

AMENDED IN ASSEMBLY AUGUST 17, 2021

**SENATE BILL**

**No. 629**

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**Introduced by Senator Roth**

*(Principal coauthor: Assembly Member Stone)*

(Coauthors: Assembly Members Gipson, Medina, and Villapudua)

February 19, 2021

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An act to amend Section 3007.05 of the Penal Code, and to amend Section 14902 of the Vehicle Code, relating to identification cards.

LEGISLATIVE COUNSEL'S DIGEST

SB 629, as amended, Roth. Identification cards.

(1) Existing law requires the Department of Corrections and Rehabilitation and the Department of Motor Vehicles to ensure that any eligible inmate released from state prison has a valid identification card. Existing law defines "eligible inmate," in part, as a person who has previously held a California driver's license or identification card, who has a usable photo on file with the Department of Motor Vehicles that is not more than 10 years old, *who has no outstanding fees due for a prior identification card*, and who meets certain requirements, including that they have provided, and the Department of Motor Vehicles has verified, specified information, such as the inmate's true full name.

This bill would delete the requirement that the usable photo on file be no more than 10 years old, *requirements that the usable photo on file be no more than 10 years old and that the person have no outstanding fees due for a prior identification card*, would require a new photo to be taken if the photo on file is deemed unusable, and would require the inmate to provide, and the Department of Motor Vehicle Vehicles to verify, their California residency for purposes of obtaining an identification card. The bill would expand the definition

of “eligible inmate” to include a person who has not previously held a California driver’s license or identification card, and who meets specified requirements, including that they have signed and verified their application for an identification card. *The bill would also authorize the Department of Corrections and Rehabilitation and the Department of Motor Vehicles to provide a renewed driver’s license in lieu of an identification card if the inmate meets specified criteria. The bill would require the Department of Corrections and Rehabilitation to provide an inmate with a photo prison identification card if a valid identification card is not obtained prior to release. The bill would require the Department of Corrections and Rehabilitation, to the extent administratively feasible and within available resources, to facilitate the process between an eligible inmate and the agencies holding documentation required for the issuance of an identification card, as specified.*

(2) Existing law requires, upon an application for an identification card, a fee of \$26 to be paid to the Department of Motor Vehicles, except as specified, including that a fee not be charged for an original or replacement identification card for certain individuals, such as senior citizens or a person who can verify their status as a homeless person or homeless child or youth. Existing law provides for a reduced fee of \$8 for a replacement identification card issued to an eligible inmate, as defined, upon release from a state or federal correctional facility or a county jail facility. Existing law requires, as part of eligibility for the reduced fee, among other things, that the person previously held a California driver’s license or identification card, and that the person has provided the Department of Motor Vehicles, upon application, a specified verification. In the case of an inmate, existing law requires that verification to be on state or federal correctional facility letterhead or county sheriff letterhead, and to contain the original signature of an official from those respective entities.

Upon release from a state correctional facility, this bill would instead establish a fee of \$8 for an original or replacement identification card issued to an eligible inmate, as defined, who meets certain requirements, including that the inmate has provided the department, upon application, a specified verification on state correctional facility letterhead that contains a signature of an official from the facility.

This bill would also make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 3007.05 of the Penal Code is amended  
2 to read:

3 3007.05. (a) (1) The Department of Corrections and  
4 Rehabilitation and the Department of Motor Vehicles shall ensure  
5 that an eligible inmate, as defined under subdivision (b), released  
6 from a state prison has a valid identification card, issued pursuant  
7 to Article 5 (commencing with Section 13000) of Chapter 1 of  
8 Division 6 of the Vehicle Code.

9 (2) *To the extent administratively feasible and within available*  
10 *resources, the Department of Corrections and Rehabilitation shall*  
11 *facilitate the process between the inmate and the agencies holding*  
12 *documentation required for an inmate identified under subdivision*  
13 *(b) to obtain a California identification card, such as a birth*  
14 *certificate or social security number, including, but not limited to,*  
15 *the provision of any necessary notary services, assistance with*  
16 *obtaining necessary forms, and correspondence.*

17 (b) For purposes of this section, “eligible inmate” means an  
18 inmate who is applying for an original or replacement identification  
19 card and meets all of the requirements described under subdivision  
20 (c) or (d).

21 (c) (1) The inmate has previously held a California driver’s  
22 license or identification card.

23 (2) (A) The inmate has a usable photo on file with the  
24 Department of Motor Vehicles.

25 (B) If the photo is deemed unusable, the inmate shall have a  
26 new photo taken.

