

# HB 2303

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**Path to full text:**

<https://documents.house.mo.gov/billtracking/bills261/hlrbillspdf/5833H.01I.pdf>

## PART 1 – QUICK SNAPSHOT

### 1.1 One-Paragraph Overview (Plain Language)

This bill requires the Missouri Department of Corrections (DOC) to help people leaving prison (for felony sentences) re-enter society by ensuring they leave custody with practical employment-related documents and, importantly, a current state-issued ID if they do not already have one. It directs DOC to coordinate with the Department of Revenue (DOR) to start ID paperwork up to nine months before release and to issue an identification card upon release for eligible inmates. It also requires DOC to provide certain job-readiness materials (like training/work records, a resume, and proof of a practice interview), with exemptions for seniors and certain medical or non-workforce cases.

**Limited-government/necessity lens:** while the goal is constructive, we should first determine whether DOC/DOR already have (and are already implementing) these reentry and ID services under current law or administrative authority. If this is largely duplicative or already being accomplished without statute, the bill may be unnecessary government expansion unless the sponsor can show a documented gap, inconsistency, or failure that requires legislation. The primary costs and administrative burden fall on DOC/DOR operations, with fees and funding mechanisms referenced in the bill.

### 1.2 Triage Table (Fast Flags)

Check	Quick Finding
Single-Subject / Clear Title	Likely compliant in spirit and form. Focused on reentry documentation/ID.
Title Specificity (0–3)	3 – “relating to inmate release from custody of the department of corrections” is fairly specific to the actual policy change.
Department Scope	Multiple (DOC + DOR), but tightly connected to one policy purpose (reentry documentation/ID). Not “omnibus” in practice.
Does it grow government?	Yes: creates mandates/coordination/document production and expands administrative processes.
Necessity / Duplication Risk	<b>Unclear.</b> Before support, we need proof that the current programs/authorities are insufficient or inconsistent.

Check	Quick Finding
Impact on Missouri families	Potentially helps (reduces barriers to work/housing after release; may reduce recidivism), but outcome evidence should be required.
Alignment with Act for Missouri core beliefs	Mixed: promotes work/order, but raises limited-government concerns if duplicative; concerns re: fees, delegation, “nonrenewable” ID, and inmate trust fund language.
Initial stance	<b>WATCH</b> (pending proof of necessity + guardrail amendments).

## PART 2 – PURPOSE & PROVISION MAP

### 2.1 Stated Purpose & Title

**Title/theme:** “relating to inmate release from the custody of the department of corrections.”

**Practical purpose:** Ensure inmates released into Missouri have identity documents and job-readiness documentation needed to seek lawful employment and function in society.

**Act for Missouri lens:** This is a narrow “reentry logistics” bill. While it touches two agencies, the subject matter is unified: getting a released inmate properly documented to work. However, under a limited-government standard, we ask: **Is this already being done under existing authority?** If yes, the bill should be justified by documented deficiencies or measurable statewide inconsistency.

### 2.2 Provision-by-Provision Map (New §217.443)

#### §217.443.1 – Reentry docs + ID coordination

- **What it does:** DOC must provide “relevant documentation” for employment and coordinate with DOR to provide a state ID card if the inmate lacks a current ID/driver’s license.
- **Tag:** [Good goal / WATCH]
- **Why:** Practical barrier removal supports lawful work; but mandates should be supported by evidence of need (gap/inconsistency) rather than “nice-sounding” expansion.

#### §217.443.2 – Start ID process within 9 months of release

- **What it does:** Requires DOC/DOR to check ID status and begin gathering documents for an ID card if needed.
- **Tag:** [Good goal / WATCH]
- **Why:** Sensible operationally; still requires proof that statute is necessary (and that DOC/DOR cannot or will not do this without a mandate).

#### §217.443.3 – Provide ID upon release; treat like driver’s license processes

- **What it does:** DOC coordinates for ID issuance; IDs issued/replaced/cancelled/denied like driver's licenses.
- **Tag:** [Mixed / WATCH]
- **Why:** Goal is good, but "same manner as driver's licenses" ties this program to broader administrative rules that can change over time.

#### **§217.443.4 – Birth certificate + DOC record card counts as documentation**

- **What it does:** Allows a certified birth certificate plus DOC record card to qualify as valid documentation for an ID.
- **Tag:** [Good / WATCH]
- **Why:** Improves feasibility. Still merits scrutiny to ensure identity verification remains strong and does not invite fraud or loopholes.

