
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1601 Session of
2023

INTRODUCED BY KINKEAD, KINSEY, HILL-EVANS, HOHENSTEIN, MADDEN,
McNEILL, RABB, SANCHEZ, GUENST, KAZEEM, MAYES, HANBIDGE,
WAXMAN, GIRAL, M. JONES, KHAN AND HOWARD, AUGUST 7, 2023

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 7, 2023

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, establishing the Identification Upon
3 Reentry Program.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 61 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 49A

9 IDENTIFICATION UPON REENTRY

10 Sec.

11 49A01. Scope of chapter.

12 49A02. Definitions.

13 49A03. Establishment.

14 49A04. Administration.

15 49A05. Guidelines.

16 49A06. Responsibilities of paying costs.

17 49A07. Rules and regulations.

18 § 49A01. Scope of chapter.

1 This chapter relates to the Identification Upon Reentry
2 Program.

3 § 49A02. Definitions.

4 The following words and phrases when used in this chapter
5 shall have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

7 "Acceptable proof of residency." A current and unexpired
8 driver's license or photo identification card, vehicle
9 registration card, auto insurance card, computer-generated
10 utility bill showing a person's name and address, postmarked
11 mail or package label, W-2 form or pay stub, lease agreement or
12 mortgage document or official tax record reflecting a person's
13 name and address.

14 "Article." The following:

15 (1) A Social Security card.

16 (2) An acceptable proof of residency.

17 "Assist." Printing necessary forms, ensuring that an
18 eligible offender has filled forms out correctly with sufficient
19 information, facilitating communication between an eligible
20 offender and State agencies and keeping an eligible offender
21 updated on the developments of their case.

22 "Certificate." A birth certificate, certificate of United
23 States citizenship or certificate of naturalization.

24 "Costs." Application fees and translation services and other
25 goods or services that require a payment from an eligible
26 offender.

27 "Eligible offender." An incarcerated individual who is to be
28 released from a State correctional institution or juvenile
29 detention facility and who shall continue residing in this
30 Commonwealth upon release and has not decided to opt out of the

1 program.

2 "Program." The Identification Upon Reentry Program
3 established under section 49A03 (relating to establishment).

4 "Specified area." An area within this Commonwealth,
5 determined by the department, where driving a car is not
6 necessary due to access to public transportation or other
7 transportation.

8 "Work permit." A transferable work permit valid for minors
9 16 and 17 years of age and valid for the entire time the minor
10 is eligible for work through 18 years of age.

11 § 49A03. Establishment.

12 The department, in collaboration with the Department of Human
13 Services and the Department of Transportation, shall establish
14 the Identification Upon Reentry Program to provide eligible
15 offenders with birth certificates, Social Security cards, photo
16 identification cards, driver's licenses in the form of camera or
17 photo identification cards and work permits upon release from a
18 State correctional institution or juvenile detention center.

19 § 49A04. Administration.

20 The program shall be administered as follows:

21 (1) The department, the Department of Human Services and
22 the Department of Transportation shall establish policies
23 necessary to carry out the program, including program
24 requirements and implementation.

25 (2) The department, the Department of Human Services and
26 the Department of Transportation may seek Federal or State
27 funding to support the program.

28 (3) The department, the Department of Human Services and
29 the Department of Transportation shall develop monitoring and
30 accountability systems to confirm that the program is being

1 efficiently carried out. The monitoring and accountability
2 systems shall include the submission of an annual report to
3 the Law and Justice Committee of the Senate and the Judiciary
4 Committee of the House of Representatives. The annual report
5 shall include the number and percentage of offenders released
6 with articles, certificates, camera or photo identification
7 cards and driver's licenses and the number and percentage of
8 offenders released without such documents and the reasons
9 why.

10 § 49A05. Guidelines.