27 ~~(3) The inmate has no outstanding fees due for a prior California~~  
28 ~~identification card.~~

29 ~~(4)~~

30 (3) The inmate has provided, and the Department of Motor  
31 Vehicles has verified, all of the following information:

32 (A) The inmate’s true full name.

33 (B) The inmate’s date of birth.

34 (C) The inmate’s social security number.

35 (D) The inmate’s legal presence in the United States.

1 (E) California residency.

2 (d) (1) The inmate has not previously held a California driver's  
3 license or identification card.

4 (2) The inmate has signed and verified their application for an  
5 identification card under the penalty of perjury.

6 (3) The inmate has a usable photo taken.

7 (4) The inmate has provided a legible print of their thumb or  
8 finger.

9 (5) The inmate has provided acceptable proof of the information  
10 described under subparagraphs (A) to (E), inclusive, of paragraph  
11 ~~(4)~~ (3) of subdivision (c), and that information is subject to  
12 verification by the Department of Motor Vehicles.

13 (e) The fee for an original or replacement identification card  
14 issued to an eligible inmate pursuant to this section shall be  
15 consistent with the fee set forth under subdivision (h) of Section  
16 14902 of the Vehicle Code.

17 (f) (1) *The Department of Corrections and Rehabilitation and*  
18 *Department of Motor Vehicles may provide a renewed driver's*  
19 *license in lieu of an identification card if the inmate meets the*  
20 *eligibility criteria specified in Section 12814.5 of the Vehicle Code*  
21 *and is otherwise eligible for the issuance of a driver's license. An*  
22 *inmate receiving a driver's license shall be responsible for paying*  
23 *the difference between the cost of the driver's license and the*  
24 *reduced fee for a California identification card.*

25 (2) *This subdivision shall apply to an inmate whose driving*  
26 *privilege was valid within the prior 10 years.*

27 (3) *Nothing in this section shall be interpreted as removing the*  
28 *examination discretion of the Department of Motor Vehicles under*  
29 *Section 12814 of the Vehicle Code.*

30 (g) *If a valid California identification card is not obtained before*  
31 *release, the Department of Corrections and Rehabilitation shall*  
32 *provide the inmate with a photo prison identification card. It is*  
33 *the intent of the Legislature that as many inmates as possible be*  
34 *provided with a valid California identification card or driver's*  
35 *license.*

36 ~~(f)~~

37 (h) The Department of Corrections and Rehabilitation shall  
38 assist a person who is exonerated as to a conviction for which the  
39 person is serving a state prison sentence at the time of exoneration  
40 with all of the following:

1 (1) Transitional services, including housing assistance, job  
2 training, and mental health services, as applicable. The services  
3 shall be offered within the first week of an individual’s exoneration  
4 and again within the first 30 days of exoneration. Services shall  
5 be provided for a period of not less than six months and not more  
6 than one year from the date of release unless the exonerated person  
7 qualifies for services beyond one year under existing law.

8 (2) Enrollment in the Medi-Cal program established pursuant  
9 to Chapter 7 (commencing with Section 14000) of Part 3 of  
10 Division 9 of the Welfare and Institutions Code.

11 (3) (A) Enrollment in the CalFresh program established  
12 pursuant to Chapter 10 (commencing with Section 18900) of Part  
13 6 of Division 9 of the Welfare and Institutions Code.

14 (B) Exonerated persons who are ineligible for CalFresh benefits  
15 pursuant to the federal Supplemental Nutrition Assistance Program  
16 limitation specified in Section 2015(o) of Title 7 of the United  
17 States Code shall be given priority for receipt of the 15-percent  
18 exemption specified in Section 2015(o)(6) of Title 7 of the United  
19 States Code. The State Department of Social Services shall issue  
20 guidance to counties regarding that requirement.

21 (4) Referral to the Employment Development Department and  
22 applicable regional planning units for workforce services.

23 (5) Enrollment in the federal ~~supplemental security income~~  
24 *Supplemental Security Income* benefits program pursuant to Title  
25 XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et  
26 seq.) and state supplemental program pursuant to Title XVI of the  
27 federal Social Security Act and Chapter 3 (commencing with  
28 Section 12000) of Part 3 of Division 9 of the Welfare and  
29 Institutions Code.

30 ~~(g)~~

31 (i) (1) In addition to any other payment to which the person is  
32 entitled to by law, a person who is exonerated shall be paid the  
33 sum of one thousand dollars (\$1,000) upon release, from funds to  
34 be made available upon appropriation by the Legislature for this  
35 purpose.

