

Senate Bill 218

By: Senators Rhett of the 33rd, Albers of the 56th, Jones II of the 22nd, Robertson of the 29th, Seay of the 34th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 5 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,
2 relating to identification cards for persons without drivers' licenses, so as to provide for the
3 issuance of identification cards to persons completing a term of incarceration; to provide that
4 the Department of Corrections share identifying information with the Department of Driver
5 Services; to provide for assistance by the Department of Corrections in obtaining required
6 documentation for the issuance of a personal identification card; to amend Article 2 of
7 Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to grants of
8 pardons, paroles, and other relief, so as to provide consent for the release of certain criminal
9 history, vocational, and educational information to inmates upon release; to provide for
10 issuance of a personal identification card or operator's license; to provide for a certificate of
11 employability and rules and conditions therefor; to provide for annual reporting; to provide
12 for related matters; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 5 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to identification cards for persons without drivers' licenses, is amended by adding a new Code section to read as follows:

"40-5-107.

(a) The Department of Driver Services, in coordination with the Department of Corrections, shall issue a personal identification card to any resident of this state lacking a driver's license, personal identification card, or other identification card issued pursuant to this chapter upon the completion of a term of incarceration in any prison or detention facility of this state or its departments, agencies, or political subdivisions and upon submission of the documentation required by Code Section 40-5-100.

(b) The Department of Corrections shall provide to the department any documentation in its possession required for issuance of a personal identification card pursuant to Code Section 40-5-100. For any person incarcerated for a term of more than six months, the Department of Corrections shall provide such incarcerated person with information on the documentation required to obtain a personal identification card pursuant to Code Section 40-5-100 and shall assist such person in making requests for official copies of such required documentation."

SECTION 2.

Article 2 of Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to grants of pardons, paroles, and other relief, is amended in Code Section 42-9-44, relating to terms and conditions of parole, adoption of general and special rules, violation of parole, and certain parolees or releasees to obtain high school diploma or state approved high school equivalency (HSE) diploma, by adding three new subsections to read as follows:

"(c) When a person is placed on parole or conditional release, the board shall issue to such parolee or conditional releasee, with his or her consent, documents pertaining to:

40 (1) The parolee or conditional releasee's criminal history in Georgia;

41 (2) The parolee or conditional releasee's institutional history, including:

42 (A) Any record of major disciplinary violations;

43 (B) Whether the parolee or conditional releasee completed training approved by the
44 board;

45 (C) Whether the parolee or conditional releasee obtained a state approved high school
46 equivalency (HSE) diploma or other educational degree prior to incarceration, to the
47 extent known or verifiable by the board;

48 (D) Whether the parolee or conditional releasee obtained a state approved high school
49 equivalency (HSE) diploma or other educational degree while incarcerated;

50 (E) The parolee or conditional releasee's work record prior to incarceration, including
51 past employment and skills, to the extent known or verifiable by the board; and

52 (F) The parolee or conditional releasee's institutional work record, including skills
53 obtained through any job training provided by the board; and

54 (3) Other information considered relevant by the board.

55 (d) When a person is placed on parole or conditional release, the board may, in
56 conjunction with the Department of Driver Services, issue such person an operator's license
57 or personal identification card pursuant to Code Section 40-5-107 and shall issue a
58 certificate of employability to such parolee or conditional releasee under the following
59 rules and conditions:

60 (1) The parolee or conditional releasee has achieved the following:

61 (A) While incarcerated, earned a state approved high school equivalency (HSE)
62 diploma or, prior to incarceration, earned a state approved high school equivalency
63 (HSE) diploma, a high school diploma, a college degree, a vocational or technical
64 education program certificate signifying program completion, or a diploma or degree
65 obtained by correspondence from a postsecondary education program that meets the
66 board's approval;

(B) Received no major disciplinary violations during the year immediately preceding his or her parole or conditional release; and

(C) Received a score or level of competence as determined by the board on a job skills assessment test administered by the board or correctional facility;

(2) Such certificate of employability shall:

(A) Be issued to the parolee or conditional releasee when he or she is placed on parole or conditional release;

(B) Be on a form provided by the board;

(C) Be valid unless revoked by the board; and

(D) Not create relief from:

(i) A requirement to register as a sex offender under Code Section 42-1-12;

(ii) A driver's license, commercial driver's license, or probationary license suspension, cancellation, or revocation;

(iii) A restriction on employment as a prosecutor or law enforcement officer; or

(iv) The denial, ineligibility, or automatic suspension of a healthcare professional's license due to a substance use disorder; and

(3) The board shall notify incoming inmates of their right to earn a certificate of employability.

(e) The board shall submit an annual report no later than September 1 of each year to the Governor and the General Assembly, which shall include the number of certificates of employability issued in the preceding 12 months, the rate of recidivism among parolees or conditional releasees previously issued certificates of employability, and any other information the board deems appropriate to include."

SECTION 3.

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