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DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 171

AN ACT TO AMEND TITLE 16, TITLE 21, AND TITLE 29 OF THE DELAWARE CODE RELATING TO FREE IDENTIFICATION DOCUMENTS FOR INDIVIDUALS BEING RELEASED FROM PRISON.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 89, Title 29 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 8915. Delaware Personal Credential Card.

4 (a) A Delaware Personal Credential Card (“Personal Credential”) is issued by the Commissioner and contains all
5 of the following:

6 (1) The individual’s name, date of birth, sex, height, weight, and eye color.

7 (2) A photograph of the individual.

8 (3) An expiration date that is 1 year from the date the Personal Credential is issued.

9 (4) A bar code.

10 (5) A statement regarding the validity of the card.

11 (b)(1) The Commissioner shall ensure that an individual who is being released from the custody of the Department
12 of Correction following conviction and a term of incarceration of 6 months or more receives a Personal Credential as
13 follows:

14 a. Before release from Level IV if held at a Level IV residential treatment facility after Level V.

15 b. Before release from Level V if held at a Level IV work release center after Level V.

16 c. Before release from Level V if not being held at Level IV custody.

17 (2) The Commissioner shall provide written instructions with the Personal Credential that explains how it
18 can be used to obtain the identification documents in subsection (c) without charge.

19 (c) An individual who presents a valid Personal Credential is exempt from the applicable fee to receive all of the
20 following:

- 21 (1) One certified copy of a certificate of birth, if the individual was born in this State.
- 22 (2) One identification card or driver's license, issued under Title 21, if the individual is otherwise eligible.

23 (d) The Commissioner shall work with the Department of Health and Social Services and the Division of Motor
24 Vehicles to adopt policies and procedures to implement this section.

25 Section 2. Amend § 3132, Title 16 of the Delaware Code by making deletions as shown by strike through and
26 insertions as shown by underline as follows:

27 § 3132. Fee for issuance of certificates and searches.

28 (g) An individual who presents a valid, unexpired, Delaware Personal Credential Card, issued under § 8915 of
29 Title 29, is exempt from any fee charged under this section for a certified copy of a certificate of birth.

30 Section 3. Amend § 2715, Title 21 of the Delaware Code by making deletions as shown by strike through and
31 insertions as shown by underline as follows:

32 § 2715. Driver license renewal cycle; fees; photograph.

33 (g) An individual who presents a valid, unexpired, Delaware Personal Credential Card, issued under § 8915 of
34 Title 29, is exempt from any fee charged under this section for a replacement license.

35 Section 4. Amend § 2720, Title 21 of the Delaware Code by making deletions as shown by strike through and
36 insertions as shown by underline as follows:

37 § 2720. Duplicate licenses; requirements; fee.

38 (d) An individual who presents a valid, unexpired, Delaware Personal Credential Card, issued under § 8915 of
39 Title 29, is exempt from any fee charged under this section for a replacement license.

40 Section 5. Amend § 3103, Title 21 of the Delaware Code by making deletions as shown by strike through and
41 insertions as shown by underline as follows:

42 § 3103. Issuance fee; renewal; qualifications.

43 (d) An individual who presents a valid, unexpired, Delaware Personal Credential Card, issued under § 8915 of
44 Title 29, is exempt from any fee charged under this section for an identification card.

45 Section 6. Amend § 3105, Title 21 of the Delaware Code by making deletions as shown by strike through and
46 insertions as shown by underline as follows:

47 § 3105. Issuance of duplicate cards; fee.

48 (c) An individual who presents a valid, unexpired, Delaware Personal Credential Card, issued under § 8915 of
49 Title 29, is exempt from any fee charged under this section for a duplicate identification card.

50 Section 7. Section § 8915(d) of Title 29 is effective immediately. The remainder of this Act takes effect 180 days
51 from the date of enactment.

SYNOPSIS

Individuals who are released from prison face many hurdles as they re-enter the community, including difficulty obtaining identification documents. Lacking identification imposes additional hurdles as these individuals attempt to find housing and employment. This Act requires the Department of Correction to provide individuals who are being released from the custody of the Department of Correction ("DOC"), after 6 months of incarceration following conviction, with a Delaware Personal Credential Card ("Personal Credential"). An individual may present the Personal Credential to receive one free certified copy of the individual's birth certificate and one identification card or driver's license, if otherwise eligible to receive those documents.

This Act builds on the pilot that has been in place since 2012, when the DOC partnered with the Division of Motor Vehicles and the Department of Health and Social Services to obtain identification for individuals who volunteer to participate in the I-ADAPT re-entry program. Currently, individuals in I-ADAPT receive a Prisoner Re-Entry card, valid for 1 year, that can be used to obtain a free copy of their birth certificate, if they were born in Delaware, and a free identification card, if otherwise eligible to receive one.

Author: Senator Henry