#### **§217.443.5 – ID validity/fee/nonrenewable**

- **What it does:** ID valid 4 years; fee set by DOR; nonrenewable and nontransferable.
- **Tag:** [Concern / WATCH]
- **Why:** "Fee to be determined by DOR" is open-ended; "nonrenewable" can create future burdens (forcing re-application rather than renewal) and undermines the stated goal.

#### **§217.443.6 – Funding sources, including inmate trust funds and donations**

- **What it does:** DOC may use available funds to implement/administer and purchase IDs, including inmate trust funds and donations.
- **Tag:** [Concern / WATCH]
- **Why:** "Inmate trust funds" language must be clarified to ensure it is **voluntary and consent-based** (written opt-in), not an implied authorization to divert private funds.

#### **§217.443.7 – Applies only to inmates eligible under state law**

- **What it does:** Limits program to those who meet state standards for ID issuance.
- **Tag:** [Good]
- **Why:** Prevents the section from overriding baseline eligibility requirements.

#### **§217.443.8 – Employment documentation list**

- **What it does:** Requires DOC to provide training/work records, birth certificate (if obtainable), Social Security card (if obtainable), resume, and "practice interview" documentation.
- **Tag:** [Good goal / WATCH]
- **Why:** Reinforces employability and personal responsibility, but we should verify these services are not already delivered and should require measurable outcomes if mandated.

#### **§217.443.9 – Notify about occupational license eligibility**

- **What it does:** DOC must notify inmates if they are eligible to apply for occupational licenses/certifications.
- **Tag:** [Good goal / WATCH]
- **Why:** Supports lawful work pathways; still needs necessity/outcome justification.

#### §217.443.10 – Exemptions from resume/practice interview

- **What it does:** Exempts elderly, medical parole/infirmity releases, those transferred to other jurisdictions, and those unable to enter workforce.
- **Tag:** [Good]
- **Why:** Sensible tailoring; avoids pointless bureaucracy.

#### §217.443.11 – Rulemaking + Chapter 536 nonseverability clause

- **What it does:** Allows DOC/DOR to promulgate rules; includes a common “if legislative review powers are struck down, rulemaking authority becomes void” clause.
- **Tag:** [Mixed / WATCH]
- **Why:** Rulemaking is expected for implementation, but it remains delegated. Guardrails should be explicit in statute (fees, consent, renewal, reporting, and data limits), not left to agency discretion.

### 2.3 Changes to Existing Law (High-Level)

- Creates a new statutory mandate for DOC to provide specific employment reentry documentation.
- Requires DOC/DOR coordination to ensure state-issued ID cards are pursued before release and provided at release (for eligible inmates without current ID).
- Expands acceptable documentation for ID issuance to include DOC record card + certified birth certificate.
- Authorizes funding mechanisms for implementation, including potential use of inmate trust funds and donations.
- Grants DOC/DOR rulemaking authority for administration.
- **Limited-government note:** These mandates should be adopted only if the sponsor demonstrates a real gap that cannot be reliably solved under current authority and practice.

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## PART 3 – CONSTITUTIONAL & PROCESS CHECKS

### 3.1 Single-Subject & Clear-Title (Mo. Const. Art. III §23)

- **Main subject:** Reentry documentation and state ID issuance support for inmates being released.
- **Additional subjects:** None that appear unrelated; DOR involvement is instrumental to issuing IDs, not a separate policy domain.

- **Riders/barnacles:** None identified.
- **Title clarity vs real effects:** Title fairly matches the content; the DOR coordination is a foreseeable part of “inmate release” logistics.
- **Title Specificity:** 3/3.
- **Department Scope:** Multiple (DOC + DOR), but still one coherent subject matter.
- **Conclusion:** Likely complies with single-subject and clear-title requirements, and it largely meets “citizen fair-notice.” Constitutional compliance, however, does not answer whether the bill is *necessary*.

### 3.2 U.S. & Missouri Constitutional Rights

No obvious infringement of enumerated rights (speech, religion, arms, property) is created here. The bill can be viewed as facilitating lawful participation in society (work, contracting, housing) by addressing identification barriers.

### 3.3 Delegation / Separation of Powers

- **Delegation points:**
  - DOR sets an “allowable fee” (no cap/standard in the statute).
  - DOC/DOR may promulgate rules for administration.
- **Risk level:** Moderate (typical admin delegation, but fee-setting and program terms should be bounded).
- **Bottom line:** Even if constitutionally acceptable, we should treat open-ended delegation as a **WATCH** issue unless tightened with guardrails (fee limits, consent standards, renewal clarity, reporting requirements, and data limits).

