
SENATE BILL 5173

State of Washington

64th Legislature

2015 Regular Session

By Senators Habib, Fain, Darneille, and Mullet; by request of Department of Corrections

Read first time 01/15/15. Referred to Committee on Law & Justice.

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 implement an identicard program to provide offenders
5 with a state-issued identicard pursuant to RCW 46.20.117 at no cost
6 to the offender.

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

9 (a) Meets department of licensing criteria under RCW
10 46.20.117(1)(b);

11 (b) Is under the custody of the department of corrections;

12 (c) Has been sentenced to an incarceration period exceeding one
13 year and one day;

14 (d) Is incarcerated within a department correctional facility and
15 is at least two months or more from his or her release date as of the
16 effective date of this section;

17 (e) Has not waived his or her right for an identicard; and

18 (f) Does not have a current, valid state-issued identification
19 card.

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

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

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

25 ~~((b))~~ (ii) Proves his or her identity as required by RCW
26 46.20.035; and

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

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

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

1 (ii) An identicard issued under this subsection (1)(b) expires
2 one year from the first anniversary of the offender's birth date
3 after issuance.

4 (iii) The department may charge the department of corrections a
5 fee of nine dollars for an identicard issued under this subsection
6 (1)(b).

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

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

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

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

15 (a) Personal appearance before the department; or

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

19 An identicard may not be renewed by mail or by electronic
20 commerce unless the renewal issued by the department includes a
21 photograph of the identicard holder.

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

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

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

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

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

4 (~~(b)~~) (ii) Proves his or her identity as required by RCW
5 46.20.035; and

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

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

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

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

21 (iii) The department may charge the department of corrections a
22 fee of nine dollars for an identicard issued under this subsection
23 (1)(b).

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

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

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

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

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

34 (a) Personal appearance before the department; or

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

38 An identicard may not be renewed by mail or by electronic
39 commerce unless the renewal issued by the department includes a
40 photograph of the identicard holder.

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

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

16 NEW SECTION. **Sec. 5.** Section 3 of this act expires August 30,
17 2017.

18 NEW SECTION. **Sec. 6.** Section 4 of this act takes effect August
19 30, 2017.

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

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