

STATE OF NEW YORK

9058

IN SENATE

April 15, 2024

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to providing for automatic issuance of identification cards to incarcerated individuals and assistance with obtaining copies of certain documents

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Section 11 of the correction law, as added by section 1 of
2 part Q of chapter 58 of the laws of 2022, is amended to read as follows:
3 § 11. Identification card program. 1. For purposes of this section,
4 "identification card" shall have the same meaning as defined in section
5 four hundred ninety of the vehicle and traffic law.
6 2. The commissioner, in consultation with the commissioner of motor
7 vehicles, shall develop a program that would [~~allow~~] automatically
8 provide incarcerated individuals without an identification card, or
9 incarcerated individuals who have not been issued a driver's license or
10 learner's permit by the commissioner of motor vehicles, or incarcerated
11 individuals whose driver's license or learner's permit is expired,
12 suspended, revoked or surrendered, or incarcerated individuals whose
13 identification card is expired, [~~to-obtain~~] with an identification card
14 prior to the incarcerated individual's release from an institution or upon
15 correctional facility under the jurisdiction of the department or upon
16 the individual's release from an institution or correctional facility
17 under the jurisdiction of the department at the option of the incarcer-
18 ated individual.
19 3. The sentence and commitment or certificate of conviction of an
20 incarcerated individual shall be deemed sufficient to grant authori-
21 zation to the department of corrections and community supervision to
22 assist an incarcerated individual in an institution or correctional
23 facility under the jurisdiction of such department to apply for and
24 obtain an identification card from the department of motor vehicles.
25 4. (a) Prior to an incarcerated individual's release from an institu-
26 tion or correctional facility under the jurisdiction of the department,

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [~~-~~] is old law to be omitted.

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1 the department shall notify the incarcerated individual, verbally and in
2 writing, of such identification card program. The department shall also
3 document that they offered to assist the incarcerated individual in
4 obtaining an identification card and if such incarcerated individual
5 declined. The department shall make diligent efforts to ensure that an
6 incarcerated individual is provided with an identification card, if
7 requested, prior to or upon the release of such individual from an
8 institution or correctional facility under the jurisdiction of the
9 department. Such efforts shall include assisting incarcerated individ-
10 uals with obtaining copies of any documents needed to apply for iden-
11 tification cards. Such documents shall include, but not be limited to,
12 an incarcerated individual's social security card and birth certificate.

13 (b) If an identification card is obtained with the assistance of the
14 department for an incarcerated individual prior to such individual's
15 release from the department's custody, the identification card shall be
16 kept in the incarcerated individual's records until such individual is
17 released from an institution or correctional facility under the juris-
18 diction of the department; upon such individual's release, the identifi-
19 cation card shall be provided to the individual.

20 5. The department shall collect data on the number of incarcerated
21 individuals participating in the identification card program and issue a
22 report on such data to the governor, the temporary president of the
23 senate and the speaker of the assembly annually until December thirty-
24 first, two thousand twenty-six.

25 § 2. This act shall take effect on the first of April next succeeding
26 the date on which it shall have become a law. Effective immediately, the
27 addition, amendment and/or repeal of any rule or regulation necessary
28 for the implementation of this act on its effective date are authorized
29 to be made and completed on or before such effective date.