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## PART 4 – IMPACT ON MISSOURI FAMILIES

### 4.1 Economic, Tax, and Cost Impacts

- **Potential relief:** Better access to employment can reduce dependence and lower recidivism-related costs.
- **Potential burden:** Administrative costs for DOC/DOR; fees for IDs may fall on released inmates (and possibly their trust funds).
- **Net:** Potentially positive, but we should require evidence and measurable outcomes—especially if existing programs already claim to address these issues without new mandates.

### 4.2 Family, Parental Rights, and Education

Not directly implicated. Indirectly, stable post-release employment can improve family stability and child support compliance.

### 4.3 Moral & Cultural Climate

This bill reinforces a norm of work, responsibility, and orderly reintegration rather than permanent dependency. It does not advance ideological language or redefine family terms. The limited-government question remains whether a statute is required to accomplish this.

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## PART 5 – ACT FOR MISSOURI CORE PRINCIPLES CHECK

1. **Sanctity of life:** Not implicated.
2. **Limited, biblical view of government:** Mixed—goal is constructive, but mandates should be adopted only if demonstrably necessary and tightly bounded.
3. **Property rights & economic liberty:** Generally supportive (helps people work). Concern if inmate trust funds could be used without clear consent.
4. **Constitutionalism & rule of law:** Likely fine; concern about open-ended fee setting and rulemaking discretion.
5. **Right to bear arms:** Not implicated.
6. **State sovereignty / Tenth Amendment:** Not implicated.
7. **Nuclear family / parental rights:** Indirectly supportive via reintegration.
8. **Homeschool/private Christian education:** Not implicated.
9. **Surveillance/data/financial control:** Mild relevance (state ID infrastructure), but not a digital-ID expansion on its face; still warrants data-use guardrails.

**Overall: WATCH** (good goal, but necessity + guardrails not proven/secured).

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## PART 6 – SPECIAL TOPIC TESTS (Relevant Here)

### Surveillance State & Digital-Control Test

- The bill does not create digital ID, biometric expansion, or new data hubs on its face.
  - However, it does expand the number of people leaving custody with state IDs, which can be a building block in broader identity systems over time.
  - **Assessment:** Low-to-moderate risk; Act for Missouri should favor explicit privacy/data-use limits and anti-mission-creep language where feasible.
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## PART 7 – RED FLAGS, AMENDMENT IDEAS, & FINAL RECOMMENDATION

## 7.1 Red-Flag List (Prioritized)

1. **Necessity not demonstrated / potential duplication of existing programs**
  - **Location:** Bill-wide (threshold question)
  - **Why it matters:** Act for Missouri supports limiting government; if agencies already provide these services, statute may be unnecessary.
  - **Severity:** Serious (threshold issue)
2. **Open-ended fee-setting by DOR**
  - **Location:** §217.443.5
  - **Why it matters:** Fees can become barriers to reintegration or hidden costs without legislative control.
  - **Severity:** Moderate
3. **“Nonrenewable” ID creates future burden**
  - **Location:** §217.443.5
  - **Why it matters:** Forces re-application and paperwork cliffs later; undermines stability.
  - **Severity:** Moderate
4. **Use of “inmate trust funds” without an explicit consent standard**
  - **Location:** §217.443.6
  - **Why it matters:** Trust funds are private funds; the statute should require written opt-in/consent and clear disclosure.
  - **Severity:** Serious (fixable)
5. **Rulemaking delegation without clear guardrails**
  - **Location:** §217.443.11 (and generally §217.443.3/.5)
  - **Why it matters:** Implementation drift and mission creep.
  - **Severity:** Moderate

## 7.2 Possible Fixes / Amendments

- **Proof-of-need / outcomes requirement:** Add annual reporting (e.g., % released without valid ID before/after; cost per ID; implementation consistency across facilities).
- **Fee guardrail:** Tie fee to the standard nondriver ID fee schedule or set a statutory cap; require public reporting of any fee changes.
- **Renewal fix:** Remove “nonrenewable” or explicitly allow renewal under standard DOR renewal processes.
- **Trust fund consent language:** Amend §217.443.6 to state inmate trust funds may be used **only with the inmate’s written consent**, after disclosure of the amount and purpose.

- **Privacy/mission creep guardrail:** Limit data sharing to what is necessary for issuance and prohibit expansion into tracking/monitoring without explicit legislative approval.

### **7.3 Final Recommendation**

**Act for Missouri will WATCH this bill.** The goal—removing barriers to lawful work after release—can be beneficial. However, under a limited-government standard, Act for Missouri will not support new mandates unless the sponsor demonstrates that existing DOC/DOR practices are insufficient or inconsistent and that this statute is the least-government solution. In addition, the bill raises avoidable concerns (open-ended fee-setting, “nonrenewable” IDs, ambiguity in the inmate trust fund, and broad rulemaking).