11 The following guidelines shall apply:

12 (1) Prior to the release of an eligible offender, the
13 department, in consultation with the Department of Human
14 Services and the Department of Transportation, shall assist
15 an eligible offender in obtaining the following:

16 (i) A birth certificate.

17 (ii) A Social Security card.

18 (iii) A photo identification card.

19 (iv) A driver's license in the form of a camera
20 card.

21 (v) A work permit.

22 (2) Once an eligible offender is made aware of the
23 eligible offender's ability to participate and available
24 options under the program, the eligible offender may opt out
25 of participation in the program.

26 (3) The department, in consultation with the Department
27 of Human Services and the Department of Transportation, shall
28 assist an eligible offender in obtaining the necessary
29 articles and certificates needed to apply for a driver's
30 license, photo identification card and work permit.

1 (4) If an eligible offender was born in another state or
2 became a United States citizen or a naturalized citizen, the
3 department and the Department of Human Services shall remain
4 responsible for assisting the eligible offender in obtaining
5 the necessary documents from the appropriate agencies before
6 the eligible offender is released.

7 (5) The Department of Transportation, in cooperation
8 with the department, shall issue a renewed or replacement
9 driver's license in the form of a camera card to an eligible
10 offender deemed eligible to drive.

11 (6) If an eligible offender's driver's license is
12 expired, the department, in cooperation with the Department
13 of Transportation, shall renew the eligible offender's
14 driver's license.

15 (7) The Department of Transportation, in cooperation
16 with the department and the Department of Human Services,
17 shall issue a new or replacement photo identification card in
18 the form of a camera or photo identification card to an
19 eligible offender who is not old enough to drive or resides
20 in a specified area.

21 (8) If an eligible offender's driver's license has been
22 issued a definite suspension by the Department of
23 Transportation, the department, in cooperation with the
24 Department of Transportation, shall provide the offender with
25 a restoration requirement letter, assist the eligible
26 offender in applying for reinstatement and inform the
27 eligible offender of when the application will be approved.

28 (9) If an eligible offender's driver's license has been
29 issued an indefinite suspension by the Department of
30 Transportation, the department shall issue the eligible

1 offender a photo identification card in the form of a camera
2 card and the Department of Transportation shall provide the
3 offender with a pamphlet that includes the steps that the
4 eligible offender must take to contest a suspended license
5 resulting from a court conviction.

6 (10) If an eligible offender's suspended driver's
7 license cannot be reinstated prior to the eligible offender's
8 release, the Department of Transportation shall inform the
9 eligible offender of the option to apply for an occupational
10 limited license or a probationary license. If the eligible
11 offender decides to apply, the department, in cooperation
12 with the Department of Transportation, shall assist the
13 offender in applying for the occupational limited license or
14 a probationary license, including assisting the eligible
15 offender in filling out and sending a probationary license
16 petition or an occupational limited license petition, paying
17 all appropriate petition fees, updating the eligible offender
18 on the Department of Transportation's response to the
19 petition and delivering an occupational limited license
20 camera card to a qualifying offender.

21 (11) If an eligible offender is being released prior to
22 the eligible offender's 18th birthday and the offender meets
23 eligibility requirements under the act of October 24, 2012
24 (P.L.1209, No.151), known as the Child Labor Act, the
25 Department of Labor and Industry, in cooperation with the
26 Department of Human Services, shall issue a work permit to an
27 eligible offender under 18 years of age once all requirements
28 of a work permit have been met.

29 § 49A06. Responsibilities of paying costs.

30 The department shall pay all costs of obtaining articles,

1 certificates, applications and driver's licenses in the form of
2 camera cards and photo identification cards for eligible
3 offenders. The Department of Human Services shall pay all costs
4 of obtaining work permits for eligible offenders.

5 § 49A07. Rules and regulations.

6 The department, the Department of Human Services and the
7 Department of Transportation may promulgate rules and
8 regulations necessary to implement this chapter.

9 Section 2. This act shall take effect in 60 days.