36 (2) In addition to any other payment to which the person is  
37 entitled to by law, a person who is exonerated shall be paid the  
38 sum of five thousand dollars (\$5,000) upon release, to be used for  
39 housing, including, but not limited to, hotel costs, mortgage  
40 expenses, a ~~down payment~~, *downpayment*, security deposit, or any

1 payment necessary to secure and maintain rental housing or other  
2 housing accommodations. The exonerated person shall also be  
3 entitled to receive direct payment or reimbursement for reasonable  
4 housing costs for a period of not more than four years following  
5 release from custody. The Department of Corrections and  
6 Rehabilitation shall disburse payments or reimbursements pursuant  
7 to this paragraph from funds to be made available upon  
8 appropriation by the Legislature for this purpose.

9 (3) As used in paragraph (2), the term “reasonable housing  
10 costs” means all *of* the following:

11 (A) For hotel costs, the cost of lodging, not to exceed 25 percent  
12 above the federal General Services Administration’s per diem  
13 lodging reimbursement rate.

14 (B) For payments necessary to secure and maintain rental  
15 housing, both of the following:

16 (i) The actual cost of any security deposits necessary to secure  
17 a rental housing unit.

18 (ii) The cost of rent, not to exceed 25 percent above the fair  
19 market value as defined by the United States Department of  
20 Housing and Urban Development.

21 (C) For mortgage expenses, the cost of mortgage payments, not  
22 to exceed 25 percent above the Federal Housing Administration’s  
23 area loan limits.

24 ~~(h)~~

25 (j) For the purposes of this section, “exonerated” means the  
26 person has been convicted and subsequently one of the following  
27 occurred:

28 (1) A writ of habeas corpus concerning the person was granted  
29 on the basis that the evidence unerringly points to innocence, or  
30 the person’s conviction was reversed on appeal on the basis of  
31 insufficient evidence.

32 (2) A writ of habeas corpus concerning the person was granted  
33 pursuant to Section 1473, either resulting in dismissal of the  
34 criminal charges for which the person was incarcerated or following  
35 a determination that the person is entitled to release on the person’s  
36 own recognizance, or to bail, pending retrial or pending appeal.

37 (3) The person was given an absolute pardon by the Governor  
38 on the basis that the person was innocent.

39 SEC. 2. Section 14902 of the Vehicle Code is amended to read:

1 14902. (a) Except as otherwise provided in subdivisions (b),  
2 (c), (d), (g), and (h) of this section, subdivision (c) of Section  
3 13002, and subdivision (c) of Section 14900, upon an application  
4 for an identification card a fee of twenty dollars (\$20), and on and  
5 after January 1, 2010, a fee of twenty-six dollars (\$26), shall be  
6 paid to the department.

7 (b) An original or replacement senior citizen identification card  
8 issued pursuant to subdivision (b) of Section 13000 shall be issued  
9 free of charge.

10 (c) The fee for an original or replacement identification card  
11 issued to a person who has been determined to have a current  
12 income level that meets the eligibility requirements for assistance  
13 programs under Chapter 2 (commencing with Section 11200) or  
14 Chapter 3 (commencing with Section 12000) of Part 3 of, or Part  
15 5 (commencing with Section 17000) of, or Article 9 (commencing  
16 with Section 18900) of Chapter 10 of Part 6 of, or Chapter 10.1  
17 (commencing with Section 18930) or Chapter 10.3 (commencing  
18 with Section 18937) of Part 6 of, Division 9 of the Welfare and  
19 Institutions Code shall be six dollars (\$6). The determination of  
20 eligibility under this subdivision shall be made by a governmental  
21 or nonprofit entity, which shall be subject to regulations adopted  
22 by the department.

23 (d) A fee shall not be charged for an original or replacement  
24 identification card issued to any person who can verify their status  
25 as a homeless person or homeless child or youth. A homeless  
26 services provider that has knowledge of the person's housing status  
27 may verify the person's status for purposes of this subdivision. A  
28 determination of eligibility pursuant to this subdivision shall be  
29 subject to regulations adopted by the department. A person  
30 applying for an identification card under this subdivision shall not  
31 be charged a fee for verification of their eligibility.

32 (e) All fees received pursuant to this section shall be deposited  
33 in the Motor Vehicle Account.

34 (f) For purposes of this section, the following definitions apply:

35 (1) A "homeless child or youth" has the same meaning as the  
36 definition of "homeless children and youths" as set forth in the  
37 federal McKinney-Vento Homeless Assistance Act (42 U.S.C.  
38 Sec. 11301 et seq.).

