

FINAL BILL REPORT

E2SHB 2099

C 315 L 24
Synopsis as Enacted

Brief Description: Concerning state identification cards for persons in state custody or care.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Farivar, Cortes, Pollet, Reed, Simmons, Ormsby, Ramel, Gregerson, Goodman, Caldier, Stonier, Paul, Jacobsen, Nance, Wylie, Street, Reeves, Macri, Davis and Ryu).

House Committee on State Government & Tribal Relations
House Committee on Appropriations
Senate Committee on State Government & Elections
Senate Committee on Transportation
Senate Committee on Ways & Means

Background:

State Identification.

The Department of Licensing (DOL) issues driver's licenses and identicards to applicants who pay a fee and provide proof of their identity.

An applicant for a driver's license or identicard must provide the DOL with at least one of the following identifying documents that contains the signature and photograph of the applicant:

- a valid or recently expired driver's license or instruction permit;
- a Washington identicard or an identification card (ID) issued by another state;
- an ID issued by the United States, or an agency of the United States;
- a military ID;
- a United States passport; or
- an immigration and naturalization service form.

The Department of Corrections Facilities.

The Department of Corrections is required to provide incarcerated individuals certain services prior to their discharge, including identifying the individual's needs and connecting

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the individual with community resources.

Partial Confinement.

In certain situations, a portion of a term of total confinement may be converted to partial confinement. Partial confinement is confinement for up to one year in a facility operated or contracted by the state or other unit of government, or in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement may include work release, home detention, work crew, or electronic monitoring.

The Department of Social and Health Services Facilities.

The Department of Social and Health Services (DSHS) operates three state hospitals for psychiatric treatment: Western State Hospital, Eastern State Hospital, and the Child Study and Treatment Center. The Child Study and Treatment Center treats minors aged 5 to 17 who are committed or referred for up to six months of inpatient treatment through the Children's Long-Term Inpatient Program, by managed care organizations or behavioral health administrative services organizations, or by the courts. Eastern State Hospital and Western State Hospital treat adult involuntary patients who are either civilly committed for treatment through the Involuntary Treatment Act or forensically committed for treatment related to criminal insanity or competency to stand trial through the criminal courts.

If a person is found to be a sexually violent predator (SVP) by a court, the person is committed to the custody of the DSHS at the Special Commitment Center (SCC) on McNeil Island. The DSHS must enter into a memorandum of understanding with the DOL to allow residents in the SCC to obtain a state identification card through a written identification verification letter completed by the SCC.

If certain conditions are met, courts may grant unconditional or conditional release of an individual found to be an SVP. A conditional release of an SVP may be to a secure community transition facility (SCTF). The DSHS operates SCTFs on McNeil Island and in King County.

Summary:

The Department of Corrections (DOC) must ensure that every consenting incarcerated individual that has been confined in a DOC facility for at least 60 days has a valid identicard or driver's license issued by the Department of Licensing (DOL) prior to release.

The DOC is required to pay the application fee, provide a photo for use on the card, and obtain an acceptable signature from the individual. An individual may request that the photo used is not the individual's mug shot and does not indicate that the individual was incarcerated at the time the photo was taken. The DOL is required to ensure that the DOC has direct access to the appropriate DOL system to assist incarcerated individuals with obtaining a driver's license. Issuance of a driver's license or identicard must not cause a delay in the individual's release to the community or transfer to partial confinement.

The DOC is required to issue a department identification card to individuals in a correctional facility for identification and use while in the facility. The DOC is also required to issue a department identification card to individuals in community custody upon request of the individual.

The state hospitals, the Special Commitment Center (SCC), secure community transition facilities (SCTFs), and residential treatment facilities operated by the Department of Social and Health Services (DSHS) that provide mental health services must ensure that every consenting patient possesses a valid identicard prior to the individual's release from care.

These entities must pay the application fee, provide a photo of the patient, and obtain a signature or mark from the patient to use for an identicard. Issuance of an identicard must not cause a delay in the release of an individual from care.

The state hospitals, the SCC, SCTFs, and residential treatment facilities operated by the DSHS that provide mental health services must also provide a patient identification verification document to all individuals in the facility's custody. The patient identification verification document must include certain information, including the patient's photo and legal name.

In addition to the existing identifying documents that an applicant may use to apply for a driver's license or identicard, an applicant may also use a department identification card issued by the DOC or a patient identification verification document issued by a state hospital, the SCC, an SCTF, or a DSHS residential treatment facility.

By July 1, 2025, the DOL must, in consultation with the Washington Association of Sheriffs and Police Chiefs, develop a model policy, process, and informational materials for the DOL and the governing units of city, county, and multijurisdictional jails to assist individuals in custody of a jail within obtaining an identicard.

Votes on Final Passage:

House	62	35	
Senate	45	3	(Senate amended)
House	70	26	(House concurred)

Effective: January 1, 2025