

Department of Finance and Administration

Legislative Impact Statement

Bill: SB472

As Engrossed: 3/20/2015

Bill Subtitle: TO BE KNOWN AS THE CRIMINAL JUSTICE REFORM ACT OF 2015; TO IMPLEMENT MEASURES DESIGNED TO ENHANCE PUBLIC SAFETY AND REDUCE THE PRISON POPULATION; AND TO DECLARE AN EMERGENCY.

Basic Change : Sponsors: Sen. Hutchinson and Rep. Shepherd

This bill as engrossed directs DFA to issue driver's licenses and identification cards to eligible inmates. This bill as engrossed states, "The office shall issue a driver's license (DL) or personal identification card (ID) to eligible inmates who are to be released from the custody of the Department of Correction or the Department of Community Correction (DCC)." An eligible inmate is defined as a person who has previously been issued an Arkansas DL or ID card. Furthermore, the DCC will identify eligible inmates to apply for a replacement DL or ID. Any fee for a replacement ID card will be waived. However, fees for a replacement DL will be paid. Section 45 has been added in this engrossed bill to amend state law to authorize DFA to accept the sentencing order from DCC as an alternative identity document. This amendment removes any conflict in the law concerning acceptable source documents to be submitted by DCC. Also, this bill as engrossed directs DFA to waive any reinstatement fees, if the eligible inmate was suspended or revoked solely as a result of an outstanding driver's license reinstatement fee. The engrossed bill makes Sections 46 and 47 effective on and after January 1, 2016.

Revenue Impact :

The bill as engrossed authorizes the issuance of free identification cards, but not driver's licenses under this program. If this bill were passed, it is estimated there could be as many as 8,000 qualified applicants per year who could receive the \$5.00 identification cards. Therefore, the potential decreased revenue is estimated to be \$40,000. Revenue from the sale of identification cards is distributed to the Constitutional Officers Fund and the State Central Services Fund. Since eligible inmates for this program are not yet identified, it is unknown how much revenue will be lost when the reinstatement fees are waived.

Taxpayer Impact :

If this bill as engrossed is passed, qualified inmates may receive driver's license or identification cards when they are paroled or leave their prison.

Resources Required :

If the cards are processed remotely by DFA, no additional personnel will be needed. Programming and training of existing personnel will be required by both DFA and DCC. DCC will need cameras, electronic signature pads and eye examination machines at its locations to implement this program. If DFA is required to travel to the prisons to make the cards, then an additional employee may be required.

Time Required :

No additional time is required to implement this bill.

Procedural Changes :

Procedures will need to be developed by both DFA and DCC to implement this program. Also, financial procedures for DCC to pay for any driver's licenses issued will need to be developed. Current policy at DFA is to collect the funds and record each transaction as it is processed.

Legal Analysis :

The amendment resulting in the 3/20/15 engrossment addresses concerns previously raised by DFA with regard to this bill. Those concerns have now been resolved with this amendment.