1 (2) A “homeless person” has the same meaning as the definition  
2 set forth in the federal McKinney-Vento Homeless Assistance Act  
3 (42 U.S.C. Sec. 11301 et seq.).

4 (3) A “homeless services provider” includes:

5 (A) A governmental or nonprofit agency receiving federal, state,  
6 or county or municipal funding to provide services to a “homeless  
7 person” or “homeless child or youth,” or that is otherwise  
8 sanctioned to provide those services by a local homeless continuum  
9 of care organization.

10 (B) An attorney licensed to practice law in this state.

11 (C) A local educational agency liaison for homeless children  
12 and youth designated as such pursuant to Section 11432 (g)(1)(J)(ii)  
13 of Title 42 of the United States Code, or a school social worker.

14 (D) A human services provider or public social services provider  
15 funded by the State of California to provide homeless children or  
16 youth services, health services, mental or behavioral health  
17 services, substance use disorder services, or public assistance or  
18 employment services.

19 (E) A law enforcement officer designated as a liaison to the  
20 homeless population by a local police department or sheriff’s  
21 department within the state.

22 (F) Any other homeless services provider that is qualified to  
23 verify an individual’s housing status, as determined by the  
24 department.

25 (g) The fee for a replacement identification card issued to an  
26 eligible inmate upon release from a federal correctional facility or  
27 a county jail facility is eight dollars (\$8). For purposes of this  
28 subdivision, “eligible inmate” means an inmate who meets all of  
29 the following requirements:

30 (1) The inmate previously held a California driver’s license or  
31 identification card.

32 (2) The inmate has a usable photo on file with the department  
33 that is not more than 10 years old.

34 (3) The inmate has no outstanding fees due for a prior California  
35 identification card.

36 (4) The inmate has provided, and the department has verified,  
37 their true full name, date of birth, social security number, and legal  
38 presence in the United States.

39 (5) The inmate currently resides in a federal correctional facility  
40 or a county jail facility.

- 1 (6) The inmate has provided the department, upon application,  
2 a verification of their eligibility under this subdivision that meets  
3 all of the following requirements:
- 4 (A) Be on federal correctional facility letterhead or county  
5 sheriff letterhead.
  - 6 (B) Be typed or computer generated.
  - 7 (C) Contain the inmate’s name.
  - 8 (D) Contain the inmate’s date of birth.
  - 9 (E) Contain the original signature of an official from the federal  
10 correctional facility or county sheriff’s office.
  - 11 (F) Be dated within 90 days of the date of application.
  - 12 (h) The fee for an original or replacement identification card  
13 issued to an eligible inmate upon release from a state correctional  
14 facility is eight dollars (\$8). For purposes of this subdivision,  
15 “eligible inmate” has the same meaning as that term is defined  
16 under subdivision (b) of Section 3007.05 of the Penal Code, and  
17 meets both of the following requirements:
    - 18 (1) The inmate currently resides in a facility housing inmates  
19 under the control of the Department of Corrections and  
20 Rehabilitation.
    - 21 (2) The inmate has provided the department, upon application,  
22 a verification of their eligibility under this subdivision that meets  
23 the requirements described under subparagraphs (A) to (D),  
24 inclusive, and (F) of paragraph (6) of subdivision (g) and contains  
25 the signature of an official from the state facility.
    - 26 (i) The fee for a replacement identification card issued to an  
27 eligible patient treated in a facility of the State Department of State  
28 Hospitals is eight dollars (\$8). For purposes of this subdivision,  
29 “eligible patient” means a patient who meets all of the following  
30 requirements:
      - 31 (1) The patient previously held a California driver’s license or  
32 identification card.
      - 33 (2) The patient has a usable photo on file with the department  
34 that is not more than 10 years old.
      - 35 (3) The patient has no outstanding fees due for a prior California  
36 identification card.
      - 37 (4) The patient has provided, and the department has verified,  
38 their true full name, date of birth, social security number, and legal  
39 presence in the United States.

- 1 (5) The patient is currently preparing to be unconditionally
- 2 discharged from a facility of the State Department of State
- 3 Hospitals, or through a conditional release program.
- 4 (6) The patient has provided the department, upon application,
- 5 a verification of their eligibility under this subdivision that meets
- 6 all of the following requirements:
- 7 (A) Be on State Department of State Hospitals letterhead.
- 8 (B) Be typed or computer generated.
- 9 (C) Contain the patient's name.
- 10 (D) Contain the patient's date of birth.
- 11 (E) Contain the original signature of an official from the State
- 12 Department of State Hospitals.
- 13 (F) Be dated within 90 days of the date of application.