investments.

1 Money in the fund at the close of the fiscal year ~~shall~~**must** remain
2 in the fund and ~~shall~~ not lapse to the general fund. The department
3 of corrections shall expend money from the reentry success fund,
4 upon appropriation, only for the expenses of performing the
5 activities required by this section.

6 **(7) The department shall provide to an individual at the time**
7 **the individual is released on parole any operator's license or**
8 **official state personal identification card that the department**
9 **receives for that individual following an application to the**
10 **secretary of state under subsection (1) (c).**

11 Enacting section 1. This amendatory act does not take effect
12 unless all of the following bills of the 101st Legislature are
13 enacted into law:

14 (a) Senate Bill No. ____ or House Bill No. 5381 (request no.
15 01940'21).

16 (b) Senate Bill No. ____ or House Bill No. 5380 (request no.
17 02476'21).