

Senate Bill 161

By: Senators Jackson of the 41st, Payne of the 54th, Butler of the 55th, Robertson of the 29th, Anderson of the 43rd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated,
2 relating to general provisions for inmate policies, so as to require that inmates receive an
3 identification card upon release; to provide for penalties; to provide a definition; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 1 of Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to
8 general provisions for inmate policies, is amended by adding a new Code section to read as
9 follows:

10 "42-1-11.4.

11 (a) As used in this Code section, the term 'department' means the Department of
12 Corrections.

13 (b) Within 60 days before the anticipated release of an inmate under this subsection, a
14 digitized photograph of the inmate to be released shall be made by the department or a
15 private correctional facility, whichever has custody of the inmate. If a private correctional
16 facility makes the digitized photograph, such photograph shall be provided to the

department. Additionally, the digitized photograph, whether made by the department or a private correctional facility, shall be placed in the inmate's file. The department shall provide a copy of the digitized photograph to a local law enforcement agency upon request.

(c)(1) The department shall provide every Georgia born inmate with a certified copy of his or her birth certificate and a state identification card before the inmate's release upon expiration of his or her sentence.

(2) Paragraph (1) of this subsection shall not apply to inmates who:

(A) Are released due to an emergency release or a conditional medical release;

(B) Are not in the physical custody of the department at or within 180 days before release; or

(C) Are subject to sex offender residency restrictions, and who, upon release under such restrictions, do not have a qualifying address.

(d) The department shall assist each inmate in applying for and obtaining a social security card before release if the inmate needs a social security card.

(e) The department, for purposes of assisting the inmate in obtaining a birth certificate, shall submit to the Department of Public Health for all Georgia born inmates in its custody, the department's inmate photograph or digitized photograph, and as provided by the inmate his or her date of birth, full name at birth and any subsequent legal name changes, city or county of birth, mother's full name including her maiden surname, and father's full name.

(f) For inmates born outside of this state, the department shall assist the inmate in completing the necessary forms or applications to obtain a social security card, driver's license, or state identification card. The department shall also provide the inmate with the location and address of the appropriate licensing authority from which the inmate will need to obtain a valid identification card in proximity to the inmate's release address.

(g) The department shall, as part of its annual report, provide a report that identifies the number of inmates released with and without identification cards, identifies any

43 impediments in the implementation of this Code section, and provides recommendations
44 to improve obtaining release documents and identification cards for all inmates."

45 **SECTION 2.**

46 All laws and parts of laws in conflict with this Act are repealed.