
SENATE BILL 5558

State of Washington

65th Legislature

2017 Regular Session

By Senators Darneille, O'Ban, and Angel; by request of Department of Corrections

Read first time 01/27/17. Referred to Committee on Law & Justice.

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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