

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

AS PASSED

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 3 of
7 Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to conditions of
8 detention generally, so as to provide consent for the release of certain criminal history,
9 vocational, and educational information to inmates upon release; to provide for issuance of
10 a personal identification card and a Program and Treatment Completion Certificate; to
11 provide for related matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

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

17 "40-5-107.

18 (a) The department, in coordination with the Department of Corrections, may issue a
19 personal identification card to any resident of this state lacking a personal identification
20 card upon the completion of a term of incarceration in any prison or detention facility of
21 this state or its departments or agencies and upon submission of the documentation required
22 by Code Section 40-5-100.

23 (b) The Department of Corrections may provide to the department copies of any
24 documentation in its possession required for issuance of a personal identification card
25 pursuant to Code Section 40-5-100. The Department of Corrections may provide an
26 incarcerated person with information on the documentation required to obtain a personal
27 identification card pursuant to Code Section 40-5-100 and may assist such person in
28 making requests for official copies of such required documentation."

29

SECTION 2.

30 Article 3 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to
31 conditions of detention generally, is amended in Code Section 42-5-64, relating to
32 educational programming, as follows:

33 "42-5-64.

34 (a) The commissioner shall maintain an educational program within the state prison system
35 to assist inmates in achieving at least a fifth-grade level on standardized reading tests.
36 Inmates who test below the fifth-grade level and who have been sentenced to incarceration
37 for a period of one year or longer shall be required by institutional staff to attend
38 appropriate classes until they attain this level or until they are released from incarceration,
39 whichever event occurs first; provided, however, that inmates who have remained in the
40 educational program for 90 school days may voluntarily withdraw thereafter. The
41 commissioner or his or her designee shall have the discretion to exclude certain inmates
42 from the provisions of this subsection due to the inability of such inmates to benefit from
43 an educational program for reasons which may include: custody status, particularly of those

44 inmates under a death sentence; mental handicap or physical illness; participation in a boot
45 camp program; or possession of a general education diploma or high school diploma. The
46 State Board of Pardons and Paroles shall incorporate satisfactory participation in such an
47 educational program into the parole guidelines adopted pursuant to Code Section 42-9-40.

48 (b) For the purposes of this Code section, educational programming shall not apply to
49 inmates who:

50 (1) Have been sentenced to death;

51 (2) Have attained 50 years of age; or

52 (3) Have serious learning disabilities.

53 (c) The commissioner shall provide additional educational programs in which inmates can
54 voluntarily participate to further their education beyond the fifth-grade level.

55 (d) The commissioner shall utilize available services and programs within the Department
56 of Education, and the Department of Education shall cooperate with the commissioner in
57 the establishment of educational programs and the testing of inmates as required in this
58 Code section.

59 (e) When a person is released from confinement from the department, the department shall
60 issue to such releasee, with his or her consent, documents pertaining to:

61 (1) The releasee's program history, including:

62 (A) Whether the releasee completed training requested by the State Board of Pardons
63 and Paroles;

64 (B) Whether the releasee completed programs recommended by the department;

65 (C) Whether the releasee obtained a state approved high school equivalency (HSE)
66 diploma or other educational degree while incarcerated; and

67 (D) The releasee's institutional work record, including skills obtained through any job
68 training; and

69 (2) Other information considered relevant by the department.

70 (f) When a person is released from confinement from the department, the department may,
71 in conjunction with the Department of Driver Services, issue such releasee a personal
72 identification card pursuant to Code Section 40-5-107. The department may also issue a
73 Program and Treatment Completion Certificate, if such releasee is eligible.
74 ~~(e)~~(g) The commissioner shall be authorized to promulgate rules and regulations necessary
75 to carry out the provisions of this Code section."

76

SECTION 3.

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