
SUBSTITUTE SENATE BILL 5558

State of Washington

65th Legislature

2017 Regular Session

By Senate Law & Justice (originally sponsored by Senators Darneille, O'Ban, and Angel; by request of Department of Corrections)

1 AN ACT Relating to issuing a two-year identicard for offenders
2 released from prison facilities; amending RCW 46.20.117 and
3 46.20.117; adding a new section to chapter 72.09 RCW; creating new
4 sections; providing an effective date; and providing an expiration
5 date.

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 assist incarcerated offenders to obtain a
9 state-issued identicard to aid and prepare offenders for release from
10 prison and reentry into the community. The legislature finds that
11 each step that assists individuals being released from prisons helps
12 incarcerated offenders avoid predictable conditions that lead to
13 future recidivism. In accordance with executive order 16-05 building
14 safe and strong communities through successful reentry, this act
15 intends to ensure that offenders released from state prisons have
16 adequate identification in order to increase public safety and reduce
17 recidivism.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09
19 RCW to read as follows:

1 (1) The department, working in conjunction with the department of
2 licensing, shall create and implement an identicard program to
3 provide offenders released within Washington state a state-issued
4 identicard pursuant to RCW 46.20.117.

5 (2) An offender is eligible for an original, renewal, or
6 replacement identicard pursuant to this section, provided he or she:

7 (a) Meets the department of licensing criteria under RCW
8 46.20.117;

9 (b) Is sentenced to the custody of the department, and is
10 incarcerated within a correctional facility with an earned release
11 date that is more than one year from his or her admission date;

12 (c) Has not been found by the United States attorney general to
13 be subject to a deportation detainer or order and does not become
14 subject to a deportation order during the period of incarceration;

15 (d) Is expected to be released to a location within Washington
16 state; and

17 (e) Pays a fee of eighteen dollars for the cost of the
18 identicard.

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

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

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

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

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

34 (b) Is eligible for issuance of an identicard under section 2 of
35 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) must
2 expire two years from the first anniversary of the offender's
3 birthdate after issuance; and

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

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

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

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

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

14 (a) Personal appearance before the department; or

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

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

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

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

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

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

1 (a)(i) Does not hold a valid Washington driver's license;
2 ~~((b))~~ (ii) Proves his or her identity as required by RCW
3 46.20.035; and

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

12 (b) Is eligible for issuance of an identicard under section 2 of
13 this act.

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

17 (ii) An identicard issued under this subsection (1)(b) must
18 expire two years from the first anniversary of the offender's
19 birthdate after issuance; and

20 (iii) The department may charge a fee of eighteen dollars for an
21 identicard issued under this subsection (1)(b).

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

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

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

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

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

32 (a) Personal appearance before the department; or

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

36 An identicard may not be renewed by mail or by electronic
37 commerce unless the renewal issued by the department includes a
38 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.** The department of corrections and the
17 department of licensing may enter into a memorandum of understanding
18 to meet the requirements of this act, and have discretion to
19 implement this act over a period of time not to exceed twelve months
20 from the effective date of this section.

21 NEW SECTION. **Sec. 6.** Section 4 of this act takes effect August
22 30, 2017.

23 NEW SECTION. **Sec. 7.** Section 3 of this act expires August 30,
24 2017.

--- END ---